RESOLUTION NO. 2234

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, TO APPROVE, PURSUANT TO A.R.S. SECTION 48-262(f), AN ANNEXATION OF ADDITIONAL TERRITORY INTO THE NORTHERN GILA COUNTY SANITARY DISTRICT OF THOSE CERTAIN PARCELS OF REAL PROPERTY AS DENOMINATED ON THE ATTACHED EXHIBITS "A". (200 EAST MALIBU DRIVE, PAYSON, ARIZONA, GARY MARTINSON, OWNER, ASSESSOR'S PARCEL NO. 304-02-015F).

WHEREAS, under A.R.S. Section 48-262(f), the governing body of a municipal corporation is required to pass a resolution approving the annexation to an existing sanitary district of new territory within the boundaries of an incorporated town, and,

WHEREAS, the territory sought to be annexed to the Northern Gila County Sanitary District is described on Exhibit "A" attached hereto, and it is hereby confirmed that all of said property lies within the boundaries of the Town of Payson and is contiguous to existing territory within the Sanitary District, and,

WHEREAS, the petitioners and their real property as set forth by parcel number in Exhibit "A" hereto represent a lawful majority of the qualified electors owning real property within said territories to be annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, that approval is hereby given, pursuant to A.R.S. Section 48-262(f), of the annexation of those certain parcels of real property as denominated on the attached Exhibit "A", and such annexation is endorsed by the Town of Payson.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, this _____ day of _____, 2006, by the following vote:

AYES ___ NOES ___ ABSTENTIONS ___ ABSENT ____

_____
F. Robert Edwards, Mayor

ATTEST

_____
Silvia Smith, Town Clerk

Approved as to Form:

_____
Samuel I. Streichman, Town Attorney

SIS:gls

DEC 1 4 2006 G.6*

EXHIBIT "A"
LEGAL DESCRIPTION

Bison Cove
(Including Bison Cove Apartments)

A portion of the Northwest Quarter of Section 3, T10N, R10E, Gila County, Arizona, more particularly described as follows:

Parcels One and Two as shown on ROS/MLD 3014;

Said Parcels contain 37.99 Acres.

Tetra Tech, Inc.
Project No. 14416.0001

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
12314
RALPH ORLAND
BOSSERT
Date Signed 10-2-06
ARIZONA, U.S.A.

Silvia

2200 W. Doll Baby Ranch Road
P.O. Box 619
Payson, Arizona 85547

(928) 474-5257
(928) 474-5258 FAX
(602) 256-0047 Phoenix

November 6, 2006

Town Council, Town of Payson
Attn. Ms. Sylvia Smith
303 North Beeline Hwy.
Payson, Arizona 85541

REF: Request for Resolution by the Town Council endorsing annexation of property to Northern Gila County Sanitary District

SUBJECT: Gila County Tax Parcel 304-02-015F (37.99 Acres)
200 East Malibu Drive, Payson, AZ

Dear Ms. Smith:

Enclosed please find an executed petition to the Town Council, Town of Payson, requesting Establishment of an addition to the Northern Gila County Sanitary District.

The Board of Directors requests the petition for the referenced property be placed on the next available Council meeting agenda for approval.

If the Town has no objection to the Sanitary District proceeding with the annexation process, we request that the Town Council pass a resolution of endorsement of said annexation.

If you have any questions or require further information, please do not hesitate to contact either Joel Goode, General Manager or myself.

Sincerely,

NORTHERN GILA COUNTY SANITARY DISTRICT

Sharon Owens
Office Manager/Bookkeeper

Enclosure
pc: File

RECEIVED
Town Clerk
NOV 08 2006
Town of Payson

F:\HOME\SHARON\WPDOCS\ANNEX\48262(H)\BisonCove\TOPLTR.wpd

REQUEST FOR ESTABLISHMENT OF AN ADDITION TO THE NORTHERN GILA COUNTY SANITARY DISTRICT

TO THE TOWN COUNCIL, TOWN OF PAYSON

The undersigned real property owners request the establishment of an addition to the Northern Gila County Sanitary District under the provisions of Title 36, Chapter 11, Article 1, Section 1301 to 1329, both inclusive, Arizona Revised Statutes 1956, and amendments thereto.

The necessity for the proposed addition to the District is planning and accomplishing of sanitary improvements as provided by law and the operation and maintenance of said improvements. The public health, comfort, convenience, necessity or welfare will be promoted by the establishment of the addition to the District and the property to be included therein will be benefitted.

The boundaries of the proposed addition to the District are contiguous to territory within the Sanitary District, and are described as follows: **SEE EXHIBIT "A"**

Gila County Parcel 304-02-015F

Said boundaries are delineated on the plat attached hereto, which also indicates the approximate area of the addition to the District.

The undersigned are the sole owners of the property described above.

A general outline of the proposed improvements consists of the planning and construction of certain sanitary facilities to serve the area and provide for the operation and maintenance thereof, suitable for the needs of the addition to the District either in one or more proceedings as the need therefore may arise.

