

RESOLUTION NO. 2888

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, TO APPROVE THE ABANDONMENT OF A NON-VEHICULAR ACCESS EASEMENT ON LOT 1 OF THE MANZANITA HILLS, PHASE 6 SUBDIVISION.

WHEREAS, A.R.S. § 9-402(E) provides that the Town may abandon an easement;

WHEREAS, the developer of Lot 1 of Manzanita Hills, Phase 6 Subdivision has requested that the Town abandon a portion of the Non-Vehicular Access Easement along the east side of Lot 1 of Manzanita Hills, Phase 6 Subdivision.

WHEREAS, on November 2, 2015 the Planning and Zoning Commission held a public hearing on the abandonment request and unanimously recommended approval of the request.

WHEREAS, the Town desires to abandon a portion of the Non-Vehicular Access Easement along the east side of Lot 1 of Manzanita Hills, Phase 6 Subdivision.

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

Section 1. The Town of Payson abandons its interest in the Non-Vehicular Access Easement as depicted on Exhibit A and described on Exhibit "B" attached hereto and incorporated herein as though set forth in full at this point.

Section 2. The abandonment described in Section 1 above shall become effective upon the recordation of this Resolution and its exhibits.

Section 3. The Town is authorized to take all other actions necessary to carry out the purposes of this resolution.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of _____, 2015, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Hector M. Figueroa, Town Attorney

NOV 19 2015 11:30*

EXHIBIT "A"



GRAPHIC SCALE



(IN FEET)

1 inch = 40 ft.

$N34^{\circ}59'35"E$ 291.28'

LOT 1
MANZANITA HILLS
PHASE 6

W. NORRIS COURT

10' PUBLIC UTILITY EASEMENT

1' NON-VEHICULAR ACCESS EASEMENT

LIMITS
OF THIS
DESCRIPTION

$R=320.00'$
 $L=40.00'$

P.O.B.

$B.O.B.$ $S41^{\circ}53'18"W$ 27.68'

N. FAWN DRIVE

FUTURE GREEN VALLEY PARKWAY

EXHIBIT "B"

LEGAL DESCRIPTION

A portion of the existing 1' non-vehicular access easement located on the southeasterly side of Lot 1 of Manzanita Hills Phase 6 (Subdivision Maps #774A & 774B G.C.R.) located in the Northeast quarter of Section 5, Township 10 North, Range 10 East, of the Gila and Salt River Meridian, Town of Payson, Gila County, Arizona, described as follows:

BEGINNING at the P.C. (point of curve) on the southeasterly property line of said Lot 1, being a ½" iron pipe with cap marked "12314"; (see Exhibit "A")

THENCE South 41°53'18" West (basis of bearings) 27.68 feet, upon the Southeasterly line of Lot 1;

THENCE North 48°06'42" West 1.00 foot;

THENCE North 41°53'18" East 27.68 feet, to a point of curve to the left and having a radius of 319.00';

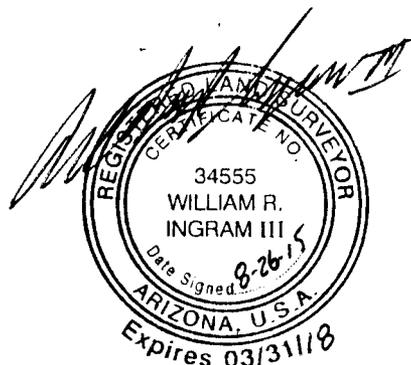
THENCE Northeasterly upon said curve to the left, a distance of 40.00 feet (chord bearing North 38°17'47" East 39.97 feet);

THENCE South 55°17'44" East 1.00 foot, to a point on a curve to the right, having a radius of 320.00 feet, and being the southeasterly property line of said Lot 1;

THENCE Southwesterly upon said curve to the right a distance of 40.12 feet (chord bearing South 38°17'47" West 40.10 feet), to the POINT OF BEGINNING.

Subject Easement contains 68 sq. ft. more or less.

GRS JOB #15048



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