

RESOLUTION NO. 2022-1207

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, ACCEPTING DEDICATION OF CERTAIN INTERESTS IN REAL PROPERTY FOR RIGHT-OF-WAY AND OTHER PUBLIC USES.

WHEREAS, James A. Fosnough and Marta Fosnough, husband and wife, and Trustees of the James A. and Marta Fosnough Living Trust, wish to convey to the Town of Chino Valley, Arizona (the "Town"), certain real property (the "Dedication Parcel"); and

WHEREAS, the Dedication Parcel, once accepted by the Town, will be utilized for municipal purposes, such purposes being of benefit to the general public; and

WHEREAS, the Dedication Parcel is a strip of land measuring approximately 15 feet by 263 feet, generally located along Road 1 West between West Center Street and West Road 1 North in the Town of Chino Valley; and

WHEREAS, the Mayor and Council of the Town of Chino Valley desire to accept the Dedication Parcel, by means of a Special Warranty Deed in substantially the form attached hereto as Exhibit A.

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

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The Town Manager is hereby authorized and directed to execute the Special Warranty Deed in substantially the form attached hereto as Exhibit A and incorporated herein by reference.

SECTION 3. Upon execution by the Town Manager of the Special Warranty Deed, in substantially the form attached hereto as Exhibit A, the Dedication Parcel, comprising the real property described therein, is hereby accepted.

SECTION 4. The Town Manager is authorized and directed to cause the recording of the executed Special Warranty Deed in the Office of the Yavapai County Recorder.

SECTION 5. The Mayor, the Town Manager, the Town Clerk, and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution.

(SIGNATURES ON THE FOLLOWING PAGE)

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 12th day of April, 2022.



A handwritten signature in blue ink, appearing to read "Jack W. Miller", is written above a horizontal line.

Jack W. Miller, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Erin N. Deskins", is written above a horizontal line.

Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Andrew J. McGuire", is written above a horizontal line.

Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Resolution No. 2022-1207 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on April 12, 2022, 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.

A handwritten signature in blue ink, appearing to read "Erin Deskins", is written above a horizontal line.

Erin N. Deskins, Town Clerk

EXHIBIT A
TO
RESOLUTION NO. 2022-1207

[Special Warranty Deed]

See following pages.

WHEN RECORDED, RETURN TO:

Town of Chino Valley
202 North State Route 89
Chino Valley, Arizona 86323
Attention: Town Manager

SPECIAL WARRANTY DEED

**THIS DEED IS EXEMPT FROM THE REQUIREMENT OF FILING AN AFFIDAVIT OF
PROPERTY VALUE PURSUANT TO A.R.S. §11-1134(A)(3).**

For the consideration of TEN AND NO/100 DOLLARS, and other valuable consideration, **JAMES A. FOSNOUGH AND MARTA FOSNOUGH, HUSBAND AND WIFE, AND TRUSTEES OF THE JAMES A. AND MARTA FOSNOUGH LIVING TRUST** (the "Grantor"), do hereby convey to **THE TOWN OF CHINO VALLEY**, an Arizona municipal corporation (the "Grantee"), the following described property situated in the County of Yavapai, State of Arizona, together with all rights and privileges appurtenant thereto, to wit:

See **Exhibit 1** attached hereto and made a part hereof.

SUBJECT TO all existing taxes, assessments, liens, encumbrances, reservations in patents, covenants, conditions, restrictions, rights-of-way, easements and leases of record and all matters that a physical inspection of the properties would reveal.

Grantor hereby binds itself and its successors to warrant and defend the title as against all acts of Grantor herein and none other, subject to the matters set forth above.

Pursuant to the provisions of A.R.S. § 33-404, the name and address of the beneficiaries of the **James A. and Marta Fosnough Living Trust** are **James A. Fosnough and Marta Fosnough**, P.O. Box 6088, Chino Valley, Arizona 86323.

[SIGNATURE AND NOTARY PAGES FOLLOW]

Exhibit 1
Legal Description and Depiction

15-FOOT DEDICATION TO THE TOWN OF CHINO VALLEY
FOR THE PURPOSE OF PUBLIC ROADWAY AND UTILITIES

Deeded and Dedicated to the Town of Chino Valley for the purpose of public roadway and utilities, the West 15-Feet of the following described parcel:

All that portion of the Northwest Quarter of the Southwest Quarter of Section 22, Township 16 North, Range 2 West of Gila and Salt River Base and Meridian in Yavapai County, Arizona, described as follows:

COMMENCING at the West Quarter Corner of Section 22, marked with a Town of Chino Valley Brass Monument;

Thence South $01^{\circ}40'00''$ West (record) along the Westerly line of Section 22, a distance of 1324.77 feet (record);

Thence North $89^{\circ}41'53''$ East (record), a distance of 25.01 feet (record) to the Easterly Right-Of-Way of Road 1 West;

Thence North $01^{\circ}40'00''$ East (record) along the said Right-Of-Way, a distance of 313.24 feet (record) to THE POINT OF BEGINNING;

Thence South $89^{\circ}42'36''$ East, being the Basis of Bearing, a distance of 362.28 feet;

Thence South $81^{\circ}47'30''$ East, a distance of 364.85 feet;

Thence North $12^{\circ}11'45''$ West, a distance of 94.90 feet;

