

RESOLUTION NO. 2022-1209

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, John Ginn and Karen Ginn, as Trustees of the Ginn Living Trust, dated May 23, 2011, and John Eugene Ginn, as Trustee of the Ginn Family Trust, dated October 31, 1986, wish to convey to the Town of Chino Valley, Arizona, 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 122 feet, generally located along East Center Street at the southeast corner of the intersection of South Road 1 East and East Center Street 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".

Jack W. Miller, Mayor

ATTEST:

Erin Deskins

Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:

Andrew McGuire

Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Resolution No. 2022-1209 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.

Erin Deskins

Erin N. Deskins, Town Clerk

EXHIBIT A
TO
RESOLUTION NO. 2022-1209

[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, **JOHN GINN AND KAREN GINN, AS TRUSTEES OF THE GINN LIVING TRUST, DATED MAY 23, 2011, AS TO AN UNDIVIDED 1/2 INTEREST, AND JOHN EUGENE GINN, AS TRUSTEE OF THE GINN FAMILY TRUST, DATED OCTOBER 31, 1986, AS TO AN UNDIVIDED 1/2 INTEREST** (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 names and addresses of the beneficiaries of the **Ginn Living Trust, dated May 23, 2011**, are **Kin Ginn**, 1880 East Road 1 South, Chino Valley, Arizona 86323, **James Ginn**, 1880 East Road 1 South, Chino Valley, Arizona 86323, and **Steven Ginn**, 1880 East Road 1 South, Chino Valley, Arizona 86323; and the name and address of the sole beneficiary of the **Ginn Family Trust, dated October 31, 1986**, is **John Ginn**, 1880 East Road 1 South, Chino Valley, Arizona 86323.

[SIGNATURE AND NOTARY PAGES FOLLOW]

**GRANTOR: Ginn Family Trust, dated
October 31, 1986**

By: SPECIMEN – NOT FOR EXECUTION
JOHN EUGENE GINN, Trustee

ACKNOWLEDGMENTS

STATE OF ARIZONA)
) ss.
COUNTY OF YAVAPAI)

On _____, 2022, before me personally appeared **John Eugene Ginn**, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document.

Notary Public

(Affix notary seal here)

Exhibit 1

Legal Description and Depiction

ROADWAY DEDICATION ±0.03 ACRES

All that portion of the North half of the North half of the Northwest-quarter of the Northwest-quarter of Section 26, 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 Northwest corner of said Section 26;

Thence South 00°53'01" East, along the West line of said section, a distance of 25.76 feet;

Thence North 89°06'56" East, a distance of 25.00 feet to a point on the East right-of-way of Road 1 East, said point being **THE POINT OF BEGINNING**;

Thence South 89°09'55" East, along the South right-of-way of Center Street, as described in Instrument No. 2015-0011459 of the Yavapai County Recorder's Office, a distance of 24.23 feet to the beginning of a tangent curve to the right, having a radius of 275.00 feet;

Thence Easterly along said curve and South right-of-way, an arc length of 59.93 feet through a central angle of 12°29'08";

Thence South 76°40'47" East, along said South right-of-way, a distance of 39.30 feet;

Thence North 89°09'55" West, a distance of 121.60 feet to a point lying on said East right-of-way;

