

**RESOLUTION NO. 17-1097**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, REPEALING RESOLUTION NO. 16-1096, AND AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY IN THE TOWN FOR RIGHT-OF-WAY PURPOSES; AUTHORIZING AND DIRECTING THE MAYOR, TOWN MANAGER AND TOWN ATTORNEY TO ACQUIRE TITLE TO SUCH REAL PROPERTY ON BEHALF OF THE TOWN BY DONATION, EMINENT DOMAIN OR PURCHASE FOR AN AMOUNT NOT TO EXCEED FAIR MARKET VALUE OF THE PROPERTY, PLUS ACQUISITION AND CLOSING COSTS.**

WHEREAS, the Town of Chino Valley Town Council approved Resolution No. 16-1096 on December 13, 2016, authorizing acquisition of certain real property described in the legal description attached to the Resolution as Exhibit A; and

WHEREAS, it was subsequently discovered that the legal description attached as Exhibit A to Resolution No. 16-1096 was incorrect and therefore desires to repeal Resolution No. 16-1096; and

WHEREAS, the continued growth and development of the Town of Chino Valley requires the acquisition of certain real property for roadway improvements to Road One East, which real property is generally described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, the Mayor and Common Council of the Town of Chino Valley find that acquisition of the property described is necessary for public right-of-way purposes for the Project and it is in the public interest to acquire such property; and

WHEREAS, the Mayor and Common Council of the Town of Chino Valley have considered alternatives available, have balanced the public good and the private injury resulting from the acquisition of the property, and have determined that locating the public improvements on the property results in the greatest public good and the least private injury.

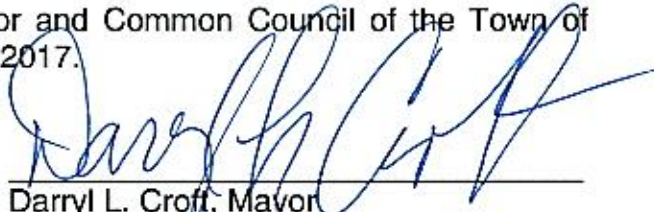
**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA:**

1. That Resolution 16-1096 is hereby repealed, rescinded and of no further effect;
2. That the Mayor, Town Manager and Town Attorney are hereby authorized and directed to acquire title to and possession of the real property generally described in

Exhibit A, plus any additional real property required for completion of the Project, as determined by the final engineering plans, by donation, eminent domain or purchase for an amount not to exceed fair market value, plus acquisition and closing costs; and

3. That the Mayor, Town Manager and Town Attorney are authorized to perform all acts necessary to acquire said property for the purposes described in this resolution on behalf of the Town.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 10<sup>th</sup> day of January, 2017.

  
\_\_\_\_\_  
Darryl L. Croft, Mayor

ATTEST:

  
\_\_\_\_\_  
Jami Lewis, Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Phyllis L.N. Smiley, Town Attorney

I hereby certify the above foregoing Resolution No. 17-1097 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on January 10, 2017, 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.

  
\_\_\_\_\_  
Jami C. Lewis, Town Clerk

The following exhibits are attached hereto and incorporated herein:

1. Exhibit A – Legal Description of Property to be Acquired

**EXHIBIT A**

**[Legal Description]**

All that portion of land lying within Section 15, 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 Northeast corner of said Section 15;

Thence South 00°16'00" East, along the east line of said Section 15, a distance of 338.48 feet to the TRUE POINT OF BEGINNING;

Thence South 89°53'00" West, a distance of 25.00 feet;

Thence South 00°16'00" East, a distance of 137.00 feet;

Thence North 89°53'00" East, a distance of 25.00 feet to a point on said east line;

Thence North 00°16'00" West, along said east line, a distance of 137.00 feet to the TRUE POINT OF BEGINNING.

Containing 3,425.00 square feet or 0.08 Acres, more or less.

# RECORD OF SURVEY

APN 306-20-001K  
 SEC. 16, T16N, R2W, G&SRB&M,  
 YAVAPAI COUNTY, ARIZONA

## LEGEND

- FOUND 1/2" REBAR CAPPED LS 33872
- FOUND 1/2" REBAR CAPPED "FAMAS"
- SET 1/2" REBAR WITH PLASTIC CAP
- STAMPED "FAMAS" LS 27738
- \* AFFIXED BRASS TAG "FAMAS" LS 27738
- ( ) RECORD INFORMATION

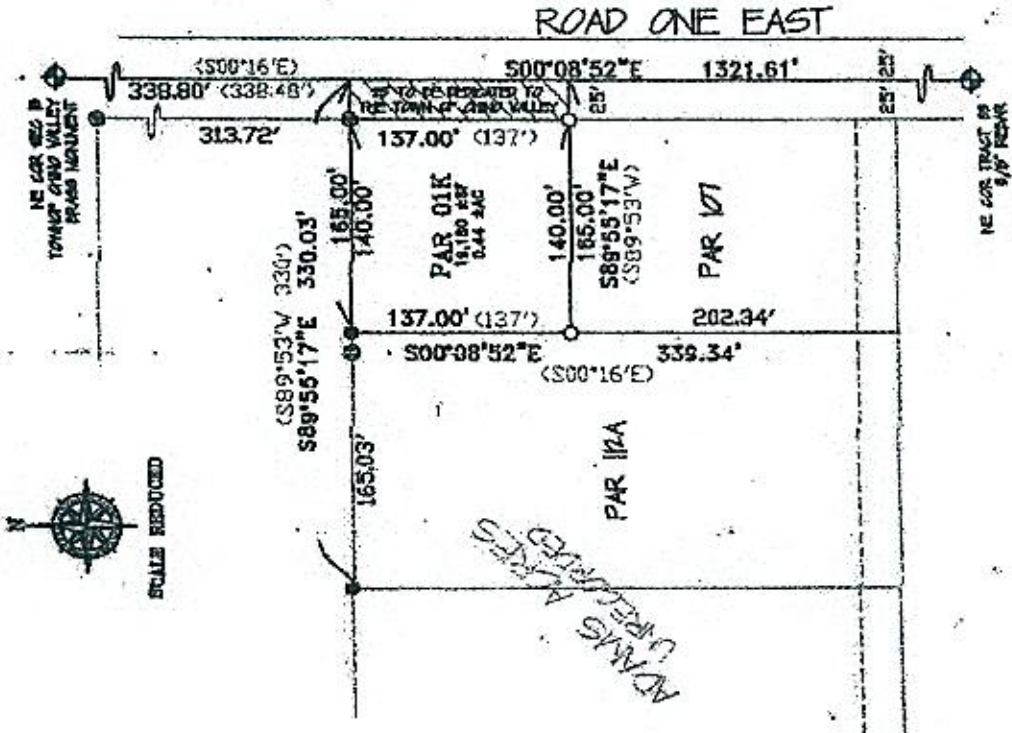
BOOK 3688 O.R. PAGE 127 YCRO  
 BASIS OF BEARINGS IS GEODETIC  
 NORTH USING GPS OBSERVATIONS



**EMPIRE SURVEYING, Inc**

P.O. BOX 67 PAULDEN AZ 86334  
 PHONE (928)-638-8882 FAX 638-8883

SURVEY FOR: JETCUNG	
DATE DRAWN: 8-17-07	FILE NO.: Y07184
DRAWN BY: DEF	DRAWING: 184107



ADAMS & ASSOCIATES