

**RESOLUTION NO. 2344**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING FEE TITLE IN AND TO CERTAIN REAL PROPERTY, ALL DESCRIBED ON EXHIBIT "1" ATTACHED HERETO COMPRISING RIGHT-OF-WAY ACQUISITION FOR THE ST. PHILIPS ST. AND BONITA ST. ROAD CONSTRUCTION PROJECT.**

**WHEREAS**, A.R.S. § 9-241 provides that the Town of Payson may receive real property necessary or proper to carry out the purposes of the municipal corporation, within or without its limits: and

**WHEREAS**, certain real property adjacent to the St. Philips St. and Bonita Street road project and described on Exhibit "1" attached hereto has been offered to the Town of Payson by Frontier Village Partners, LLC; and

**WHEREAS**, said real property is necessary for completion of the St. Philips St. and Bonita Street Road project and is all located within the corporate limits of the Town of Payson; and

**WHEREAS**, the Mayor and Common Council find that the acceptance of said interests in said property and the St. Philips St. and Bonita Street Road project to which they appertain are beneficial to the public health, safety and welfare,

**NOW, THEREFORE , THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:**

Section 1. That the Town of Payson does hereby accept and receive those interests in the real property set forth in Exhibit "1" attached hereto and incorporated herein as though set forth in full at this point.

Section 2. That the Town of Payson shall perform any and all other acts necessary or appropriate to accept said interests in real property and to the use and control thereof.

**PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON** this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by the following vote:

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSTENTIONS \_\_\_\_\_ ABSENT \_\_\_\_\_

\_\_\_\_\_  
F. Robert Edwards, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Silvia Smith, Town Clerk

\_\_\_\_\_  
Samuel I. Streichman, Town Attorney

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**EXHIBIT "1"**

to Resolution No. 2344

Recording Requested By: Town of Payson

When recorded, return to:  
Silvia Smith, Town Clerk  
Town of Payson  
303 North Beeline Highway  
Payson, Arizona 85541

**WARRANTY DEED**

For the consideration of TWO THOUSAND AND FIVE HUNDRED AND SIXTY-TWO AND 50/100 DOLLARS, and other valuable considerations, I or we FRONTIER VILLAGE PARTNERS L.L.C. an Arizona Limited Liability Company, the GRANTOR, do hereby convey to THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION the GRANTEE, the following described real property situate in Gila County, Arizona:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

This Deed is exempt from an Affidavit of Value pursuant to ARS #11-1134 A 3

SUBJECT TO: Existing taxes, assessments, covenants, conditions, restrictions, rights of way and easements of record.

And the GRANTOR binds itself and its successors to warrant the title against its acts and none other, subject to the matters above set forth.

Dated 10-26-07

Larry D. Lesueur

\_\_\_\_\_

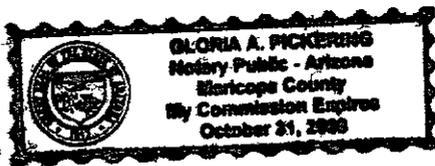
STATE OF \_\_\_\_\_ )  
County of MARICOPA )

On 10-26-07, before me, undersigned Notary Public, personally appeared LARRY D. LESUEUR, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to be that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

My Commission Expires:

Gloria A. Pickering  
Notary Public



## EXHIBIT "A"

That part of the Northeast quarter of the Northeast quarter of Section 10 of Township 10 North, Range 10 East, of the Gila and Salt River Meridian in Payson, Gila County, Arizona more particularly described as follows:

Commencing at the East 1/16<sup>th</sup> Corner common to Section 10 and Section 3;  
Thence South 89°46' East along the section line and basis-of-bearing a distance of 24.00 feet to the Point of Beginning;  
Thence South 89°46' East along the section line and basis-of-bearing a distance of 55.26 feet;  
Thence South 0°03'38" East a distance of 10.00 feet;  
Thence North 89°46' West a distance of 22.63 feet;  
Thence a distance of 39.40 feet along a tangent curve, concave open to the southeast, with radius 25.00 feet, a chord length of 35.45 feet which chord bears South 45°05'03" West;  
Thence South 0°03'38" East a distance of 19.67 feet;  
Thence North 89°46' West a distance of 7.50 feet;  
Thence North 0°03'38" West a distance of 54.80 feet to the Point of Beginning.

Described area is 1025 square feet.

Reference: FrontierVillage2

