

**RESOLUTION NO. 18-1119**

**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 FOR THE ROAD 1 EAST FROM ROAD 3 SOUTH TO PICACHO 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 for Road 1 East from Road 3 South to Road 4 South for roadway improvements to Road 1 East (the "Project"), 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 previously authorized the Project pursuant to the Intergovernmental Agreement with the Arizona Department of Transportation for construction of a round-a-bout at Kalinich Road; 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 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

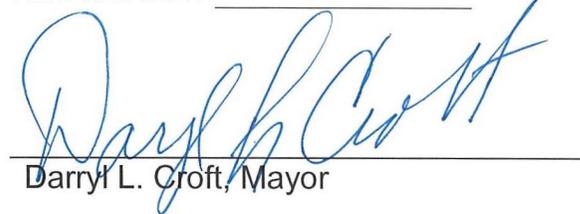
1. That the Mayor, Town Manager and Town Attorney are hereby authorized and directed to acquire title to and possession of the real property generally described in Exhibit A, plus any additional real property required for completion of the Project as determined by the final engineering plans, by donation, 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 27<sup>th</sup> day of March, 2018 by the following vote:

AYES: 7  
NAYS: 0

ABSENT: 0  
ABSTAINED: 0

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

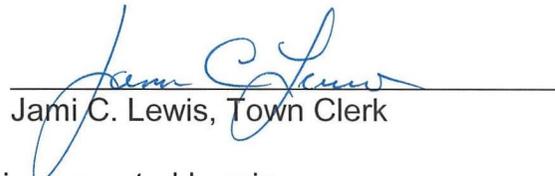
ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Phyllis Smiley, Town Attorney  
Gust Rosenfeld, PLC

I hereby certify the above foregoing Resolution No. 18-1119 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on March 27, 2018, 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/Easement to be Acquired

**EXHIBIT A**

**Description of Property to be Acquired**

The Westerly 23.00 feet of the Northwest quarter of the Southwest quarter of Section 35, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, in the Town of Chino Valley, County of Yavapai, State of Arizona.