

RESOLUTION NO. 2450

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING A WATER LINE EASEMENT, ALL DESCRIBED ON EXHIBIT "1" ATTACHED HERETO COMPRISING A WATER LINE EASEMENT FOR THE EXPANSION OF THE PAYSON WATER SYSTEM.

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 Water Line Easement located within the Rim Golf Club and described on Exhibit "1" attached hereto has been offered to the Town of Payson The Rim Golf Investors, LLC; and

WHEREAS, it is the desire of the Town of Payson to accept said Water Line 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 Water Line 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

NOV 06 2008 G.L*

SUMMARY OF AGENDA ITEM

DATE: 11-06-08

SUBMITTED BY: LaRon Garrett

RESOLUTION/ORDINANCE # 2450

TITLE: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING A WATER LINE EASEMENT, ALL DESCRIBED ON EXHIBIT "1" ATTACHED HERETO COMPRISING A WATER LINE EASEMENT FOR THE EXPANSION OF THE PAYSON WATER SYSTEM.

PURPOSE:

To accept a Water Line easement to expand the Payson Water System. This easement is from The Rim Golf Investors, LLC..

SUMMARY OF CHANGES TO ACCOMPLISH THIS PURPOSE:

To provide a water line easement for an existing Town of Payson water line.

RECOMMENDED COUNCIL ACTION:

Approval of this Resolution

BACKGROUND:

In 2005 a Town of Payson water line was installed on private property. This water line easement was granted and recorded at that time. However, it was never accepted by the Town Council to be part of the Town's system. This Resolution is to formally accept this easement.



Gila County, AZ
 Linda Haught Ortega, Recorder
 09/12/2005
 04:13PM
 Doc Code: E

Doc Id: 2005-016677
 Receipt #: 37288
 Rec Fee: 13.00

PIONEER TITLE AGENCY RECORDING

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



Gila County, AZ

E

2005-016677

Page: 1 of 4
 09/12/2005 04:13P
 13.00

WATER LINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

In consideration of one dollar (\$1.00) and other good and valuable consideration paid to The Rim Golf Investors, LLC (hereinafter referred to as GRANTOR) by the Town of Payson, an Arizona municipal corporation, the receipt of which is hereby acknowledged, GRANTORS do hereby grant, bargain, sell, transfer and convey unto the Town of Payson, an Arizona municipal corporation (hereinafter referred to as GRANTEE), its successors and assigns, a perpetual non-exclusive water line easement with the right to construct and install water lines, lay and thereafter use, operate, inspect, repair, maintain, replace and remove facilities as necessary, together with the rights of ingress, egress and access over, across and through the land of GRANTORS situate in Gila County, State of Arizona, for such purposes, said land being described on Exhibit "A" and "B" attached hereto and made a part hereof. This easement is granted subject to all matters of record.

The consideration herein above recited shall constitute payment in full for the value of the interest granted herein and for any damages to the land of GRANTORS, their successors and assigns, by reason of the installation, operation and maintenance of the structures or improvements referred to herein.

Should the use of this easement by GRANTEE cease to exist, then the rights to this easement shall become void.

The grant and other provisions of this water line easement shall constitute a covenant running with the land for the benefit of GRANTEE, their successor and assigns.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 8th day of September, 2005.

GRANTOR:

Jess R. Gift

BY:

Jess R. Gift

ITS

MALA BEN

EXHIBIT "1"
 to Resolution No. 2450



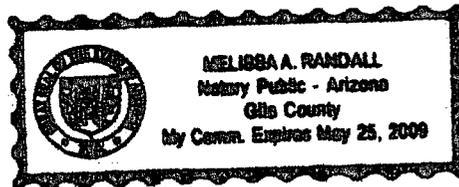
STATE OF ARIZONA)
) ss.
County of Gila)

The foregoing quit claim deed was acknowledged before me this 8th day of September, 2005, by Jess R. Gift, who acknowledged to be the manager of Rim Golf Investors, LLC, and that as such officer, being duly authorized so to do, signed his/her name as such officer.

Melissa A. Randall
Notary Public

My commission expires:

