

RESOLUTION NO. 17-1105

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AUTHORIZING THE ACQUISITION OF EASEMENTS ENCUMBERING CERTAIN REAL PROPERTY IN THE TOWN FOR UTILITY, DRAINAGE AND SLOPE PURPOSES FOR THE CENTER STREET ROADWAY IMPROVEMENTS PROJECT; AUTHORIZING AND DIRECTING THE MAYOR, TOWN MANAGER AND TOWN ATTORNEY TO ACQUIRE TITLE TO THE EASEMENTS 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 public utility, drainage, and slope easements for roadway improvements to Center Street Roadway Improvements Project (the "PROJECT"), which easements are generally described in Exhibits A-1, A-2, and B, attached hereto and made a part hereof by this reference; and

WHEREAS, the Mayor and Common Council of the Town of Chino Valley find that acquisition of the easements is necessary for the Project and it is in the public interest to acquire such property; and

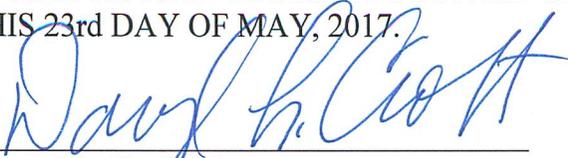
WHEREAS, the Mayor and Common Council of the Town of Chino Valley have considered alternatives available, have balanced the public good and the private injury resulting from the acquisition of the property, and have determined that locating the public improvements on the property results in the greatest 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 the easements encumbering the real property as generally described in Exhibits A-1, A-2, and 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

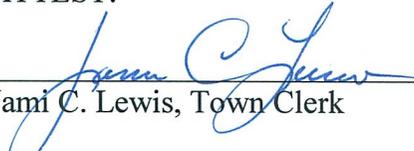
BE IT FURTHER RESOLVED, that the Mayor, Town Manager and Town Attorney are authorized to perform all acts necessary to acquire said easements for the purposes described in this resolution on behalf of the Town.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA THIS 23rd DAY OF MAY, 2017.



Darryl L. Croft, Mayor

ATTEST:



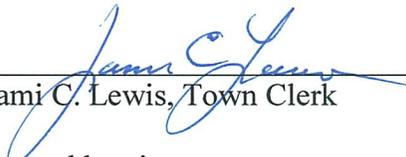
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:



By: Phyllis L.N. Smiley, Town Attorney

I hereby certify the above foregoing Resolution No. 17-1105 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on May 23, 2017, and that quorum was present thereat and that the vote thereon was 4 ayes and 0 nays and 0 abstentions. 2 Council members were absent or excused.



Jami C. Lewis, Town Clerk

The following exhibits are attached hereto and incorporated herein:

1. Exhibit A-1 – Legal Description of Public Utility Easement to be Acquired - Parcel 306-29-026T
2. Exhibit A-2 – Legal Description of Temporary Construction Easement to be Acquired - Parcel 306-29-026T
3. Exhibit B – Legal Description of Public Utility Easement to be Acquired - Parcel 306-29-026X

EXHIBIT A-1

**Public Utility Easement
Yavapai County APN 306-29-026T**

LEGAL DESCRIPTION
APN 306-29-026T

All that portion of land lying within Section 27, 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 west quarter corner of said Section 27, from whence the northwest corner of said Section 27 bears North 00° 26' 09" West (Basis of Bearings), a distance of 2649.19 feet;

Thence North 00° 26' 09" West, along the west line of said Section 27, a distance of 530.12 feet;

Thence North 89° 33' 51" East, a distance of 25.00 feet to a point on the easterly right of way line of Road 1 West and being the northwest corner of that certain parcel as described in Book 4319 of Official Records, Page 855, on file at the Yavapai County Recorder's Office and the TRUE POINT OF BEGINNING;

Thence North 89° 53' 32" East, along the north line of said parcel, a distance of 312.16 feet to the northeast corner of said parcel;

Thence South 00° 26' 14" East, along the east line of said parcel, a distance of 20.00 feet;

