

RESOLUTION NO.15-1064

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY IN THE TOWN FOR RIGHT-OF-WAY AND EASEMENT PURPOSES FOR THE ROAD 1 EAST FROM ROAD 3 SOUTH TO ROAD 4 SOUTH PROJECT, 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 continued growth and development of the Town of Chino Valley requires acquisition of certain real property for Road 1 East from Road 3 South to Road 4 South for roadway improvements to Road 1 East (the "Project"), which real property is generally described in Exhibit A and Exhibit B, attached hereto and made a part hereof; and

WHEREAS, the Mayor and Common Council of the Town of Chino Valley previously authorized the Project pursuant to the Intergovernmental Agreement with the Arizona Department of Transportation for construction of a round-a-bout at Kalinich Road; 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 and easement 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 to it, 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, County of Yavapai, Arizona, that

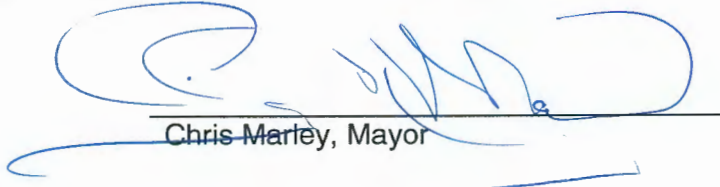
1. That the Mayor, Town Manager and Town Attorney are hereby authorized and directed to acquire title to and possession of the real property generally described in Exhibit A, plus any additional real property required for completion of the Project as determined by the final engineering plans, by donation, eminent domain or purchase for an amount not to exceed fair market value, plus acquisition and closing costs; and

2. 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.

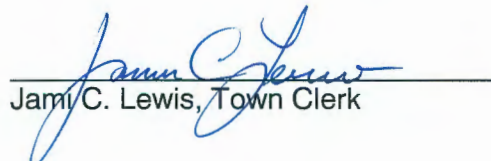
PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 14th day of July, 2015 by the following vote:

AYES: 5
NAYS: 0

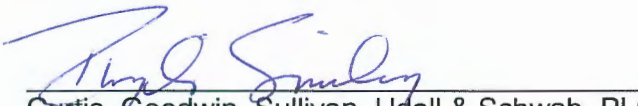
ABSENT: 1
ABSTAINED: 0


Chris Marley, Mayor

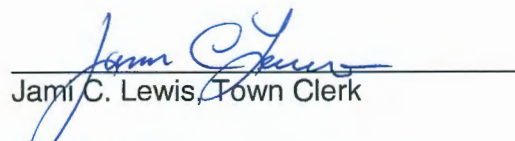
ATTEST:


Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:


Curtis, Goodwin, Sullivan, Udall & Schwab, PLC
Town Attorneys
By: Phyllis Smiley

I hereby certify the above foregoing Resolution No. 15-1064 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on July 14, 2015, and that quorum was present thereat and that the vote thereon was 5 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/Easement to be acquired – Transland
2. Exhibit B – Legal Description of Property/Easement to be acquired – Glenarms

EXHIBIT A

**Description of Property to be Acquired
Transland Dedication**

EXHIBIT A
LAND DESCRIPTION
TRANSLAND, LLC.
MAY 5, 2014

THAT PORTION OF THE LAND DESCRIBED IN DEED TO TRANSLAND, LLC. AS RECORDED IN BOOK 4844, PAGE 717 OF OFFICIAL RECORDS LOCATED IN SECTION 34, TOWNSHIP 16 NORTH, RANGE 2 WEST IN THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, STATE OF ARIZONA, GILA AND SALT RIVER BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS.....

