

**RESOLUTION NO. 16-1096**

**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 PURPOSES; 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 the acquisition of certain real property for roadway improvements to Road One East Road, which real property is generally described in Exhibit A, attached hereto and made a part hereof; 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 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, 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, ARIZONA:

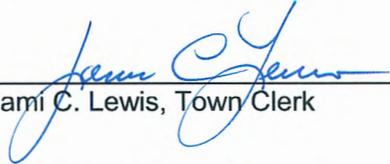
That the Mayor, Town Manager and Town Attorney are hereby authorized and directed to acquire title to and possession of the real property generally described in Exhibit A, plus any additional real property required for completion of the Project, as determined by the final engineering plans, by donation,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

BE IT FURTHER RESOLVED, 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 13<sup>th</sup> day of December, 2016.

  
\_\_\_\_\_  
Darryl L. Croft, Mayor

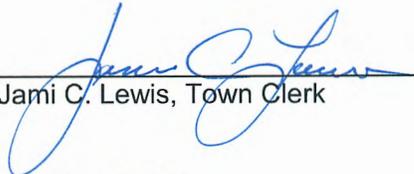
ATTEST:

  
\_\_\_\_\_  
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Phyllis L.N. Smiley, Town Attorney

I hereby certify the above foregoing Resolution No. 16-1096 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on December 13, 2016, and that quorum was present thereat and that the vote thereon was 7 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 to be Acquired

**EXHIBIT A**



*First American Title*<sup>TM</sup>

**Commitment for Title Insurance**

BY

**Yavapai Title Agency, Inc. as agent for  
First American Title Insurance Company**

**Exhibit A**

Order No.: 08020287-830-CLA

**LEGAL DESCRIPTION**

The Land referred to herein below is situated in the County of Yavapai, State of Arizona, and is described as follows:

That part of the Northeast quarter of Section 15, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona more particularly described as follows:

COMMENCING at the Northeast corner of said Section 15;

Thence South 0° 16' East, a distance of 338.48 feet to the TRUE POINT OF BEGINNING, commonly known as the Northeast corner of Lot 2 of the ADAMS ACRES, an unrecorded subdivision plat;

Thence South 89° 53' West, 165 feet;

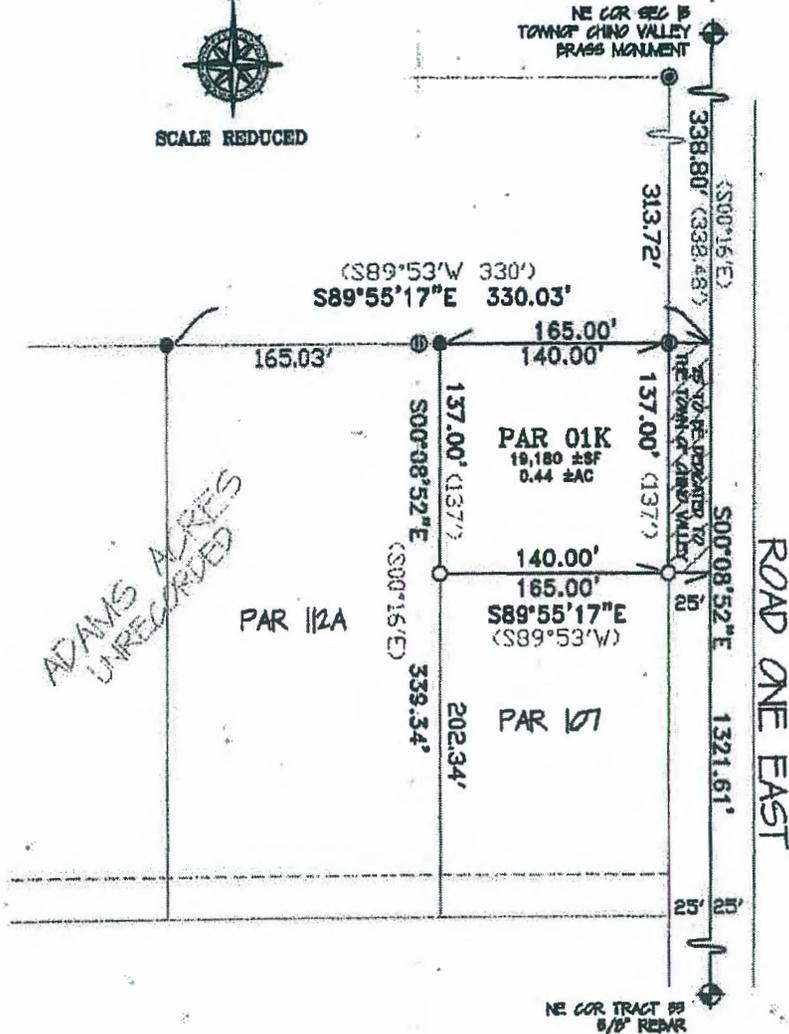
Thence South 0° 16' East, 137 feet;

Thence North 89° 53' East, 165 feet;

Thence North 0° 16' West, 137 feet to the TRUE POINT OF BEGINNING.

# RECORD OF SURVEY

APN 306-20-001K  
 SEC. 15, T16N, R2W, G&SRB&M,  
 YAVAPAI COUNTY, ARIZONA



## LEGEND

- = FOUND 1/2" REBAR CAPPED LS 33872
  - = FOUND 1/2" REBAR CAPPED "FAMAS"
  - = SET 1/2" REBAR WITH PLASTIC CAP  
STAMPED "FAMAS" LS 27738
  - \* = AFFIXED BRASS TAG "FAMAS" LS 27738
  - ( ) = RECORD INFORMATION  
BOOK 3898 O.R. PAGE 127 YCRO
- BASIS OF BEARINGS IS GEODETIC  
NORTH USING GPS OBSERVATIONS



**EMPIRE SURVEYING, Inc**

P.O. BOX 87 PAULDEN AZ 86334  
 PHONE (928)-838-8992 FAX 836-8993

SURVEY FOR: DEYOUNG	
DATE DRAWN: 8-17-07	FILE NO.: Y07104
DRAWN BY: DEF	DRAWING: 164Y07

NOTE THAT ALL EASEMENTS OF RECORD  
MAY NOT BE SHOWN ON THIS PLAT