

RESOLUTION NO. 17-1111

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 FOR IMPROVEMENTS TO ROAD 4 SOUTH AND PICACHO BOULEVARD; 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 4 South and Picacho Boulevard, 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 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 Exhibits A 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

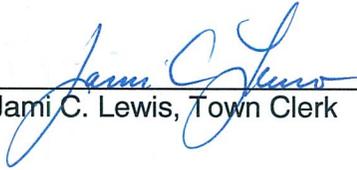
BE IT FURTHER RESOLVED, that the Mayor, Town Manager and Town Attorney are authorized to perform all acts necessary to acquire said property for the purposes described in this resolution on behalf of the Town.

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



Darryl L. Croft, Mayor

ATTEST:



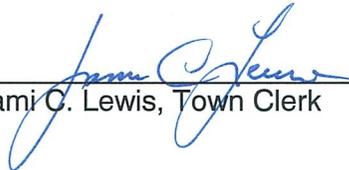
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:



Phyllis L.N. Smiley, Town Attorney

I hereby certify the above foregoing Resolution No. 17-1111 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on July 25, 2017, and that quorum was present thereat and that the vote thereon was 6 ayes and 0 nays and 0 abstentions. 1 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 (APN 306-33-173N along Picacho Blvd.)
2. Exhibit B - Legal description of property to be acquired (APN 306-33-173N along Road 4 South)

EXHIBIT A

Legal Description

(APN 306-33-173N along Picacho Blvd)

Legal Description

All that portion of land as shown in Book 191 of Land Surveys, Page 44, Yavapai County Recorder's Office, lying within the southeast quarter of Section 34, Township 16 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

(The basis of bearings for this description is North 01°16'44" East as measured between a found brass cap monument at the southeast corner of said Section 34 and the east quarter corner of said Section 34)

COMMENCING at a found brass cap monument at the southeast corner of said Section 34;

Thence North 01°16'44" West, along the easterly section line of said Section 34, a distance of 25.00 feet to a found capped rebar RLS# 18214 to a point on the northerly right of way line of Road 4 South;

Thence continuing, North 01°16'44" West, along said easterly section line, a distance of 1271.17 feet and the TRUE POINT OF BEGINNING;

Thence South 89°40'08" West, a distance of 1853.62 feet to a point on the easterly right of way line of State Route 89;

Thence North 01°40'00" West, along said easterly right of way line, a distance of 25.01 feet;

Thence North 89°40'08" East, a distance of 1853.78 feet to a point on the easterly section line of said Section 34;

Thence South 01°16'44" East, along said easterly section line, a distance of 25.00 feet to the TRUE POINT OF BEGINNING.

Containing 46,342.50 square feet or 1.06 acres more or less.

02/12/16
LE #1054-01
105401-North Easement.doc

JASON O'BRIEN, R.L.S.



