

RESOLUTION NO. 17-1098

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 AND EASEMENT 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 and temporary construction easement purposes for roadway improvements generally located at the intersection of Road 2 North and Road 1 West (the "Project"), which real property is generally described in Exhibits A and B 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 and it is in the public interest to acquire such property; and

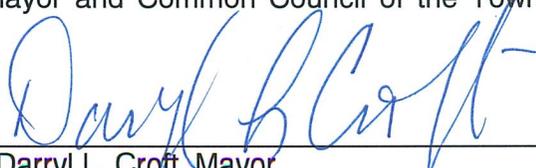
WHEREAS, the Mayor and Common Council of the Town of Chino Valley considered alternatives available, balanced the public good and the private injury resulting from the acquisition of the property, and determined that locating the public improvements on the property results in the greatest public good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

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

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 and a Temporary Construction Easement encumbering the real property described in Exhibit B, 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

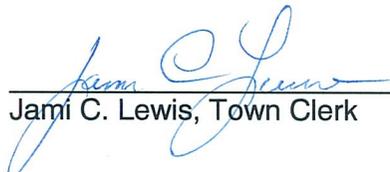
2. That the Mayor, Town Manager and Town Attorney are authorized to perform all acts necessary to acquire said property for the purposes described in this resolution on behalf of the Town.

PASSED AND ADOPTED BY the Mayor and Common Council of the Town of Chino Valley, Arizona this 25th day of April, 2017.



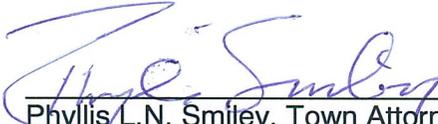
Darryl L. Croft, Mayor

ATTEST:



Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:



Phyllis L.N. Smiley, Town Attorney

I hereby certify the above foregoing Resolution No. 17-1098 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on April 25, 2017, 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 to be acquired;
2. Exhibit B: Legal Description of Temporary Construction Easement to be acquired.

EXHIBIT A

Description of Property to be Acquired

LEGAL DESCRIPTION

All that portion of the Southeast Quarter of Section 16, 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 a found GLO Brass Cap Monument at the Southeast corner of Section 16, from which point the East Quarter corner of said Section 16 bears North 00°35'07" East, a distance of 2649.67 feet;

Thence North 00°35'07" East, along the east line of the Southeast Quarter of said Section 16, a distance of 173.10 feet;

Thence North 89°24'53" West, a distance of 25.00 feet to a point on the westerly right of way line of Road 1 West as described in Book 2346 of Official Records, Page 679, Yavapai County Recorder's Office and the TRUE POINT OF BEGINNING;

Thence South 00°35'07" West, along said westerly right of way line of Road 1 West, a distance of 147.80 feet;

Thence North 88°42'44" West, along the northerly right of way line of Road 2 North as described in Book 2346 of Official Records, Page 679, Yavapai County Recorder's Office, a distance of 36.01 feet;

Thence North 47°15'03" East, a distance of 15.47 feet;

Thence North 01°03'01" East, a distance of 43.93 feet;

Thence North 11°46'58" East, a distance of 94.61 feet;

Thence South 89°24'53" East, a distance of 6.02 feet to the TRUE POINT OF BEGINNING.

Containing 2,821.47 square feet, more or less.

JASON O'BRIEN, R.L.S.

10/30/14
LE #487-24
SE-Sec 16-ROW.doc



EXPIRES 6/30/16

MAP TO ACCOMPANY
LEGAL DESCRIPTION



E 1/4 CORNER
SECTION 16

306-02-298A

306-20-017

(BASIS OF BEARINGS)

P.O.B.

THIS
DESCRIPTION

306-20-017B

306-20-017A

ROAD 2 NORTH

16 15

20' 25'

21 22

20' 20'