Thence North $10^{\circ}28'52''$ East, a distance of 245.14 feet;

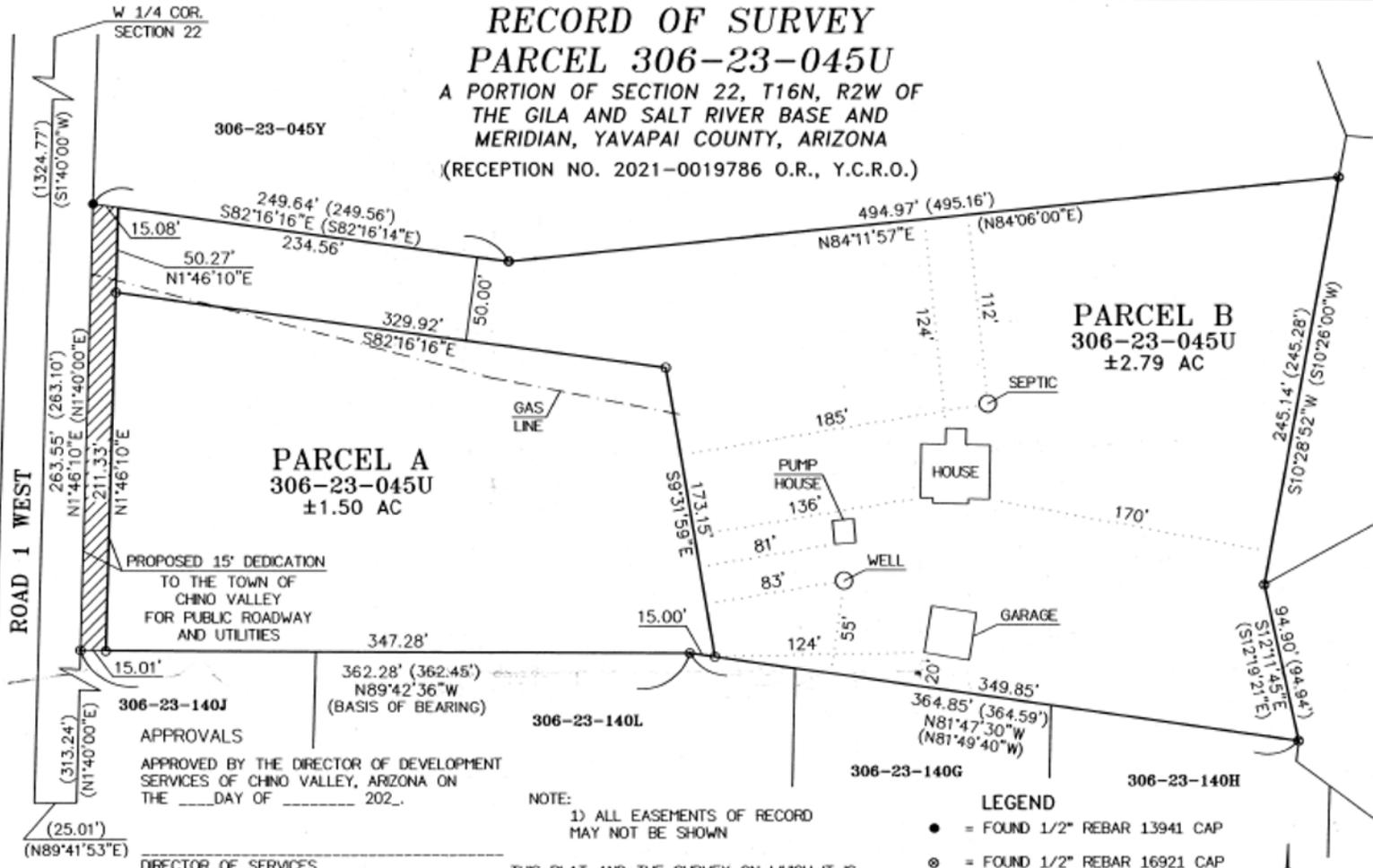
Thence South $84^{\circ}11'57''$ West, a distance of 494.97 feet;

Thence North $82^{\circ}16'16''$ West, a distance of 249.64 feet;

Thence South $01^{\circ}46'10''$ West, a distance of 263.55 feet to THE POINT OF BEGINNING.



RECORD OF SURVEY
PARCEL 306-23-045U
 A PORTION OF SECTION 22, T16N, R2W OF
 THE GILA AND SALT RIVER BASE AND
 MERIDIAN, YAVAPAI COUNTY, ARIZONA
 (RECEPTION NO. 2021-0019786 O.R., Y.C.R.O.)



RYNO LAND SURVEYING LLC
 390 HOMESTEAD MESA DR CHINO VALLEY, ARIZONA 86323 (928) 899-4087

SURVEYED FOR: FOSNOUGH

DRAWN BY: MCS	DATE: 12-30-21
CHECKED BY: RMR	DWG NO.: 00-1
JOB NO.: 2021416	SHEET 1 OF 1

NOTE:
 1) ALL EASEMENTS OF RECORD MAY NOT BE SHOWN

THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WAS DONE UNDER MY DIRECTION DURING THE MONTH OF DECEMBER, 2021 AND POINTS THAT WERE FOUND OR SET ARE REPRESENTED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

RYAN ROBERTS RLS 50228

1"=40'
24X18