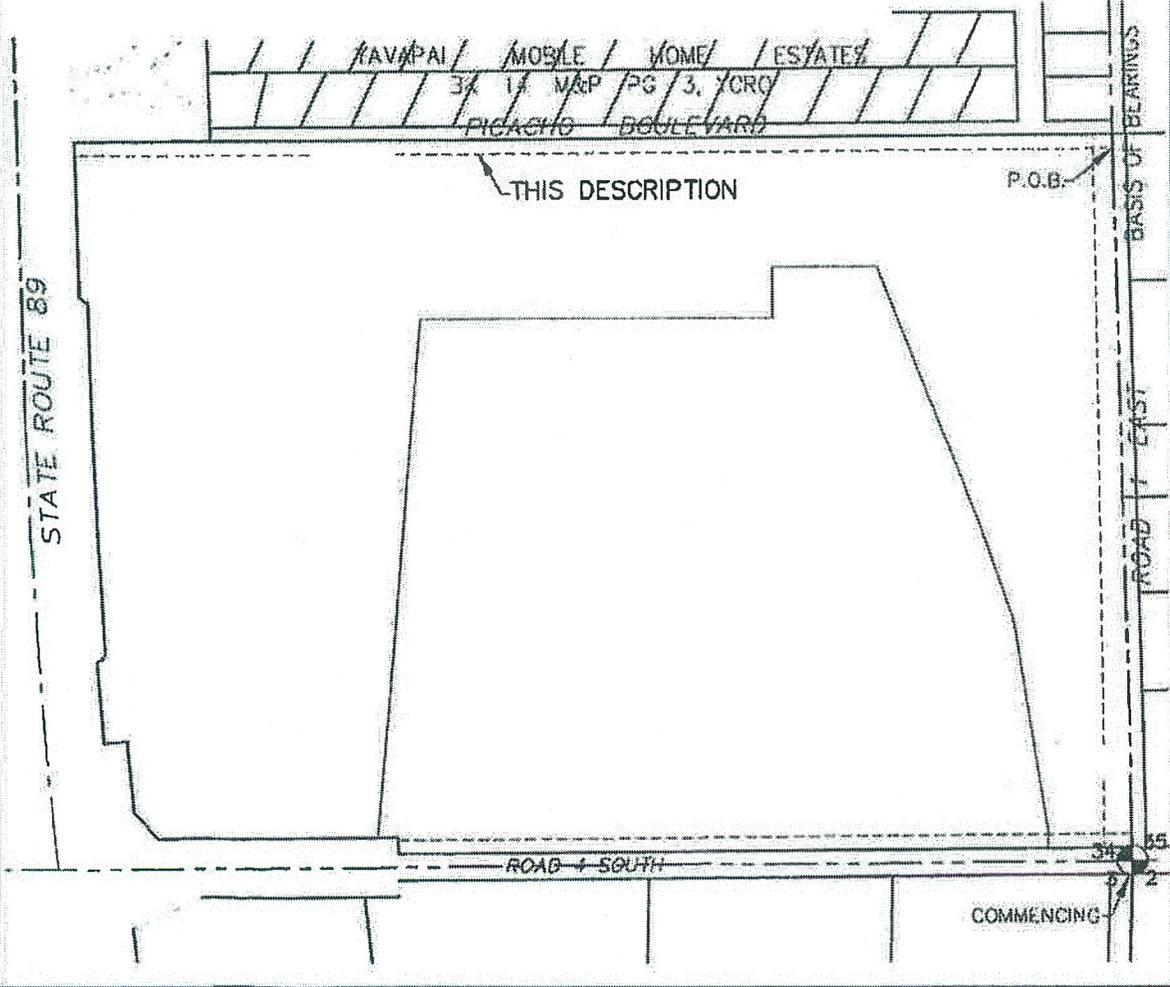
EXPIRES 6/30/16

MAP TO ACCOMPANY
LEGAL DESCRIPTION



SCALE: 1"=300'

34-35



THIS DESCRIPTION

P.O.B.

STATE ROUTE 89

ROAD 4 SOUTH

BASIS OF BEARINGS

ROAD 4 EAST

COMMENCING

EXHIBIT B

Legal Description

(APN 306-33-173N along Road 4 South)

Legal Description

All that portion of land as shown in Book 191 of Land Surveys, Page 44, Yavapai County Recorder's Office, lying within the southeast quarter of Section 34, Township 16 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

(The basis of bearings for this description is North 01°16'44" East as measured between a found brass cap monument at the southeast corner of said Section 34 and the east quarter corner of said Section 34)

COMMENCING at a found brass cap monument at the southeast corner of said Section 34;

Thence North 01°16'44" West, along the easterly section line of said Section 34, a distance of 25.00 feet to a found capped rebar RLS# 18214 to a point on the northerly right of way line of Road 4 South and the TRUE POINT OF BEGINNING;

Thence South 89°37'39" West, along said northerly right of way line, a distance of 1314.21 feet;

Thence North 00°22'21" West, a distance of 25.00 feet;

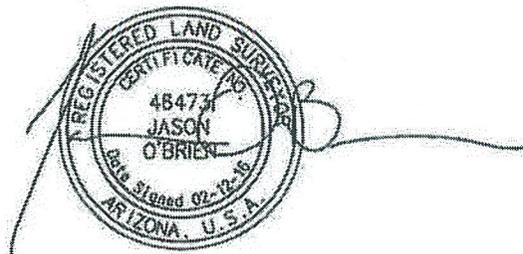
Thence South 89°37'39" West, a distance of 1313.81 feet to a point on the easterly section line of said Section 34;

Thence South 01°16'44" East, along said easterly section line, a distance of 25.00 feet to the TRUE POINT OF BEGINNING.

Containing 32,850.31 square feet or 0.75 acres more or less.

02/12/16
LE #1054-01
105401-South Easement.doc

JASON O'BRIEN, R.L.S.