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34;

THENCE ALONG THE EASTERLY LINE OF SAID SECTION 34 NORTH 01°16'46" WEST A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTHERLY LINE OF THE LAND DESCRIBED IN DEED TO THE TOWN OF CHINO VALLEY PER BOOK 3042, PAGE 451 OF OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING **THE POINT OF BEGINNING**;

THENCE ALONG SAID NORTHERLY LINE SOUTH 89°37'38" WEST A DISTANCE OF 50.00 FEET;

THENCE NORTH 00°52'11" EAST A DISTANCE OF 400.00 FEET TO A POINT ON A LINE 35.00 FEET WESTERLY AND PARALLEL TO SAID EASTERLY LINE;

THENCE ALONG SAID PARALLEL LINE NORTH 01°16'46" WEST A DISTANCE OF 896.26 FEET TO THE NORTHERLY LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 34.

THENCE ALONG SAID NORTHERLY LINE NORTH 89°40'07" EAST A DISTANCE OF 35.00 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 34.

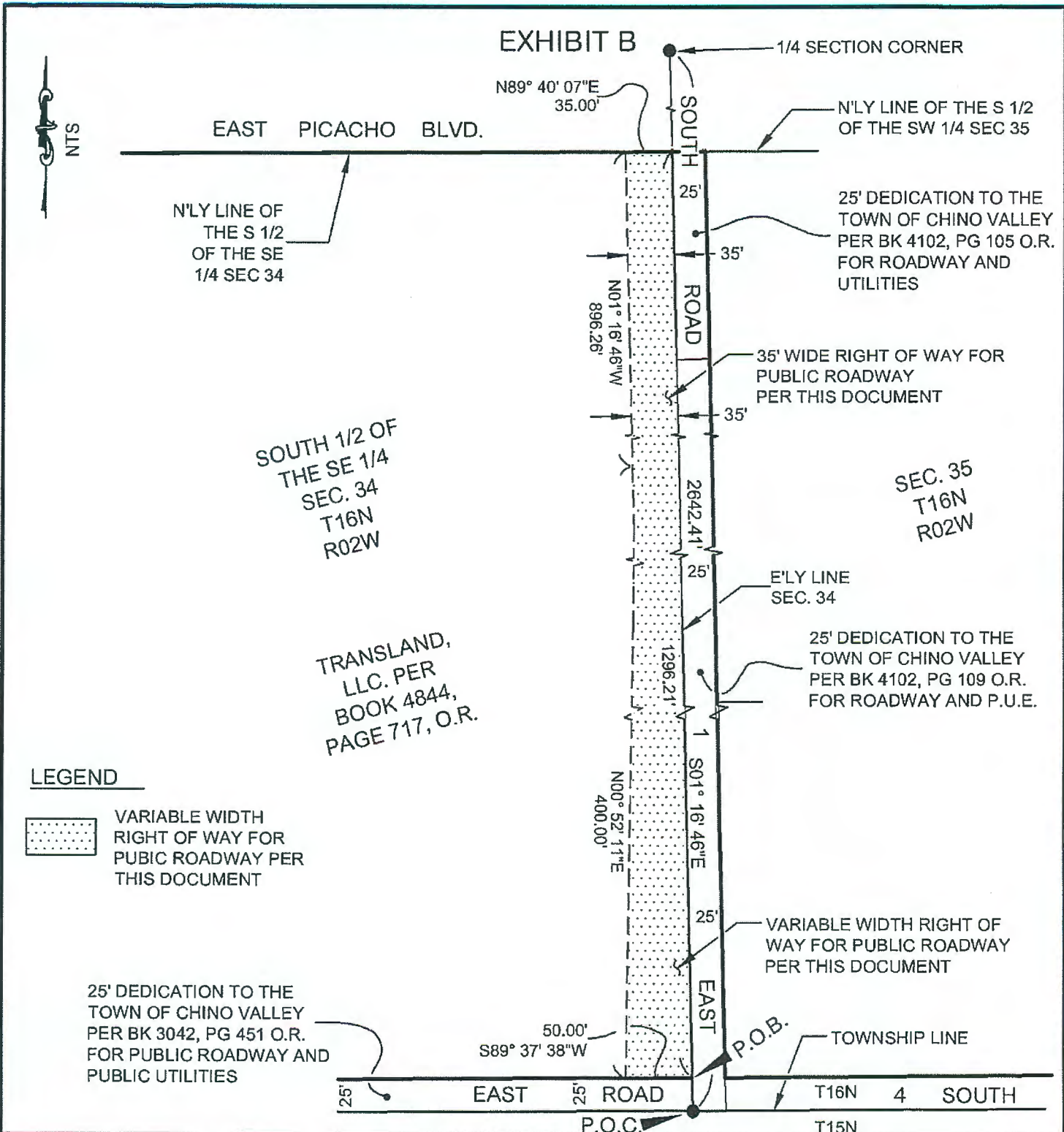
THENCE ALONG SAID EASTERLY LINE OF SECTION 34 SOUTH 01°16'46" EAST A DISTANCE OF 1296.21 FEET TO **THE POINT OF BEGINNING**.

