

RESOLUTION NO. 2024-1242

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, TO CONDITIONALLY ACCEPT THE STREETS AND PUBLIC INFRASTRUCTURE IMPROVEMENTS IN THE DEL SOL SOUTH SUBDIVISION.

WHEREAS, the Mayor and Town Council of the Town of Chino Valley (the "Town Council"), approved a final plat entitled "Del Sol South" on September 13, 2022; and

WHEREAS, the developer of Del Sol South, Right Homes LLC, an Arizona limited liability company (the "Developer"), dedicated to the Town the streets and public infrastructure improvements generally located at Solara Way and Salida Del Sol; and

WHEREAS, on or about January 4, 2024, the Town's Public Works Department completed an inspection of the streets and public infrastructure improvements in the Del Sol South Subdivision generally located at Solara Way and Salida Del Sol, and depicted on the map attached hereto as Exhibit A and incorporated herein by reference (the "Improvements"), and found the Improvements to be in substantial compliance with the approved plans and specifications; and

WHEREAS, section 5.4(C)(7) of the Unified Development Ordinance of the Town of Chino Valley requires developers to provide a two-year warranty against defective materials and workmanship when public infrastructure improvements for a subdivision are accepted by Town Council for maintenance and operation, and Developer has provided such warranty, a copy of which is attached hereto as Exhibit B and incorporated herein by reference (the "Warranty"); and

WHEREAS, the Town Council desires to conditionally accept the Improvements subject to the Warranty (the "Conditional Acceptance"); and

WHEREAS, the Town Council acknowledges that the two-year warranty period will commence upon Conditional Acceptance of the Improvements by the Town.

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 Improvements are Conditionally Accepted.

SECTION 3. The Warranty is hereby accepted.

SECTION 4. The Town is hereby directed to commence maintenance and operation of the Improvements subject to the Warranty and the Unified Development Ordinance of the Town of Chino Valley.

(SIGNATURES FOLLOW)

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 23rd day of January 2024.



Jack W. Miller, Mayor

ATTEST:



Erin N. Deskins

Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:



Andrew J. McGuire, Town Attorney
Gust Rosenfeld PLC

I hereby certify that the above foregoing Resolution No. 2024-1242 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on January 23, 2024, 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 N. Deskins

Erin N. Deskins, Town Clerk