

**RESOLUTION NO. 15-1060**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY IN THE TOWN FOR RIGHT-OF-WAY, DRAINAGE, AND EASEMENT PURPOSES FOR THE CHINO MEADOWS UNITS 2 AND 5 DRAINAGE PROJECT, AUTHORIZING AND DIRECTING THE MAYOR, TOWN MANAGER AND TOWN ATTORNEY TO ACQUIRE TITLE TO SUCH REAL PROPERTY ON BEHALF OF THE TOWN BY DONATION, EMINENT DOMAIN OR PURCHASE FOR AN AMOUNT NOT TO EXCEED FAIR MARKET VALUE OF THE PROPERTY, PLUS ACQUISITION AND CLOSING COSTS.**

WHEREAS, the continued growth and development of the Town of Chino Valley requires acquisition of certain real property described in Exhibit A, attached hereto and made a part hereof, for the Chino Meadows Units 2 and 5 Drainage Project (the "Project"); and

WHEREAS, the Mayor and Common Council of the Town of Chino Valley previously authorized the Project by motion on May 12, 2015; and

WHEREAS, the Mayor and Common Council of the Town of Chino Valley find that acquisition of the property described is necessary for public right-of-way, drainage, and easement purposes for the Project, and it is in the public interest to acquire such property; and

WHEREAS, the Mayor and Common Council of the Town of Chino Valley have considered alternatives available to it, have balanced the public good and the private injury resulting from the acquisition of the property and have determined that locating the public improvements on the property results in the greatest public good and the least private injury;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Chino Valley, County of Yavapai, Arizona, that

1. That the Mayor, Town Manager and Town Attorney are hereby authorized and directed to acquire title to and possession of the real property generally described in Exhibit A, plus any additional real property required for completion of the Project as determined by the final engineering plans, by donation, eminent domain or purchase for an amount not to exceed fair market value, plus acquisition and closing costs; and

2. That the Mayor, Town Manager and Town Attorney are authorized to perform all acts necessary to acquire said property for the purposes described in this resolution on behalf of the Town.

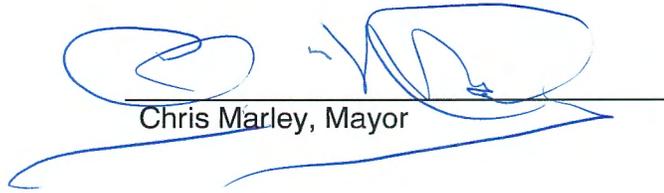
**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 9<sup>th</sup> day of June, 2015 by the following vote:

AYES: 6

ABSENT: 0

NAYS: 0

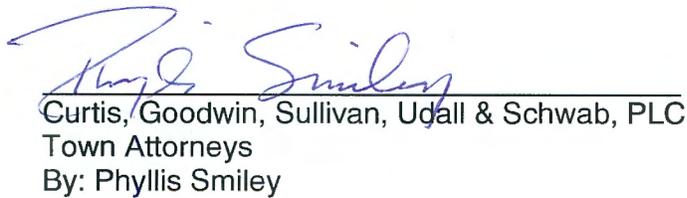
ABSTAINED: 0

  
Chris Marley, Mayor

ATTEST:

  
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

  
Curtis, Goodwin, Sullivan, Udall & Schwab, PLC  
Town Attorneys  
By: Phyllis Smiley

I hereby certify the above foregoing Resolution No. 15-1060 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on June 9, 2015, and that quorum was present thereat and that the vote thereon was 6 ayes and 0 nays and 0 abstentions. 0 Council members were absent or excused.