CONTAINING 48,359 SQUARE FEET, OR 1.110 ACRES, MORE OR LESS.




EXPIRES 09/30/2016

EXHIBIT B



LEGEND

 VARIABLE WIDTH RIGHT OF WAY FOR PUBLIC ROADWAY PER THIS DOCUMENT

25' DEDICATION TO THE TOWN OF CHINO VALLEY PER BK 3042, PG 451 O.R. FOR PUBLIC ROADWAY AND PUBLIC UTILITIES



CIVILTEC
 engineering inc.
 Monrovia • Prescott • Peoria
 2050 N. Willow Ck. Rd
 Prescott, AZ 86301
 Phone: 928.771.2376
 Fax: 928.771.2377
 Web: www.civiltec.com

CHINO VALLEY, ARIZONA

EXHIBIT B
 TRANS LAND, LLC EXHIBIT
 ROAD 1 EAST

DE: KR D	CH: R H S	DR: KR D	JOB # 2013723
P: X:\2013\2013722 - Karcic Legal Description - Chino Valley\DWG			SHEET 1 OF 1
D: Transland Exhibit.dwg DA: May 05, 2014			

EXHIBIT B

**Description of Property to be Acquired
Glenarms Dedication**

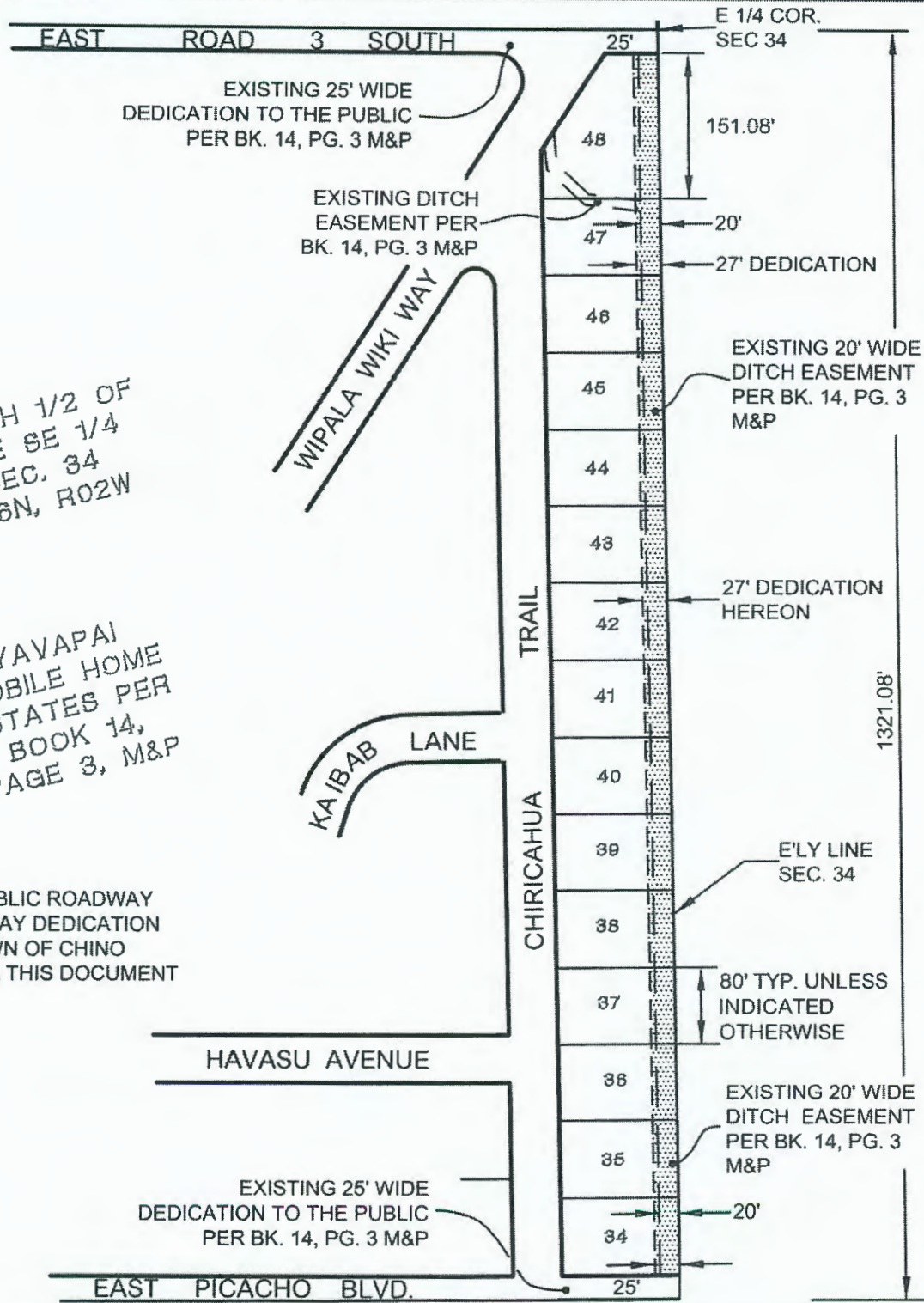
EXHIBIT A
LAND DESCRIPTION
MAY 20, 2014