5/25/09

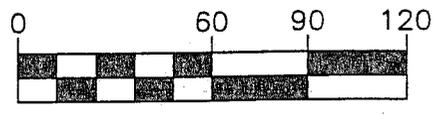




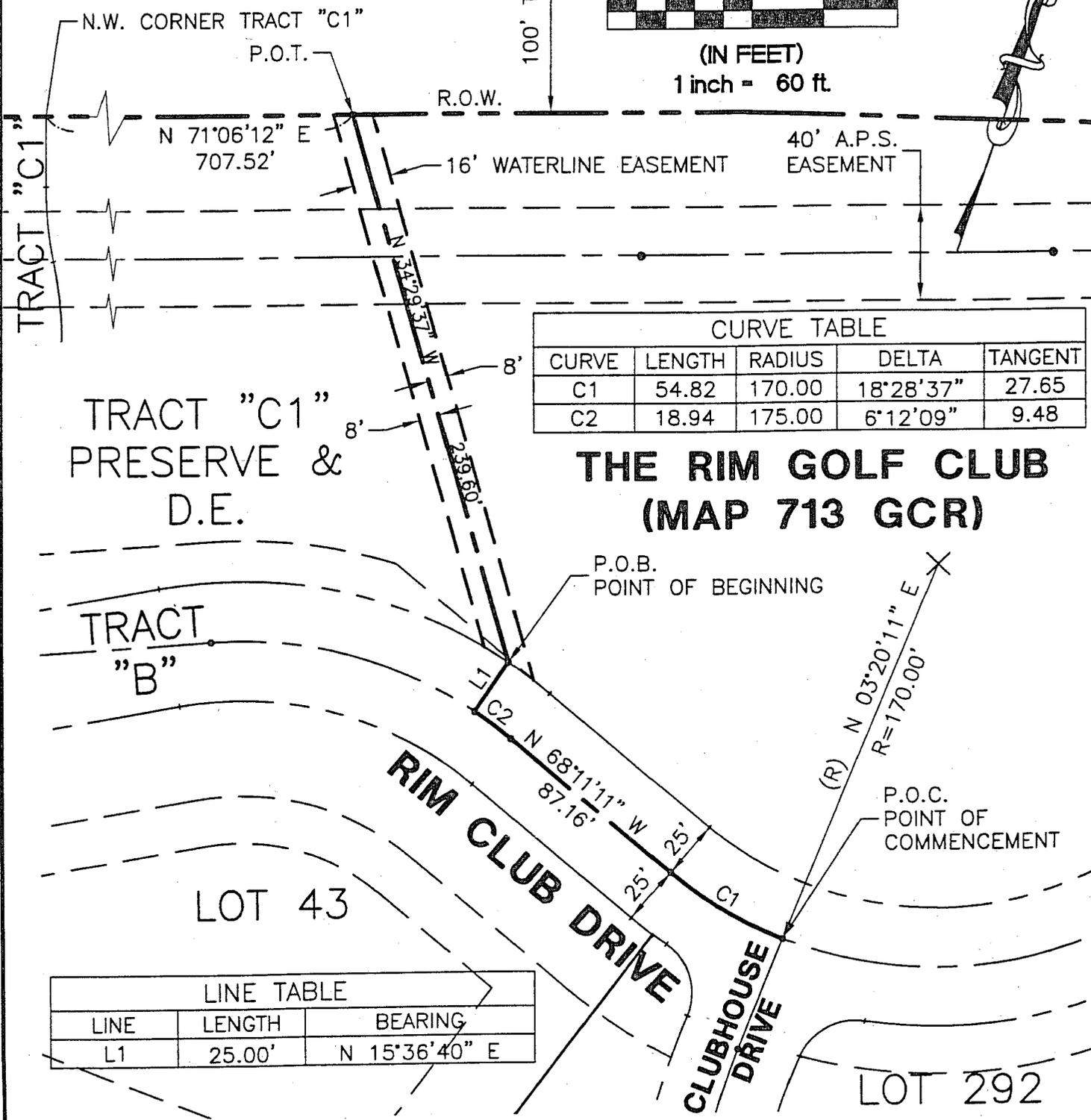
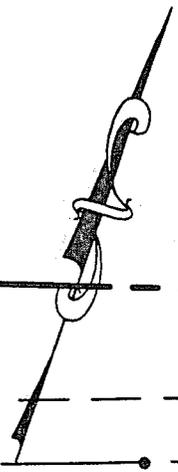
Gila County, AZ E

S.R. HWY. 260

GRAPHIC SCALE



(IN FEET)
 1 inch = 60 ft.



CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	TANGENT
C1	54.82	170.00	18°28'37"	27.65
C2	18.94	175.00	6°12'09"	9.48

THE RIM GOLF CLUB (MAP 713 GCR)

LINE TABLE		
LINE	LENGTH	BEARING
L1	25.00'	N 15°36'40" E

SCALE: 1"=60'



TETRA TECH, INC.

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



EXHIBIT "A"

**LEGAL DESCRIPTION
WATER LINE EASEMENT
THE RIM GOLF CLUB - TRACT C1**

A 16-foot wide Water Line Easement located on Tract C1 of the Rim Golf Club, a Subdivision as recorded on Map 713, Gila County Records, located in the S 1/2 of Section 36, T11N, R10E, and part of Section 1, T10N, R10 E of the Gila and Salt River Meridian, Town of Payson, Gila County, Arizona;

The Centerline of the said 16-foot wide Water Line Easement is more particularly described as follows:

Commencing at the intersection of Rim Club Drive and Clubhouse Drive;

THENCE: Along the Centerline of Rim Club Drive, along a non-tangent curve to the right, concave to the northeast, whose center bears N 03°20'11" E, having a radius of 170.00 feet and a central angle of 18°28'37", for a curve length of 54.82 feet;

THENCE: N 68° 11' 11" W, continuing along the Centerline of Rim Club Drive, 87.16 feet;

THENCE: Continuing along the Centerline of Rim Club Drive, along a tangent curve to the left, having a radius of 175.00 feet and a central angle of 6°12'09", for a curve length of 18.94 feet;

THENCE: N 15°36'40" E, 25.00 feet to a point on the south line of said Tract C1, said point being the TRUE POINT OF BEGINNING of the Centerline of the said 16-foot wide Water Line Easement;

THENCE: N 34°29'37" W, along the Centerline of the said Water Line Easement, 239.60 feet to a point on the north line of said Tract C1, said point being the Point of Termination; said point also being N 71°06'12" E, 707.52 feet from the northwest corner of Tract C1;

The sidelines of the said 16-foot wide Water Line Easement shall be shortened or lengthened as necessary to terminate on the north and south lines of Tract C1.

Tetra Tech, Inc.
Project No. 6635.0001
December 1, 2004