  
Jami C. Lewis, Town Clerk

The following exhibits are attached hereto and incorporated herein:

1. Exhibit A – Legal Description of Property/Easement to be Acquired

**EXHIBIT A**

**Description of Property to be Acquired**

## LEGAL DESCRIPTION

All that portion of land, lying in the Northeast Quarter of Section 23, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, Being a portion of that land as shown in the final plat of Chino Meadows Unit 2 as "Lake and Recreation Area" as recorded in Book 15 of Maps and Plats, Page 74-76, Yavapai County Recorder's Office, more particularly described as follows:

COMMENCING at a found GLO Brass Cap Monument at the Northeast corner of said Section 23, from which point the East Quarter corner of Section 23 bears South 00°10'00" West, a distance of 2633.40 feet;

Thence South 89°56'23" West, along the north line of the Northeast Quarter of said Section 23, a distance of 425.30 feet;

Thence South 00°03'37" East, a distance of 50.00 feet to the southerly right of way line of Road 2 North as shown on said final plat of Chino Meadows Unit 2;

Thence along a non-tangent curve, concave to the southwest, having a radius of 25.00 feet, a central angle of 90°13'37", an arc length of 39.37 feet, a chord bearing of South 44°56'49" East and a chord length of 35.43 feet to a point on the westerly right of way line of Porcupine Pass as shown on said final plat of Chino Meadows Unit 2;

Thence South 00°01'00" West, along said westerly right of way line, a distance of 224.89 feet and the TRUE POINT OF BEGINNING;

Thence continuing South 00°01'00" West, along said westerly right of way line, a distance of 25.00 feet;

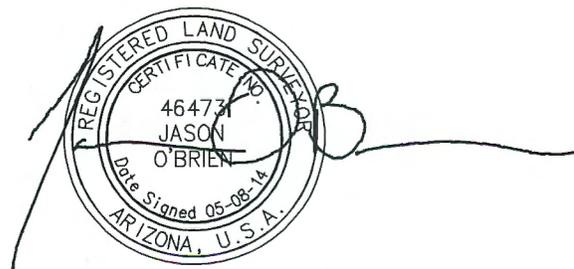
Thence North 44°50'00" West, a distance of 35.36 feet;

Thence South 89°50'00" East, a distance of 25.00 feet to the TRUE POINT OF BEGINNING.

Containing 315.50 square feet more or less.

