

RESOLUTION NO. 2729

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ABANDONING A PORTION OF THE PUBLIC UTILITY AND DRAINAGE EASEMENTS ON A PARCEL OF LAND AT 719 S. RIDGEWAY LANE.

WHEREAS, Section 15-09-016 of the Unified Development Code sets forth the procedure for the abandonment of easements; and

WHEREAS, the property owners at 719 S. Ridgeway Lane filed a request (Application A13-001) for the abandonment of a portion of the public utility and drainage easements on a parcel of land at 719 S. Ridgeway Lane; and

WHEREAS, notification of the requested abandonment was sent to all local utility providers, Town department heads, and all property owners within 300 feet of the property; and

WHEREAS, no negative responses or comments were received in response to the notification; and

WHEREAS, on June 10, 2013, the Planning and Zoning Commission held a public hearing on Application A13-001 and following the Public Hearing voted to recommend approval of the Application; and

WHEREAS, the Mayor and Common Council have determined that the portion of the public utility and drainage easements requested for abandonment is unnecessary for public use; and

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:

- Section 1. That the Mayor and Common Council approve abandonment of a portion of the public utility and drainage easements as requested in Application A13-001. A legal description of the portion of the easements to be abandoned is attached as Exhibit A and a depiction of the portion of the easements to be abandoned is attached as Exhibit B.
- Section 2. That the Town of Payson is hereby authorized to take such other actions as are necessary to carry out the purposes of this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, this ____ day of July, 2013, by the following vote:

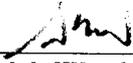
AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk



Timothy M. Wright, Town Attorney

Exhibit A
to
Resolution 2729

EXHIBIT "A"
LEGAL DESCRIPTION
PUBLIC UTILITY EASEMENT TO BE ABANDONED
APN 304-64-020

A portion of a Public Utility Easement located on Lot 20 of East Gateway Phase 2, as shown on Map 775, Gila County Records, located in the Southwest ¼ of Section 2, T11N, R10E, G&SRM, Gila County, Arizona. The said Public Utility Easement to be abandoned is more particularly described as follows:

Commencing at the northwest corner of Lot 20;
Thence S 89° 45' 00" E along the north line of Lot 20, 87.98 feet to the northeast corner of the said Public Utility Easement;
Thence S 23° 55' 36" W along the east line of said easement, 18.80 feet;
Thence S 10° 09' 54" E, continuing along the east line of said easement, 4.28 feet to the Point of Beginning;
Thence continuing S 10° 09' 54" E along said easement line, 37.77 feet;
Thence S 33° 10' 14" E, continuing along said easement line, 11.39 feet;
Thence N 89° 49' 53" W, 13.04 feet;
Thence N 00° 10' 07" E, 46.67 feet to the Point of Beginning;

Said Public Utility Easement to be abandoned contains 220 square feet, more or less, as shown on attached Exhibit "B".

Project 8009
April 30, 2013

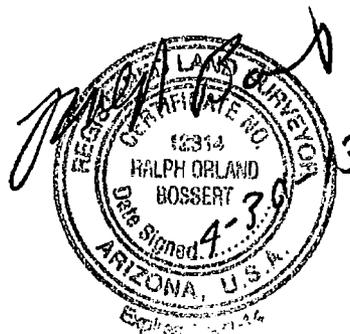
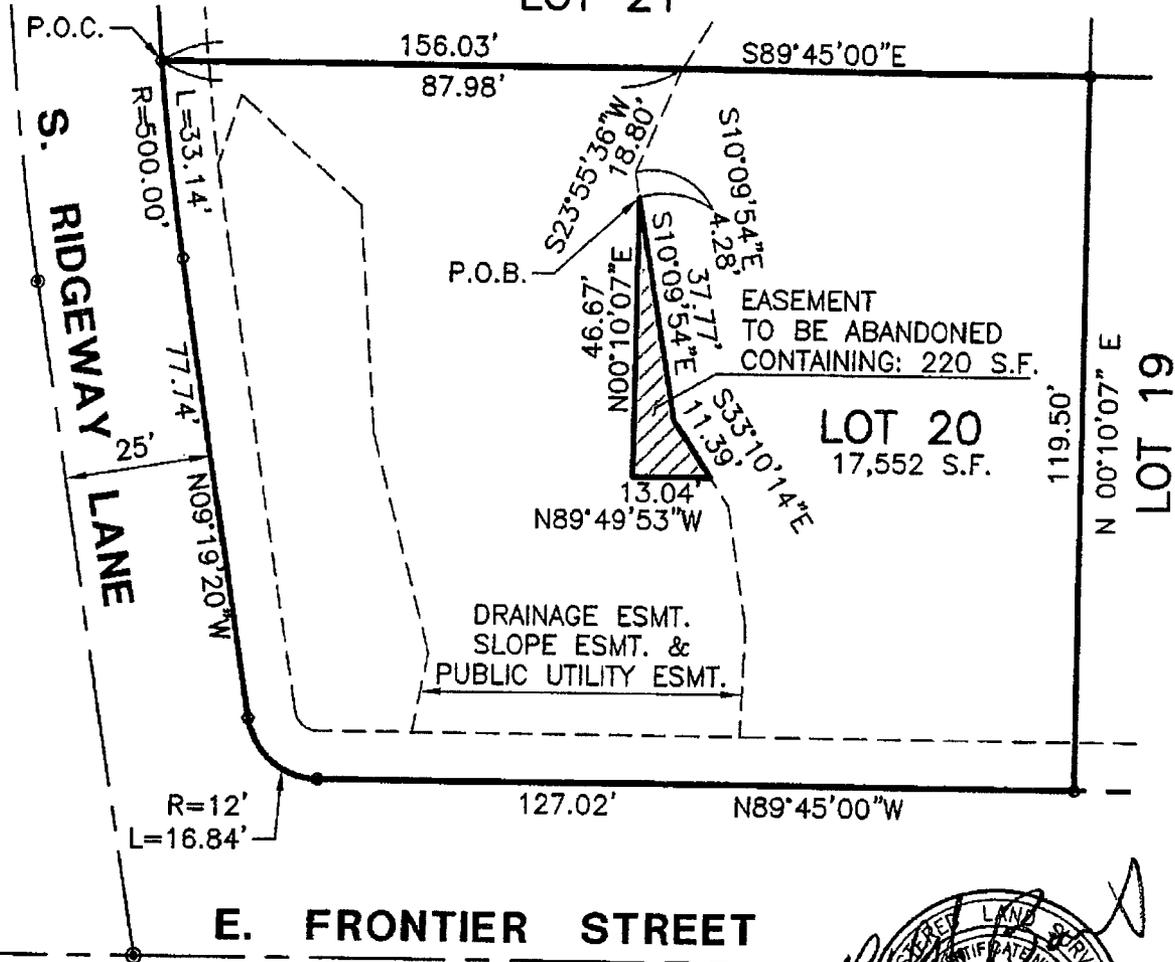


Exhibit B
to
Resolution 2729

EAST GATEWAY
PHASE 2
(G.C.R. MAP 775)

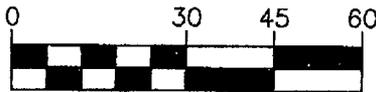
LOT 21



E. FRONTIER STREET



GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.



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Dan Fitzpatrick P.E.
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Job 8009

4/29/13

EXHIBIT B