

SUMMARY OF AGENDA ITEM

DATE: 10-16-08

SUBMITTED BY: LaRon Garrett

RESOLUTION/ORDINANCE # 2448

TITLE: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT, ALL DESCRIBED ON EXHIBIT "1" ATTACHED HERETO COMPRISING A TEMPORARY CONSTRUCTION EASEMENT FOR THE BONITA STREET PHASE 2 ROAD CONSTRUCTION PROJECT.

PURPOSE:

To accept a Temporary Construction Easement for the Bonita Street Phase 2 road reconstruction project. This easement is from Karl Frederick Myers.

SUMMARY OF CHANGES TO ACCOMPLISH THIS PURPOSE:

To provide a construction to accommodate the Bonita Street Phase 2 reconstruction improvements.

RECOMMENDED COUNCIL ACTION:

Approval of this Resolution

BACKGROUND:

Bontia Street between Bently Street and Highway 87 has been in the plan for reconstruction for several years. The construction plans are almost complete. The temporary construction easements are being acquired so the project can proceed.

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RESOLUTION NO. 2448

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT, ALL DESCRIBED ON EXHIBIT "1" ATTACHED HERETO COMPRISING A TEMPORARY CONSTRUCTION EASEMENT FOR THE BONITA STREET PHASE 2 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, a certain Temporary Construction Easement adjacent to the Bonita Street Phase 2 road project and described on Exhibit "1" attached hereto has been offered to the Town of Payson by Karl Frederick Myers, a single man; and

WHEREAS, it is the desire of the Town of Payson to accept said Temporary Construction Easement; and

WHEREAS, said easement 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 and receive the Temporary Construction Easement 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 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

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EXHIBIT "A"

The North 20 feet of the following:

Lot 1 of Mogollon Rim Addition Plat 2, Payson, Arizona, Plat No. 150 in
the Office of the Recorder of Gila County of Arizona.

Reference: Myers