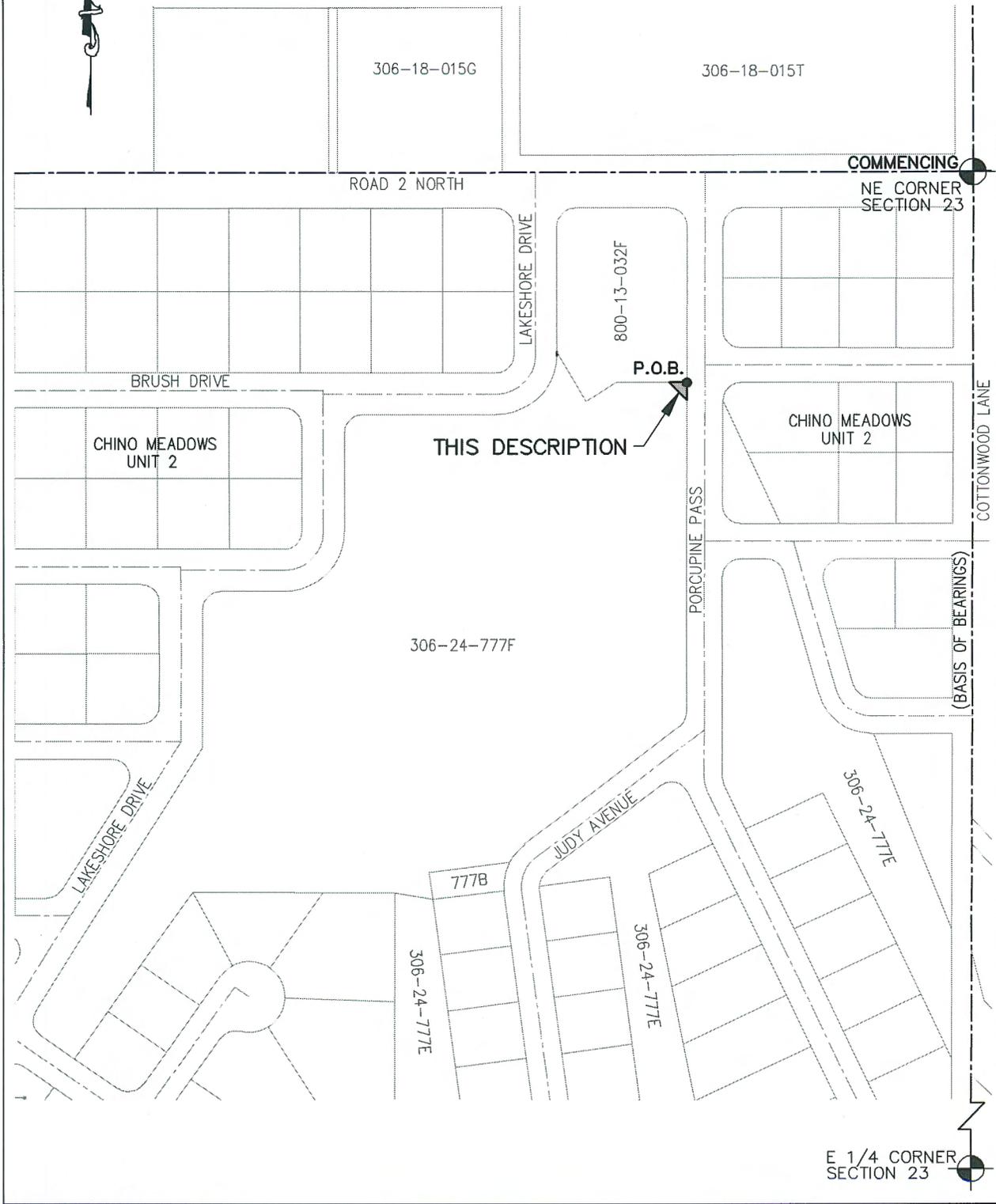
05/08/14  
LE #487-23  
Parcel 1.doc

JASON O'BRIEN, R.L.S.



EXPIRES 6/30/16

MAP TO ACCOMPANY  
LEGAL DESCRIPTION



COMMENCING  
NE CORNER  
SECTION 23

THIS DESCRIPTION

P.O.B.

(BASIS OF BEARINGS)

E 1/4 CORNER  
SECTION 23

**LEGAL DESCRIPTION**

Tract A as shown in the final plat of Chino Meadows Unit 2 as recorded in Book 15 of Maps and Plats, Page 74-76, Yavapai County Recorder's Office. Lying in the Northeast Quarter of Section 23, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona

Containing 7,040.38 square feet more or less.