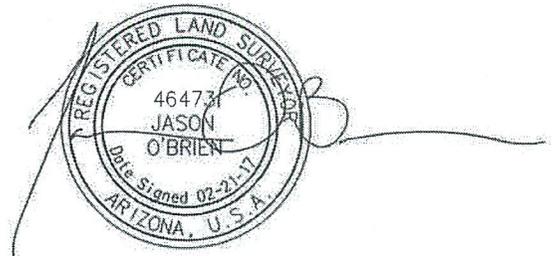
Thence South 89° 53' 32" West, a distance of 312.16 feet to a point on said easterly right of way line;

Thence North 00° 26' 09" West, along said easterly right of way line, a distance of 20.00 feet to the TRUE POINT OF BEGINNING.

Containing 6243.20 sf. or 0.14 acres more or less.

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JASON O'BRIEN, R.L.S.

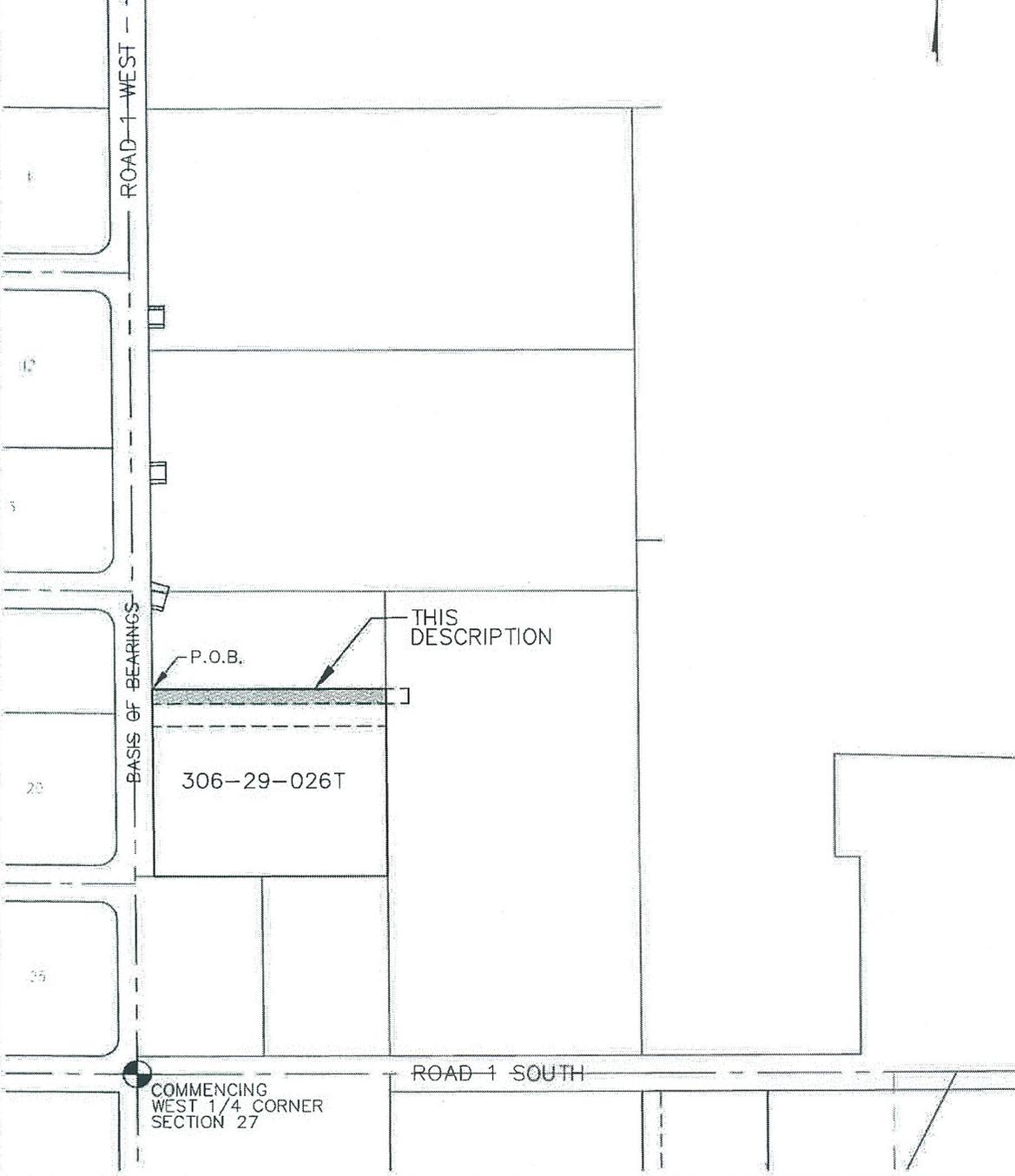


EXPIRES 6/30/19

MAP TO ACCOMPANY
LEGAL DESCRIPTION



NORTHWEST CORNER
SECTION 27



ROAD 1 WEST

BASIS OF BEARINGS

THIS
DESCRIPTION

P.O.B.

306-29-026T

ROAD 1 SOUTH

COMMENCING
WEST 1/4 CORNER
SECTION 27

EXHIBIT A-2

**Temporary Construction Easement
Yavapai County APN 306-29-026T**

LEGAL DESCRIPTION
APN 306-29-026T

All that portion of land lying within Section 27, 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 west quarter corner of said Section 27, from whence the northwest corner of said Section 27 bears North 00° 26' 09" West (Basis of Bearings), a distance of 2649.19 feet;