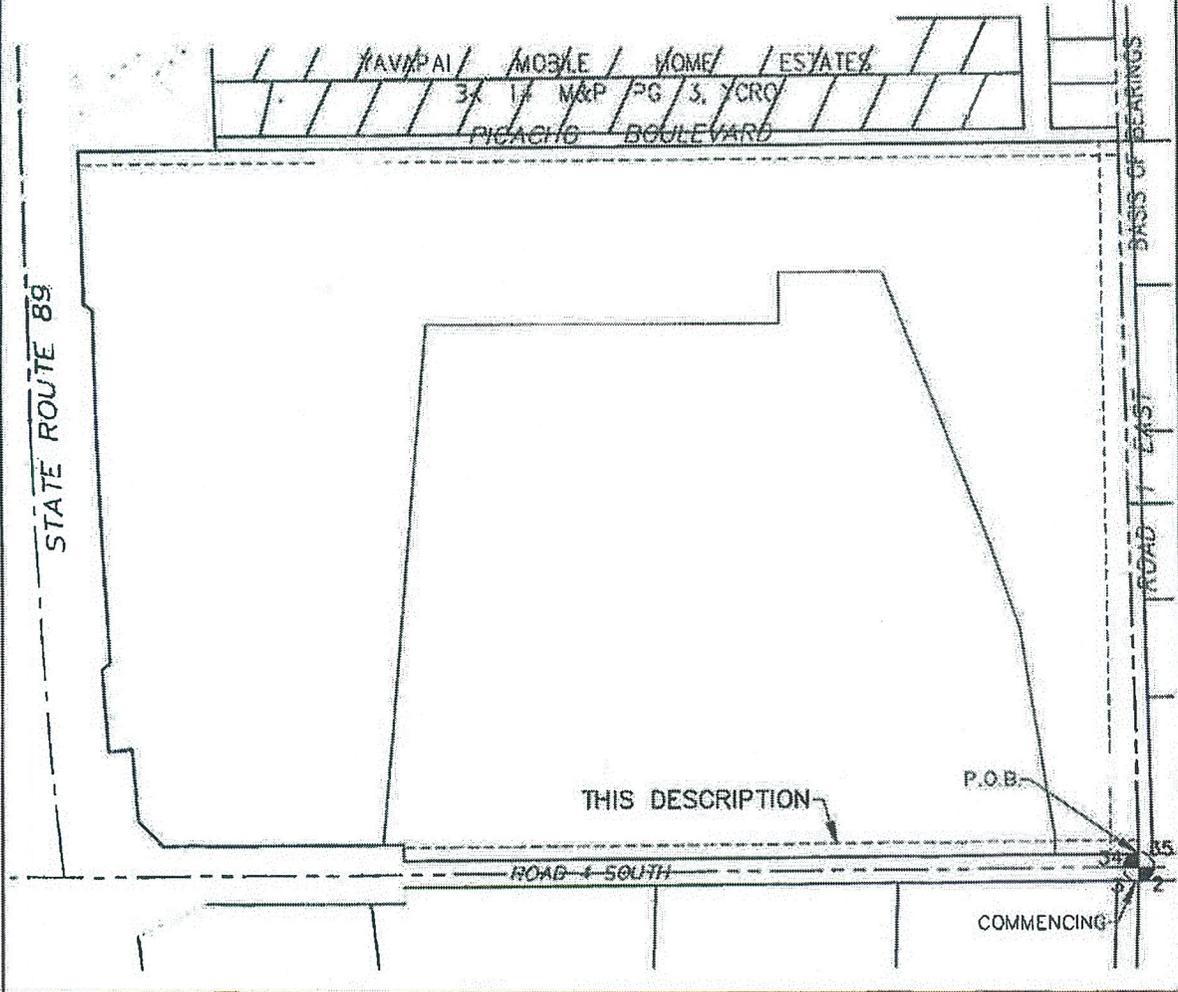
EXPIRES 6/30/16

MAP TO ACCOMPANY
LEGAL DESCRIPTION



SCALE: 1" = 300'

34-35



STATE ROUTE 89

RICHMOND BOULEVARD
3 1/4 MAP PG. 5, CRO

BASIS OF BEARINGS

ROAD 1 EAST

THIS DESCRIPTION

P.O.B.

ROAD 4 SOUTH

COMMENCING