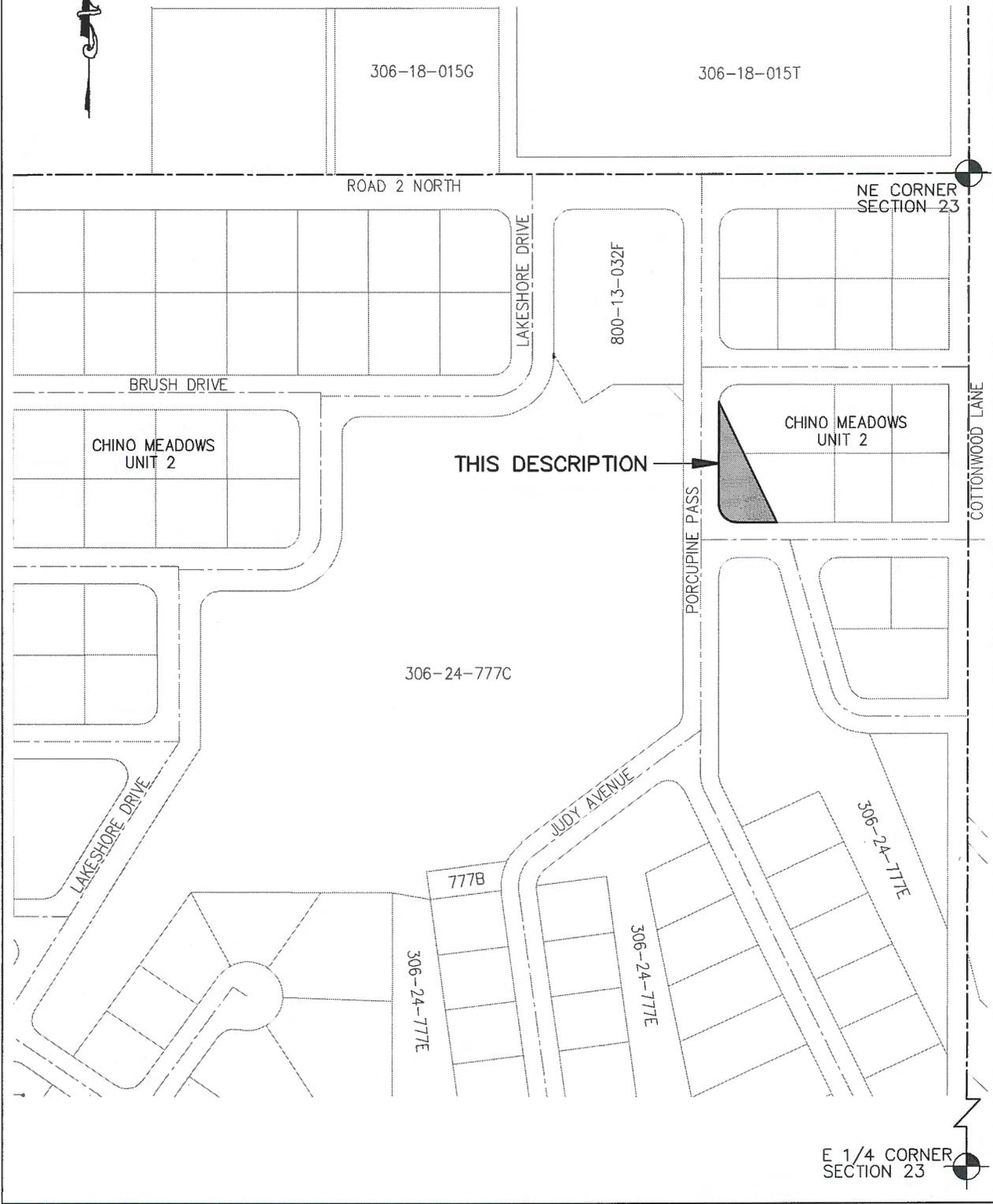
05/08/14  
LE #487-23  
Parcel 2.doc

JASON O'BRIEN, R.L.S.



EXPIRES 6/30/16

MAP TO ACCOMPANY  
LEGAL DESCRIPTION



306-18-015G

306-18-015T

ROAD 2 NORTH

NE CORNER  
SECTION 23

LAKESHORE DRIVE

800-13-032F

BRUSH DRIVE

CHINO MEADOWS  
UNIT 2

THIS DESCRIPTION

CHINO MEADOWS  
UNIT 2

PORCUPINE PASS

COTTONWOOD LANE

306-24-777C

LAKESHORE DRIVE

JUDY AVENUE

777B

306-24-777E

306-24-777E

306-24-777E

E 1/4 CORNER  
SECTION 23

## LEGAL DESCRIPTION

All that portion of land, lying in the Northeast Quarter of Section 23, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, Being a portion of that land as shown in the final plat of Chino Meadows Unit 2 as recorded in Book 15 of Maps and Plats, Page 74-76, Yavapai County Recorder's Office, lying South of Little Doggie Draw and Rustler Route, East of Porcupine Pass, North of lots 595 through 599 and West of lot 724, more particularly described as follows:

COMMENCING at a found GLO Brass Cap Monument at the Northeast corner of said Section 23, from which point the East Quarter corner of Section 23 bears South  $00^{\circ}10'00''$  West, a distance of 2633.40 feet;

Thence South  $00^{\circ}10'00''$  West, along the East line of the Northeast Quarter of said Section 23, a distance of 1081.49 feet;

Thence South  $89^{\circ}50'00''$  East, a distance of 28.00 feet to the southernmost corner of Lot 724 as shown on said final plat of Chino Meadows Unit 2, also being the TRUE POINT OF BEGINNING;