ROAD 1 WEST

306-21-001E

306-23-027

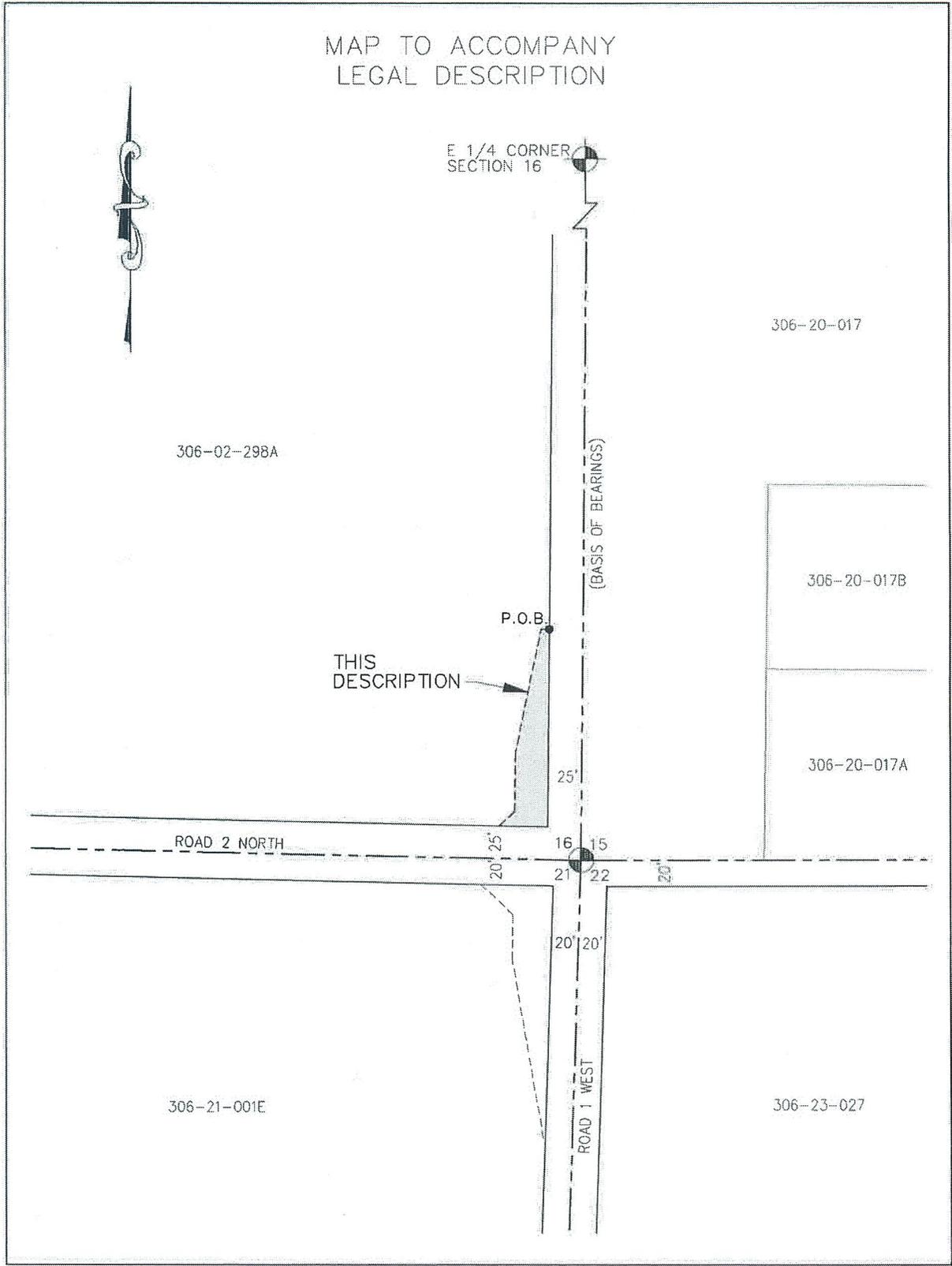


EXHIBIT B

Description of Temporary Construction Easement

LEGAL DESCRIPTION

All that portion of the Southeast Quarter of Section 16, 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 a found GLO Brass Cap Monument at the Southeast corner of Section 16, from which point the East Quarter corner of said Section 16 bears North 00°35'07" East, a distance of 2649.67 feet;

Thence North 00°35'07" East, along the east line of the Southeast Quarter of said Section 16, a distance of 173.10 feet;

Thence North 89°24'53" West, a distance of 25.00 feet to a point on the westerly right of way line of Road 1 West as described in Book 2346 of Official Records, Page 679, Yavapai County Recorder's Office and the TRUE POINT OF BEGINNING;

Thence continuing North 89°24'53" West, a distance of 6.02 feet

Thence South 11°46'58" West, a distance of 94.61 feet;

Thence South 01°03'01" West, a distance of 43.93 feet;

Thence South 47°15'03" West, a distance of 15.47 feet to a point on the northerly right of way line of Road 2 North as described in Book 2346 of Official Records, Page 679, Yavapai County Recorder's Office;

Thence North 88°42'44" West, along said northerly right of way line of Road 2 North, a distance of 28.77 feet;

Thence North 47°15'03" East, a distance of 27.62 feet;

Thence North 01°03'01" East, a distance of 37.28 feet;

Thence North 11°46'58" East, a distance of 112.92 feet;

Thence South 89°24'53" East, a distance of 22.45 feet to a point on said westerly right of way line of Road 1 West;

Thence South 00°35'07" West, along said westerly right of way line or Road 1 West, a distance of 20.00 feet to the TRUE POINT OF BEGINNING.

Containing 3,603.05 square feet, more or less.

04/10/17
LE #487-24
SE-Sec 16-TCE.doc

JASON O'BRIEN, R.L.S.

