

RESOLUTION NO. 2019-1142

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, VACATING, ABANDONING, AND TERMINATING ITS INTEREST IN THE 50' ROADWAY EASEMENT KNOWN AS YAVAPAI COUNTY ASSESSOR'S PARCEL NO. 800-13-034F, WHICH IS PERPENDICULAR TO GRANITE CREEK LANE; AND PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS.

WHEREAS, the Town Council of the Town of Chino Valley finds that the 50' Roadway Easement known as Yavapai County Assessor's Parcel No. 800-13-034F, which parcel is perpendicular to Granite Creek Lane as described in the attached Exhibit A is not necessary for public use at this time and was accepted in error; and

WHEREAS, the Town of Chino Valley is authorized to terminate and convey, without receiving payment, such easement pursuant to ARIZ. REV. STAT. § 9-402(E).

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

SECTION 1. The 50' Roadway Easement known as Yavapai County Assessor's Parcel No. 800-13-034F, which is perpendicular to Granite Creek Lane, and legally described in Exhibit A, attached hereto and incorporated herein, is hereby terminated and conveyed to the owners of the properties burdened by the Easement.

SECTION 2. The Nonrevocable Offer for Dedication of Public Roadway dated August 8, 2017, and recorded in the Yavapai County Recorder's Office at Document No. 2017-0042532 on August 21, 2017, is not terminated by this Resolution and shall remain in effect.

SECTION 3. The Town Clerk is hereby authorized and directed to record a copy of this Resolution with the Yavapai County Recorder evidencing the permanent termination of said Easement.

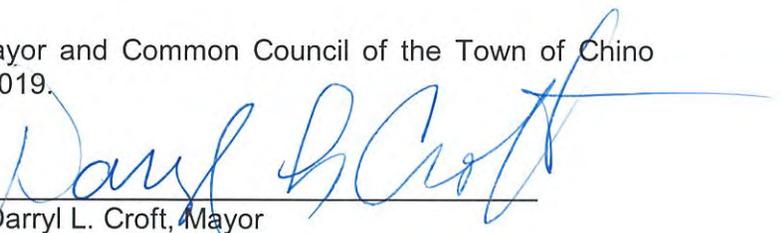
SECTION 4. Pursuant to ARIZ. REV. STAT. § 28-7213, this Resolution shall become effective on the date it is recorded in the Office of the Yavapai County Recorder.

SECTION 5. All resolutions and parts of resolutions in conflict with this Resolution are hereby repealed.

SECTION 6. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 10th day of September, 2019.



Darryl L. Croft, Mayor

ATTEST:



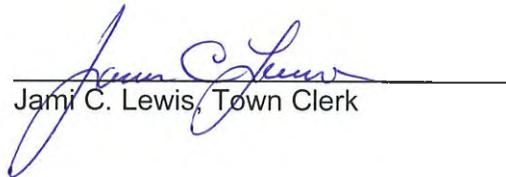
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:



Andrew McGuire, Town Attorney
Gust Rosenfeld, P.L.C.

I hereby certify the above foregoing Resolution No. 2019-1142 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on September 10, 2019, 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

EXHIBIT A
TO
RESOLUTION NO. 2019-1142

[Legal Description]

See following page.

All that portion of the Northwest quarter of Section 11, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

A 50.00 foot easement for ingress-egress and public utilities laying East of, running parallel with and adjacent to the following described line.

COMMENCING at the Northwest corner of Section 11;

Thence South $00^{\circ}03'57''$ West along the West line of said Section 11, a distance of 674.00 feet;

Thence South $89^{\circ}56'49''$ East, a distance of 852.60 feet;

Thence South $00^{\circ}14'03''$ West, a distance of 402.25 feet to THE POINT OF BEGINNING.

Thence continuing South $00^{\circ}14'03''$ West, a distance of 773.19 feet to a point on the North Right-of-Way line of Granite Creek Lane and the END OF THIS EASEMENT.