Thence South  $00^{\circ}10'00''$  West, a distance of 181.82 feet;

Thence North  $25^{\circ}20'00''$  West, a distance of 418.70 feet;

Thence South  $64^{\circ}40'00''$  West, a distance of 120.00 feet to a point on the easterly right of way line of Porcupine Pass as shown on said final plat of Chino Meadows Unit 2;

Thence North  $25^{\circ}20'00''$  West, along said easterly right of way line, a distance of 72.00 feet;

Thence along a tangent curve, along said easterly right of way line, concave to the northeast, having a radius of 25.00 feet, a central angle of  $25^{\circ}30'00''$ , an arc length of 11.13 feet, a chord bearing of North  $12^{\circ}35'00''$  West and a chord length of 11.03 feet to a point on the westerly right of way line of Porcupine Pass as shown on said final plat of Chino Meadows Unit 2;

Thence North  $00^{\circ}01'00''$  East, along said easterly right of way line, a distance of 284.82 feet;

Thence along a tangent curve, concave to the southeast, having a radius of 25.00 feet, a central angle of  $90^{\circ}00'00''$ , an arc length of 39.27 feet, a chord bearing of North  $45^{\circ}10'00''$  East and a chord length of 35.36 feet to a point on the southerly right of way line of Little Doggie Draw as shown on said final plat of Chino Meadows Unit 2;

Thence South  $89^{\circ}50'00''$  East, along said southerly right of way line, a distance of 37.08 feet;

Thence along a tangent curve, concave to the southwest, having a radius of 25.00 feet, a central angle of 74°21'28", an arc length of 32.44 feet, a chord bearing of South 52°39'16" East and a chord length of 30.22 feet to a point on the westerly right of way line of Rustler Route as shown on said final plat of Chino Meadows Unit 2;

Thence South 15°28'32" East, along said westerly right of way line, a distance of 183.78 feet;

Thence along a tangent curve, concave to the northeast, having a radius of 75.00 feet, a central angle of 74°21'28", an arc length of 97.33 feet, a chord bearing of South 52°39'16" East and a chord length of 90.65 feet to a point on the southerly right of way line of Rustler Route as shown on said final plat of Chino Meadows Unit 2;

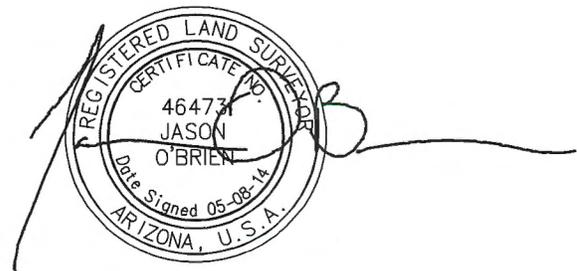
Thence South 89°50'00" East, along said southerly right of way line, a distance of 4.08 feet;

Thence South 21°16'52" East, a distance of 300.83 feet to the TRUE POINT OF BEGINNING.

Containing 78,455.58 square feet or 1.80 acres more or less.