The existing, duly elected, Board of Directors of the Northern Gila County Sanitary District shall, upon formation of this addition, become the governing body for this addition.

Petitioners pray the Town Council set this petition for hearing, direct notice to be given to interest property owners and upon the hearing, after consideration of any objections that may be made, pass a resolution declaring its findings, establishing the boundaries and declaring approval of the addition to the Sanitary District.

DATE	PRINTED NAME	STREET ADDRESS	SIGNATURE
11/3/06	GARY MARTINSON	16927 E. Saguaro Blvd Fountain Hills AZ 85268	

STATE OF ARIZONA)
) ss.
County of Maricopa)

This instrument was acknowledged before me this 3rd day of November, 2006, by Gary Martinson.

Notary Public

My Commission Expires:

OFFICIAL SEAL
LAUREL TYLER
NOTARY PUBLIC - State of Arizona
MARICOPA COUNTY
My Comm. Expires Jan. 20, 2008

F:\HOME\SHARON\WPDOCS\ANNEX\48262(H)\BisonCove\TOP-Request.wpd

EXHIBIT "A"
LEGAL DESCRIPTION

Bison Cove
(Including Bison Cove Apartments)

A portion of the Northwest Quarter of Section 3, T10N, R10E, Gila County, Arizona, more particularly described as follows:

Parcels One and Two as shown on ROS/MLD 3014;

Said Parcels contain 37.99 Acres.

Tetra Tech, Inc.
Project No. 14416.0001

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
12314
RALPH ORLAND
BOSSERT
Date Signed 10-20-06
ARIZONA, U.S.A.