Thence North 00° 26' 09" West, along the west line of said Section 27, a distance of 530.12 feet;

Thence North 89° 33' 51" East, a distance of 25.00 feet to a point on the easterly right of way line of Road 1 West and being the northwest corner of that certain parcel as described in Book 4319 of Official Records, Page 855, on file at the Yavapai County Recorder's Office;

Thence South 00° 26' 09" East, along said easterly right of way line, a distance of 20.00 feet to the TRUE POINT OF BEGINNING.

Thence North 89° 53' 32" East, a distance of 312.16 feet to a point on the east line of said parcel;

Thence South 00° 26' 14" East, along said east line, a distance of 30.00 feet;

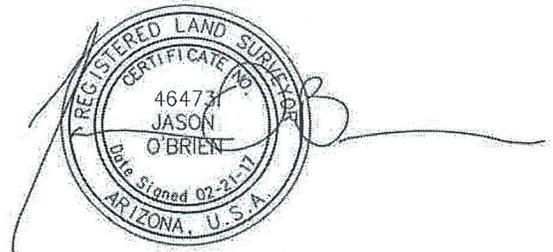
Thence South 89° 53' 32" West, a distance of 312.16 feet to a point on said easterly right of way line;

Thence North 00° 26' 09" West, along said easterly right of way line, a distance of 30.00 feet to the TRUE POINT OF BEGINNING.

Containing 9364.81 sf. or 0.22 acres more or less.

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JASON O'BRIEN, R.L.S.



