

RESOLUTION NO. 2698

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 WILSON COURT IN CONJUNCTION WITH THE HUMANE SOCIETY OF CENTRAL ARIZONA 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, the Humane Society of Central Arizona, Inc., formerly known as the Payson Humane Society, Inc., constructed a portion of West Wilson Court to public street standards in conjunction with their new facility at 605 W. Wilson Court; and

WHEREAS, the Humane Society of Central Arizona, Inc. desires to dedicate the real property, including the roadway improvements, described on Exhibit '1' to the Town of Payson; 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 ownership of receive those certain real property interests 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 the taking of title to the said real property and to the use and control thereof, including, but not limited to, the maintenance thereof and the recordation the quit claim deed attached hereto as Exhibit '1'.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this 13th day of December, 2012 by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT

Kenny J, Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Timothy M. Wright, Town Attorney

DEC 13 2012 2.4*

EXHIBIT '1'
To Resolution No. 2698

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 21st day of November, 2012, by the Humane Society of Central Arizona, Inc., formerly the Payson Humane Society, Inc., whose address is 605 W. Wilson Court, Town of Payson, Gila County, 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.

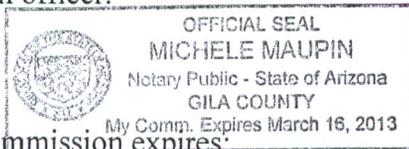
GRANTOR:
Humane Society of Central Arizona, Inc.

Signed By Joann Conlin

Its: Treasurer

STATE OF ARIZONA)
) ss.
County of Gila)

The foregoing quit claim deed was acknowledged before me this 21 day of November, 2012, by Joann Conlin, who acknowledged herself to be the Treasurer of the Humane Society of Northern Arizona, Inc., and that as such officer, being duly authorized so to do, signed her name as such officer.



Michele Maupin
Notary Public

EXEMPT PER A.R.S. § 11-1134(A)(3)

EXHIBIT "A"

**LEGAL DESCRIPTION
TOWN OF PAYSON
RIGHT-OF-WAY / PUBLIC UTILITY EASEMENT**

A Portion of "ADJ LOT 3" of R.O.S. 2896 Gila County Records, being a Portion of Section 9, Township 10 North, Range 10 East, Gila and Salt River Meridian, Town of Payson, Gila County, Arizona, described as follows:

Parcel 1:

Beginning at the Southwest Corner of Lot 2 of R.G. Chambers Property as shown on said R.O.S. 2896;

Thence: S 80°13'41" E, 98.34 feet to the beginning of a tangent curve concave to the north and having a radius of 146.00 feet;

Thence: Easterly along said curve through a central angle of 19°13'00", an arc distance of 48.97 feet;

Thence: N 32°25'00" E, 12.03 feet to a point in the westerly Right-of-Way of McLane Road;

Thence: S 12°35'00" E, 68.25 feet along said westerly Right-of-Way to the Northeast Corner of Lot 4 of R.G. Chambers Property as shown on said R.O.S. 2896;

Thence: N 42°35'00" W, 11.07 feet to the beginning of a non-tangent curve, concave to the north, concentric with last said curve and having a radius of 196.00 feet, a radial line to the center bears N 11°06'56" W;

Thence: Westerly along said curve through a central angle of 20°53'15", an arc distance of 71.45 feet;

Thence: N 80°13'41" W, 77.80 feet to a point on the "OLD LOT LINE" shown on said R.O.S. 2896;

Thence: N 12°33'57" W, 54.06 feet along said "OLD LOT LINE" to the Point of Beginning.

The above description of Parcel 1 encloses 7,829 Square Feet (0.1797 Acres) more or less.

Parcel 2:

Beginning at above said Southwest Corner of Lot 2 of R.G. Chambers Property;

Thence: In a "Direct Line" N 83°22'43" W, 117.42 feet to the West most Southeast Corner of "Parcel C" as shown on said R.O.S. 2896;

Thence: West, 93.19 feet along the southerly line of said "Parcel C" to the Northwest Corner of parcel "ADJ. LOT 3";

Thence: South, 50.00 feet along the westerly line of said Parcel "ADJ. LOT 3" to the southerly line of that easement designated on said R.O.S. 2896 as "NEW 50' EASEMENT FOR INGRESS/EGRESS";

Thence: East, 90.30 feet, along said southerly line of said easement;

Thence: Continuing along said southerly easement line, S 83°22'43" E, 117.39 feet;

Thence: Departing from said southerly easement line, S 79°19'59" E, 14.90 feet to a point on the "OLD LOT LINE" shown on said R.O.S. 2896;

Thence: N 12°33'57" W, 54.06 feet along said 'OLD LOT LINE" to the Point of Beginning.

The above description of Parcel 2 encloses 10,829 Square Feet (0.2486 Acres) more or less.

TETRA TECH, INC.

Project No. 9786-11001

PARCEL "C"

AREA = 121,516 S.F.
OR ± 2.789 ACRES
ZONING = C-3

OLD LOT LINE

NEW LOT LINE

403.85'

479.05'

405.92'

313.83'

NEW 50' EASEMENT FOR INGRESS / EGRESS

NEW LOT LINE



EXISTING BUILDING

NEW LOT LINE

6.0' x 4.6'

4.0'

50.2'

58'

52.43'

93.19'

50.00'

90.30'

WEST

NEW 50' EASEMENT FOR INGRESS / EGRESS

NEW LOT LINE

58'

41'

132.97'

93.20'

84.00'

N. 89°56'36" W.

NEW LOT LINE

Parcel "B"
AREA = 321 S.F.
ACRES
ZONING = C-3

ADJ. LOT 3
AREA = 98,130 S.F.
OR ± 2.252 ACRES
ZONING = C-3



305.94'
255.94'

NEW 50' EASEMENT FOR INGRESS / EGRESS

N. 83°22'43" W.

PARCEL 2

OLD LOT LINE

N. 83°22'43" W.

N. 12°34'57" W.

[BASIS OF BEARINGS]

N. 12°34'57" W.

150.02'

42.29'

N.E. COR. PARCEL B

LOT 1

150.60'

234.60'

SOUTH

POB

NEW 50' EASEMENT FOR INGRESS / EGRESS

LOT 2

PARCEL 1

LOT 4

LOT 5

CHAMBERS

PLAT OF LOTS G.C.R. MAP 105

N. 89°56'15" W.

150.65'

150.67'

150.69'

164.73'

74.92'

74.85'

51.24'

74.85'

14.06'

409.42'

451.71'

226.84'

LOT 5

LOT 4

LOT 3

LOT 2

LOT 1

PARCEL 2

PARCEL 1

NEW 50' EASEMENT FOR INGRESS / EGRESS

NEW 50' EASEMENT FOR