

RESOLUTION NO. 2402

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE INGRESS AND EGRESS EASEMENT, ALL DESCRIBED ON EXHIBIT "1" ATTACHED HERETO IN CONJUNCTION WITH ACCESS INTO THE CENTER RIDGE APARTMENT SITE.

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, that certain easement described on Exhibit "1" attached hereto has been offered to the Town of Payson by Center Ridge Apartments LLLP, an Arizona Limited Liability Limited Partnership; and

WHEREAS, said real property is located within the corporate limits of the Town of Payson,

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 the ingress and egress easement described 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 ingress and egress easement and to the use and control thereof.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of _____, 2008, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Samuel I. Streichman, Town Attorney

JUL 17 2008 *Card**

The foregoing easement document was acknowledged before me this 30th day of
June, 2008, by T. Richard Bailey, Jr.

Sandra R. Lewis-Horton
Notary Public

My commission expires:
February 21, 2010



SANDRA R. LEWIS-HORTON
Notary Public, State of Ohio
My Commission Expires Feb. 21, 2010
Recorded in Cuyahoga County

STATE OF ARIZONA)
) ss.
County of Gila)

The foregoing easement document was acknowledged before me this _____ day of
_____, 2008, by _____

Notary Public

My commission expires:

STATE OF ARIZONA)
) ss.
County of Gila)

The foregoing easement document was acknowledged before me this ____ day of _____, 2008, by _____, who acknowledged to be the _____ of _____, and that as such officer, being duly authorized so to do, signed his/her name as such officer.

Notary Public

My commission expires:

STATE OF ARIZONA)
) ss.
County of Gila)

The foregoing easement document was acknowledged before me this ____ day of _____, 2008, by _____, who acknowledged to be the _____ of _____, and that as such officer, being duly authorized so to do, signed his/her name as such officer.

Notary Public

My commission expires:

EXHIBIT "A"
LEGAL DESCRIPTION
INGRESS/EGRESS EASEMENT

That portion of the Northwest quarter of Section 10, Township 10 North, Range 10 East, Gila and Salt River Meridian, Town of Payson, Gila County, Arizona described as follows:

BEGINNING at the northwest corner of Parcel 1 as shown on Record of Survey Map No. 2523, Gila County Records;

Thence: S 42°37'53" W, along the northwesterly line of Parcel 1, 175.89 feet;

Thence: S 47°22'08" E, 10.05 feet;

Thence: N 43°54'02" E, 176.86 feet to a point on the northeasterly line of Parcel 1;

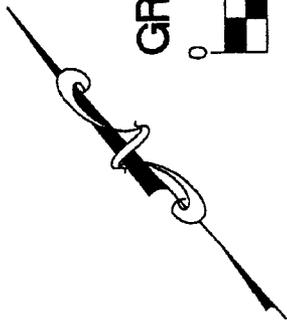
Thence: Along the northeasterly line of Parcel 1, along a non-tangent curve to the right, concave to the north, whose center bears N 33°55'30" E, having a radius of 525.00 feet and a central angle of 01°29'52", for a curve a distance of 13.72 feet to the POINT OF BEGINNING.

Encloses 2067.93 square feet more or less.

All shown on attached Exhibit "B" made a part hereof by this reference.

Tetra Tech, Inc.
Project No. 11097.0002

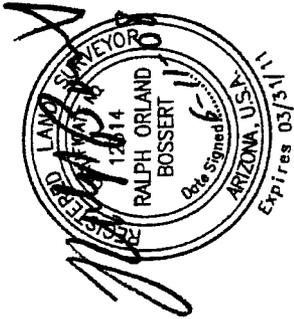




GRAPHIC SCALE

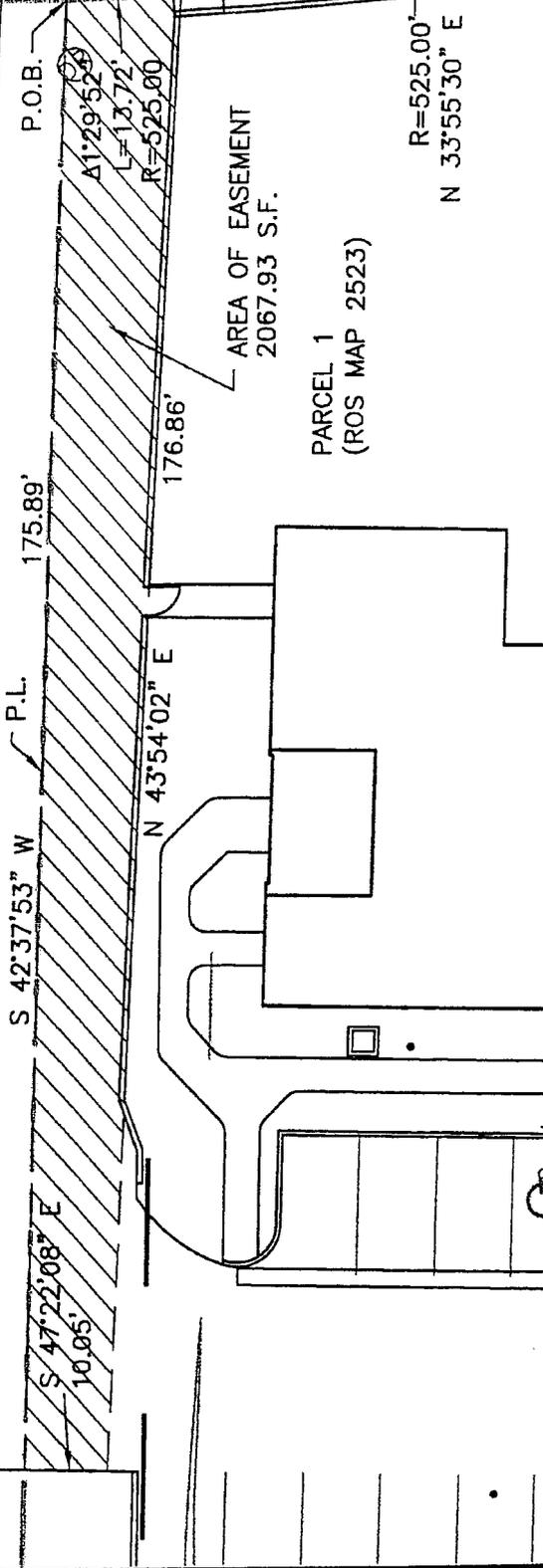


(IN FEET)
1 inch = 20 ft.



MOGOLLON VIEW ADDITION
PLATE "E"
(MAP 95 GCR)

E. MAIN STREET



AREA OF EASEMENT
2067.93 S.F.

PARCEL 1
(ROS MAP 2523)

R=525.00'
N 33°55'30" E



TETRA TECH, INC.

431 S. Beeline Highway
Payson, AZ 85541-4885
TEL:(928)474-4636 FAX:(928)474-4867

SCALE: 1"=20'

EXHIBIT "B"