THE EASTERLY 27.00 FEET OF LOTS 34 THROUGH 48, INCLUSIVE, OF YAVAPAI MOBILE HOME ESTATES, IN THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, STATE OF ARIZONA, AS SHOWN ON PLAT RECORDED IN BOOK 14, PAGE 3 OF MAPS AND PLATS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY.

CONTAINING 34,319 SQUARE FEET (0.788 ACRES), MORE OR LESS.



EXPIRES 09/30/2016




NO SCALE

NORTH 1/2 OF THE SE 1/4 SEC. 34 T16N, R02W

YAVAPAI MOBILE HOME ESTATES PER BOOK 14, PAGE 3, M&P

LEGEND

 27' WIDE PUBLIC ROADWAY RIGHT-OF-WAY DEDICATION TO THE TOWN OF CHINO VALLEY PER THIS DOCUMENT

REGISTERED LAND SURVEYOR
NO. 51524
KENNETH R. DAVIDSON
DATE SIGNED 5-20-14
ARIZONA U.S.A.
EXPIRES 09/30/2016

CIVILTEC
engineering inc.
Mesa • Prescott • Peoria
2050 N. Willow Ck. Rd
Prescott, AZ 86301
Phone: 928.771.2376
Fax: 928.771.2377
Web: www.civiltec.com

CHINO VALLEY, ARIZONA

EXHIBIT B
ROAD 1 EAST

DE: KR D	CH: R H S	DR: KR D	JOB # 2013723
P: X:\2013\2013722 - Karcic Legal Description - Chino Valley\DWG			SHEET 1 OF 1
D: Exhibit Glenam.dwg DA: May 27, 2014			