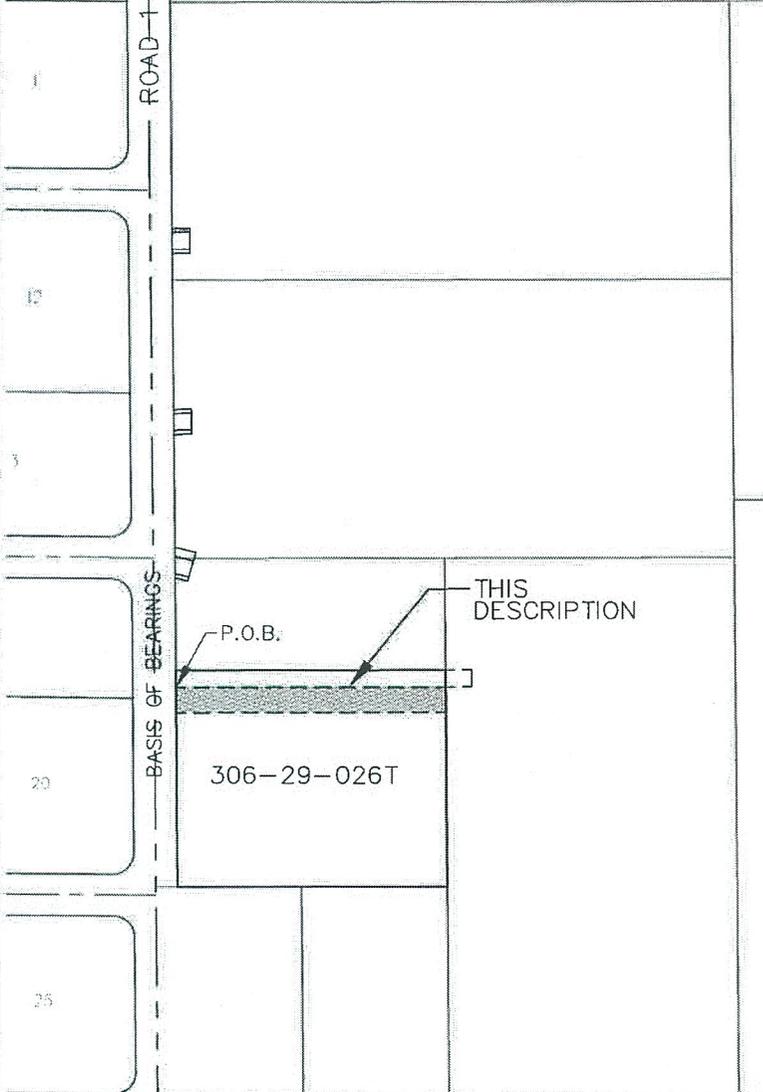
EXPIRES 6/30/19

MAP TO ACCOMPANY
LEGAL DESCRIPTION



NORTHWEST CORNER
SECTION 27

ROAD 1 WEST



THIS
DESCRIPTION

P.O.B.

306-29-026T

BASIS OF BEARINGS

ROAD 1 SOUTH



COMMENCING
WEST 1/4 CORNER
SECTION 27

EXHIBIT B

**Public Utility Easement
Yavapai County APN 306-29-026X**

LEGAL DESCRIPTION

APN 306-29-026X

All that portion of land lying within Section 27, 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 west quarter corner of said Section 27, from whence the northwest corner of said Section 27 bears North 00° 26' 09" West (Basis of Bearings), a distance of 2649.19 feet;

Thence North 00° 26' 09" West, along the west line of said Section 27, a distance of 530.12 feet;

Thence North 89° 33' 51" East, a distance of 25.00 feet to a point on the easterly right of way line of Road 1 West;

Thence North 89° 53' 32" East, a distance of 312.16 feet to a point on the west line of that certain parcel as described in Book 4811 of Official Records, Page 276, on file at the Yavapai County Recorder's Office and the TRUE POINT OF BEGINNING;

Thence continuing North 89° 53' 32" East, a distance of 30.00 feet;

Thence South 00° 26' 14" East, a distance of 20.00 feet;

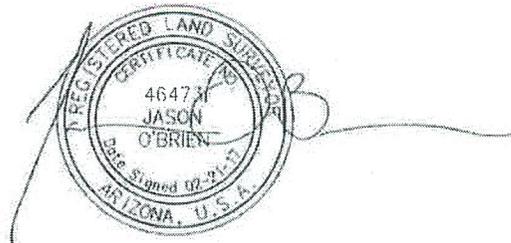
Thence South 89° 53' 32" West, a distance of 30.00 feet to a point on said west line;

Thence North 00° 26' 14" West, along said west line, a distance of 20.00 feet to the TRUE POINT OF BEGINNING.

Containing 600.01 sf. or 0.0138 acres more or less.

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JASON O'BRIEN, R.L.S.



EXPIRES 6/30/19

MAP TO ACCOMPANY
LEGAL DESCRIPTION

NORTHWEST CORNER
SECTION 27



ROAD 1 WEST

BASIS OF BEARINGS

P.O.B.

THIS
DESCRIPTION

306-29-026X

COMMENCING
WEST 1/4 CORNER
SECTION 27

ROAD 1 SOUTH