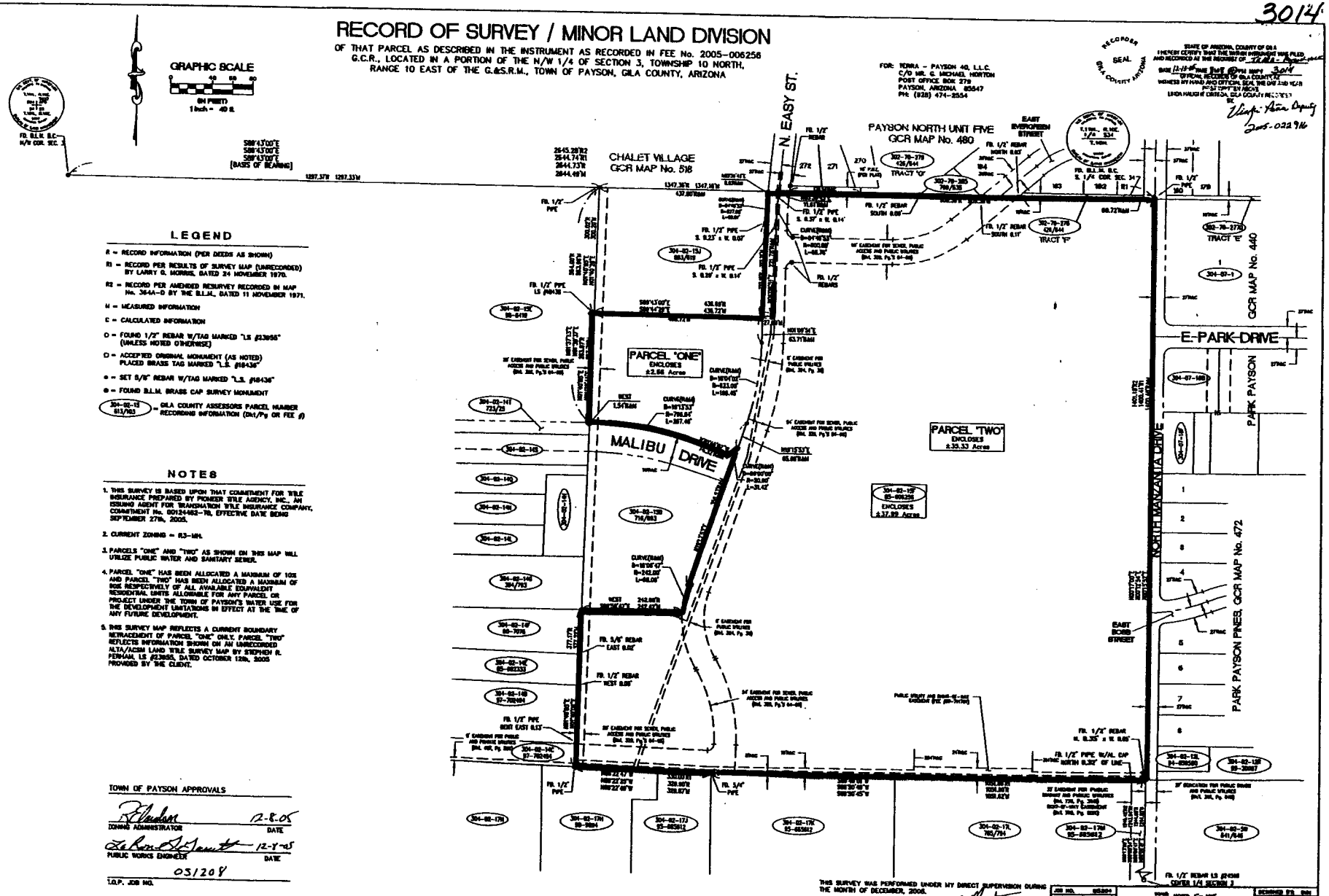
3014

RECORD OF SURVEY / MINOR LAND DIVISION

OF THAT PARCEL AS DESCRIBED IN THE INSTRUMENT AS RECORDED IN FEE No. 2005-006256 G.C.R., LOCATED IN A PORTION OF THE N/W 1/4 OF SECTION 3, TOWNSHIP 10 NORTH, RANGE 10 EAST OF THE G.&S.R.M., TOWN OF PAYSON, GILA COUNTY, ARIZONA

FOR: TERRA - PAYSON 40, L.L.C.
C/O MR. C. MICHAEL HORTON
POST OFFICE BOX 279
PAYSON, ARIZONA 85547
PH: (928) 474-2554

STATE OF ARIZONA, COUNTY OF GILA
I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS FILED AND RECORDED AT THE REQUEST OF TERRA - PAYSON
DATE 12-12-05 TIME 3:07 PM FEE NO. 2005-022916 3014
OFFICIAL RECORDER OF GILA COUNTY, AZ
WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST LAST WRITTEN ABOVE
LINDA HAUGH OF CORTEZ, GILA COUNTY RECORDER
BY



LEGEND

R = RECORD INFORMATION (PER DEEDS AS SHOWN)

R1 = RECORD PER RESULTS OF SURVEY MAP (UNRECORDED) BY LARRY G. MORRIS, DATED 24 NOVEMBER 1970.

R2 = RECORD PER AMENDED RESURVEY RECORDED IN MAP No. 384A-D BY THE B.L.M., DATED 11 NOVEMBER 1971.

M = MEASURED INFORMATION

C = CALCULATED INFORMATION

O = FOUND 1/2" REBAR W/TAG MARKED "LS #13956" (UNLESS NOTED OTHERWISE)

O = ACCEPTED ORIGINAL MONUMENT (AS NOTED) PLACED BRASS TAG MARKED "L.S. #18436"

• = SET 5/8" REBAR W/TAG MARKED "L.S. #18436"

⊗ = FOUND B.L.M. BRASS CAP SURVEY MONUMENT

304-02-13 013/103 = GILA COUNTY ASSESSORS PARCEL NUMBER RECORDING INFORMATION (Dkt/Pg OR FEE #)

NOTES

1. THIS SURVEY IS BASED UPON THAT COMMITMENT FOR TITLE INSURANCE PREPARED BY PIONEER TITLE AGENCY, INC., AN ISSUING AGENT FOR TRANSNATION TITLE INSURANCE COMPANY, COMMITMENT No. 00124452-TO, EFFECTIVE DATE BEING SEPTEMBER 27th, 2005.

2. CURRENT ZONING = R3-MH.

3. PARCELS "ONE" AND "TWO" AS SHOWN ON THIS MAP WILL UTILIZE PUBLIC WATER AND SANITARY SEWER.

4. PARCEL "ONE" HAS BEEN ALLOCATED A MAXIMUM OF 10% AND PARCEL "TWO" HAS BEEN ALLOCATED A MAXIMUM OF 80% RESPECTIVELY OF ALL AVAILABLE EQUIVALENT RESIDENTIAL UNITS ALLOWABLE FOR ANY PARCEL OR PROJECT UNDER THE TOWN OF PAYSON'S WATER USE FOR THE DEVELOPMENT LIMITATIONS IN EFFECT AT THE TIME OF ANY FUTURE DEVELOPMENT.

5. THIS SURVEY MAP REFLECTS A CURRENT BOUNDARY RETRACEMENT OF PARCEL "ONE" ONLY. PARCEL "TWO" REFLECTS INFORMATION SHOWN ON AN UNRECORDED ALTA/ACSM LAND TITLE SURVEY MAP BY STEPHEN R. PERHAM, LS #13955, DATED OCTOBER 12th, 2005 PROVIDED BY THE CLIENT.

TOWN OF PAYSON APPROVALS

DONNIE ADMINISTRATOR — DATE 12-8-05

PUBLIC WORKS ENGINEER — DATE 12-8-05

T.O.P. JOB NO. 05/208

THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION DURING THE MONTH OF DECEMBER, 2005.

BLAIR C. MEDGITT, R.L.S. #18436

JOB NO. 05204	SCALE: HORIZ. 1" = 100'
DATE: 7 DEC 2005	DRAWN BY: BKH
REVISED: N/A	DRAWN BY: CAR
	CHECKED BY: BCM

RECORD OF SURVEY / MINOR LAND DIVISION
FOR: TERRA - PAYSON 40, L.L.C.

APEX LAND SURVEYING INC.
555 E. HIGHWAY 260
PAYSON, ARIZONA 85541
PHONE (928) 474-2561

SHEET NO. 1 OF 1
JOB NO. 05204

3014