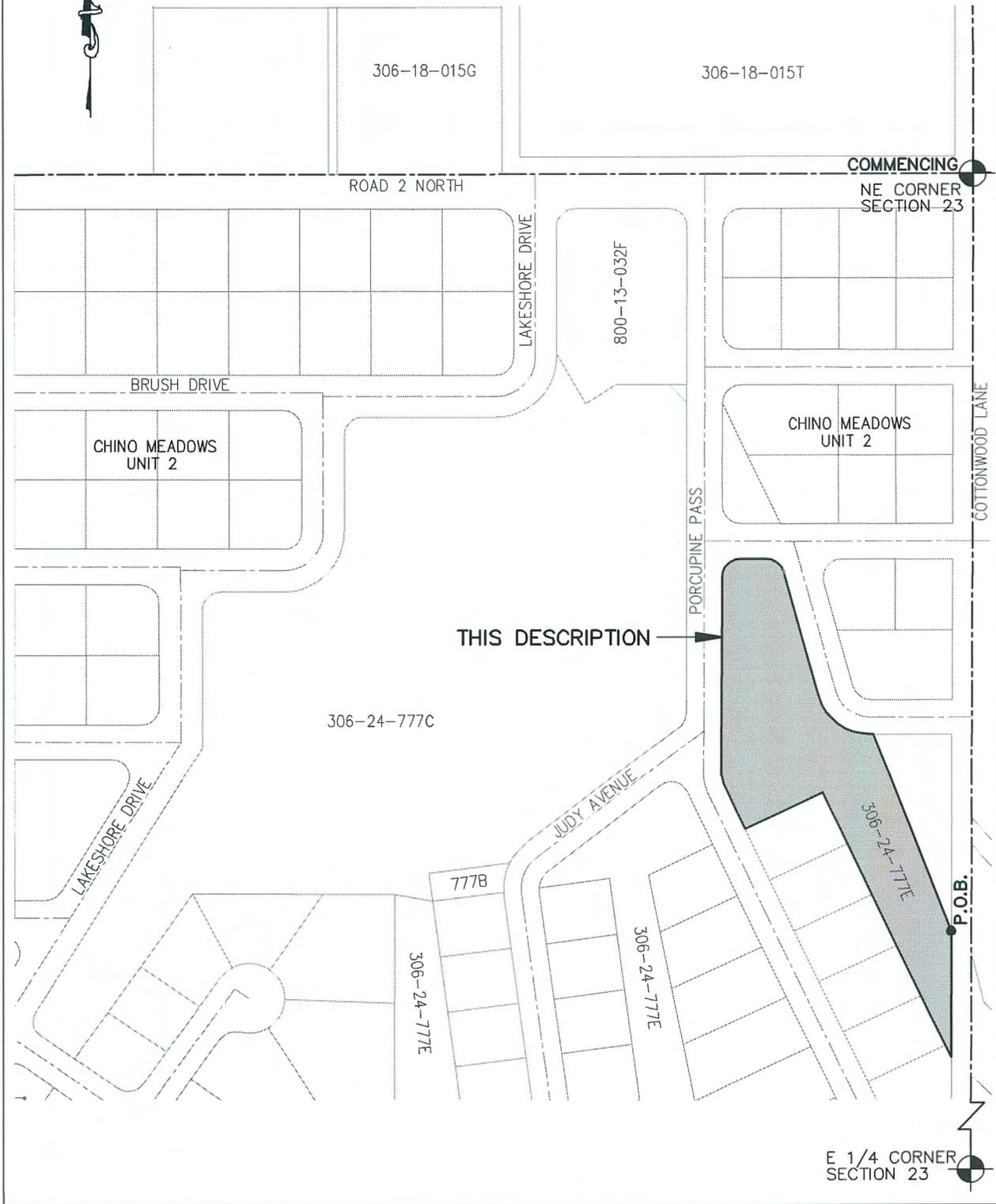
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LE #487-23  
Parcel 3.doc

JASON O'BRIEN, R.L.S.



EXPIRES 6/30/16

MAP TO ACCOMPANY  
LEGAL DESCRIPTION



COMMENCING  
NE CORNER  
SECTION 23

THIS DESCRIPTION

E 1/4 CORNER  
SECTION 23

P.O.B.

**LEGAL DESCRIPTION**

Tract B as shown in the final plat of Chino Meadows Unit 5 as recorded in Book 16 of Maps and Plats, Page 20-21, Yavapai County Recorder's Office. Lying in the Northwest Quarter of Section 24, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona

Containing 79,884.92 square feet or 1.83 acres more or less.

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LE #487-23  
Parcel 4.doc

JASON O'BRIEN, R.L.S.



EXPIRES 6/30/16

MAP TO ACCOMPANY  
LEGAL DESCRIPTION

NW CORNER  
SECTION 24



CHINO MEADOWS  
UNIT 2

CHINO MEADOWS  
UNIT 5

THIS DESCRIPTION

W 1/4 CORNER  
SECTION 24

