RESOLUTION NO. 2585

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING FEE TITLE IN AND TO CERTAIN REAL PROPERTY LOCATED IN THE 900 BLOCK OF SOUTH WESTERLY ROAD, DESCRIBED ON EXHIBIT "1" ATTACHED HERETO, COMPRISING A PROPERTY ACQUISITION FOR DRAINAGE AND PEDESTRIAN PURPOSES.

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 necessary for construction of drainage and pedestrian facilities and described on Exhibit "1" attached hereto has been offered to the Town of Payson by El Camino Westerly, LLC; and

WHEREAS, the Mayor and Common Council find that the acceptance of said interests in said real property is 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 real property described and illustrated in Exhibit "1" attached hereto and incorporated herein as though set forth in full at this point.

Section 2. That the Town of Payson is authorized to 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 December, 2010, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT

_____
Kenny J. Evans, Mayor

ATTEST:

_____
Silvia Smith, Town Clerk

APPROVED AS TO FORM:

_____
Timothy M. Wright, Town Attorney

DEC 0 9 2010 G.2.B

EXHIBIT '1'
to Resolution 2585

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

QUIT CLAIM DEED

This quit claim deed is made on the 23rd day of November, 2010, by El Camino Westerly, LLC, 7601 E. Indian School Road, City of Scottsdale, State of Arizona, as Grantor, and the Town of Payson, a municipal corporation of the State of Arizona, as Grantee.

Grantor, in consideration of the sum of ten dollars ($10.00) and other valuable considerations, to the Grantor paid, the receipt of which is acknowledged, remises, releases and forever quit claims to Grantee all of the right, title and interest of Grantor, in and to that certain real property situated in Gila County, Arizona, and more particularly described as follows:

See attached legal description.

To have and to hold, all and singular the above described property, together with the tenements, hereditaments and appurtenances belonging to the property, or in any way appertaining, and the rents, issues and profits of said property to Grantee and Grantee's successors and assigns forever.

El Camino Westerly, LLC
Grantor

STATE OF ARIZONA)
) ss.
County of Gila)

The foregoing quit claim deed was acknowledged before me this 23rd day of November, 2010, by Joe Leaser of El Camino Westerly, LLC and states that he is acting within his power and as an officer of El Camino Westerly, LLC, with full authority there under.

Notary Public

My commission expires: 10/17/10

OFFICIAL SEAL
NANCY A. KEIL
Notary Public - State of Arizona
MARICOPA COUNTY
My Comm. Expires Oct. 17, 2012

LEGAL DESCRIPTION

That portion of the Northeast Quarter (NE 1/ 4) of Section 9, Township 10 North, Range 10 East of the Gila and Salt River Meridian, Town of Payson, Gila County, Arizona, more particularly described as follows:

That Parcel A-1 of Record of Survey – Lot Line Adjustment, Map No. 3916, Gila County, Records.

Encloses 7,966. SQ. FT. / 0.18 Acres.

AND

That Parcel C of Record of Survey – Minor Land Division, Map No. 3851, Gila County, Records.

Encloses 8,216. SQ. FT. / 0.19 Acres.

NORTHSTAR SURVEYING, INC.

Project No. 10-048

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
24516
JOHN F.
DAVIS
Date Signed 12-23-10
ARIZONA U.S.A.

EXPIRES 09-30-2011

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