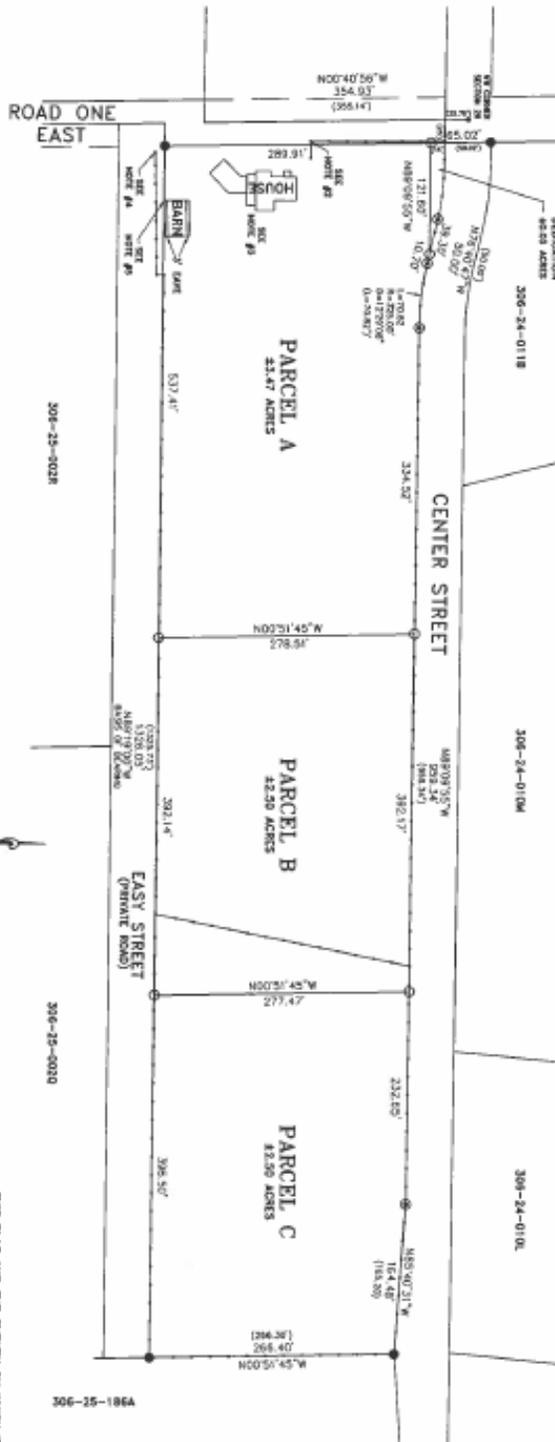
Thence North 00°40'56" West, along said East right-of-way, a distance of 15.00 feet to **THE POINT OF BEGINNING**.

Containing 0.03 acres, more or less.

RESERVING, SUBJECT TO, AND TOGETHER WITH all easements of record.

RECORD OF SURVEY PARCEL 306-25-003E

A PORTION OF
SECTION 26, T16N, R2W
YAVAPAI COUNTY, ARIZONA
CHINO VALLEY



THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE FOUND CORRECT AND ACCURATE BY THE SURVEYOR AND HIS ASSISTANTS AND NO ERRORS WERE FOUND OR SET AS REPRESENTED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPROVALS
ON THE DAY OF _____, 2021, THE DEVELOPMENT SERVICES DEPARTMENT OF CHINO VALLEY DOES HEREBY APPROVE THIS LAND SPLIT.

DEVELOPMENT SERVICES DEPARTMENT

- NOTES**
- 1) ALL EASEMENTS OF RECORD MAY NOT BE SHOWN ON THIS PLAT.
 - 2) FENCE ENCROACHES INTO ROAD BY 23.0'.
 - 3) HOUSE IS 228' EAST OF WEST PROPERTY LINE AND GARAGE IS 215' EAST OF WEST PROPERTY LINE.
 - 4) 3' EAVE AT SOUTHWEST CORNER OF BARN IS ON SOUTH PROPERTY LINE.

- LEGEND**
- - FOUND 1/2" NAILS OR AS NOTED
 - ⊙ - FOUND 1/2" REBAR AND WOODEN NAIL AFFIXED PLASTIC CAP 37930
 - - SET 1/2" REBAR 37930 CAP
 - () - RECORD DISTANCE PER RECORDED INFO
 - V.C.M.D. = YAVAPAI COUNTY RECORDERS OFFICE
 - O.R. = OFFICIAL RECORDS
 - L.S. = LAND SURVEYS
 - = FENCE


 D. Allen Ginn
 SURVEYED FOR: GINN
 DATE: 5-24-21
 SHEET 1 OF 1