

RESOLUTION NO. 2024-1249

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 PERKINSVILLE 44 SUBDIVISION PHASE 1, PHASE 2, AND OFFSITE WATER AND SEWER.

WHEREAS, the Mayor and Town Council of the Town of Chino Valley (the “Town Council”) approved a final plat entitled “Perkinsville 44 – Phase 1” and “Perkinsville 44 – Phase 2” on November 9, 2021; and

WHEREAS, the developer of Perkinsville 44, Sage Land Holdings LLC, an Arizona limited liability company (the “Developer”), dedicated to the Town the streets and public infrastructure improvements generally located at East Perkinsville Road and North Road 1 East; and

WHEREAS, on or about March 6, 2024, the Town’s Public Works Department completed an inspection of the streets and public infrastructure improvements in the Perkinsville 44 Subdivision Phase 1, Phase 2, and Offsite Water and Sewer generally located at East Perkinsville Road and North Road 1 East, 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 the Town Council for maintenance and operation, and the 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 26th day of March, 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. 2024-1249 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on March 26, 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.

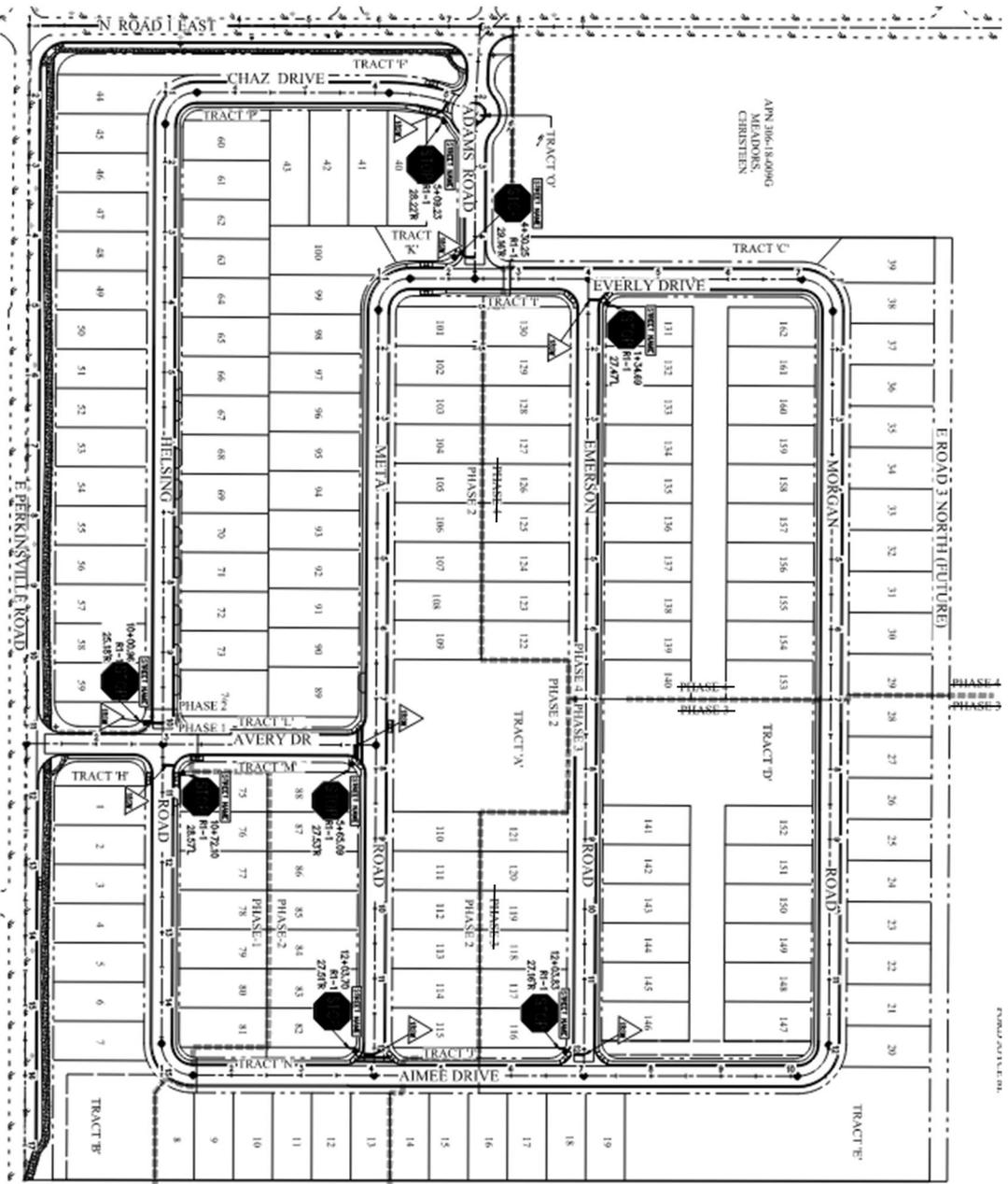
Erin N. Deskins

Erin N. Deskins, Town Clerk

EXHIBIT A
TO
RESOLUTION NO. 2024-1249

[Map of Streets and Public Infrastructure Improvements]

See following page.



ANNOUNCING
MEADOWS
CHRISTIE

EXHIBIT B
TO
RESOLUTION NO. 2024-1249

[Developer's Warranty]

See following pages.



8700 E. Via De Ventura, Suite 350
Scottsdale, AZ 85258
Main (480) 305-5319
Fax (480) 829-7506

03-6-2024

Development Services
Town of Chino Valley
1982 Voss Dr
Chino Valley, AZ 86323

RE: Two Year Warranty Letter – Perkinsville 44 – Phase 1 & 2 and Offsite Water & Sewer

Mr. Steven Sullivan:

Developer is in receipt of the Notice of Substantial Completion letter regarding the Town requirements for improvements acceptance dated March 6, 2024.

Town Maintained Improvements:

Notice is hereby given that the work has been completed within public rights-of-way or easements in accordance with the Town of Chino Valley, Arizona generally described as Perkinsville 44, Phase 1 & 2 and Offsite Water & Sewer which includes the following improvements – grading, sewer, water stormwater, concrete and paving. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to the issuance of conditional acceptance and the official beginning of the two (2) year warranty period. Developer and its contractors will be responsible against defective materials and workmanship during the warranty period. A warranty inspection by the Town of the improvements will be performed no later than 60 days prior to the end of the warranty period to provide sufficient time for any corrections. Once any warranty deficiencies or workmanship corrections are completed and accepted, the Town will provide a Warranty Completion & Acceptance letter to Developer relieving Developer and contractors of any further obligations for the improvements.

Non-City Maintained Improvements:

Public Works Inspections has checked all non-town maintained improvements and found them to be in substantial compliance with the approved plans and specifications. Non-Town maintained improvements constructed as part of this project to be maintained by property owners and homeowners' association and are not subject to the two-year warranty.

Let me know if you have any questions.

Respectfully,
Sage Land Holdings, LLC

Craig Helsing

Craig Helsing
Director of Land Acquisition & Development

Cc: Rob Smeriglio

Michael Brown