

**RESOLUTION NO. 2905**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, TO APPROVE THE ABANDONMENT OF A PORTION OF A PUBLIC UTILITIES EASEMENT ON LOTS 42 AND 43 OF THE MOGOLLON RIM ADDITION AMENDED SUBDIVISION MAP 111, IN THE DOCUMENTS ATTACHED HERETO AS EXHIBITS “A” AND “B”.**

**WHEREAS**, A.R.S. § 9-402(E) provides that the Town may convey to the appropriate property owner without receiving payment, an easement that the town no longer needs; and

**WHEREAS**, the developer and property owner of Lots 42 and 43 of the Mogollon Rim Addition Subdivision Map 111, has requested that the Town abandon and convey a portion of the Public Utilities Easement on Lots 42 and 43; and

**WHEREAS**, on March 7, 2016 the Planning and Zoning Commission held a public hearing on the developer and property owner’s Abandonment Request, and upon duly made motion and vote, was approved to be presented to Mayor and Council; and

**WHEREAS**, the Town desires to abandon and convey a portion of the Public Utilities Easement on Lots 42 and 43 of the Mogollon Rim Addition Subdivision Map 111, to the property owner as presented to, and approved by the Commission.

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

Section 1. That the Town of Payson does hereby approve the abandonment and conveyance of its interest in the Public Utilities Easement as described on Exhibit “A” and depicted on Exhibit “B” attached hereto, and incorporated by reference as though set forth in full herein.

Section 2. That Kenny J. Evans, Mayor of the Town of Payson, is authorized to execute this Resolution pursuant to A.R.S. § 9-241.

Section 3. That the Town of Payson and its Town Officials are authorized to take such other and further actions, as may be necessary or appropriate, to carry out the intent of this Resolution, and to officially abandon, and convey said portion of the utility easement.

**PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA** this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by the following vote:

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSTENTIONS \_\_\_\_\_ ABSENT

\_\_\_\_\_  
Kenny J. Evans, Mayor

ATTEST:

\_\_\_\_\_  
Silvia Smith, Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Hector M. Figueroa, Town Attorney

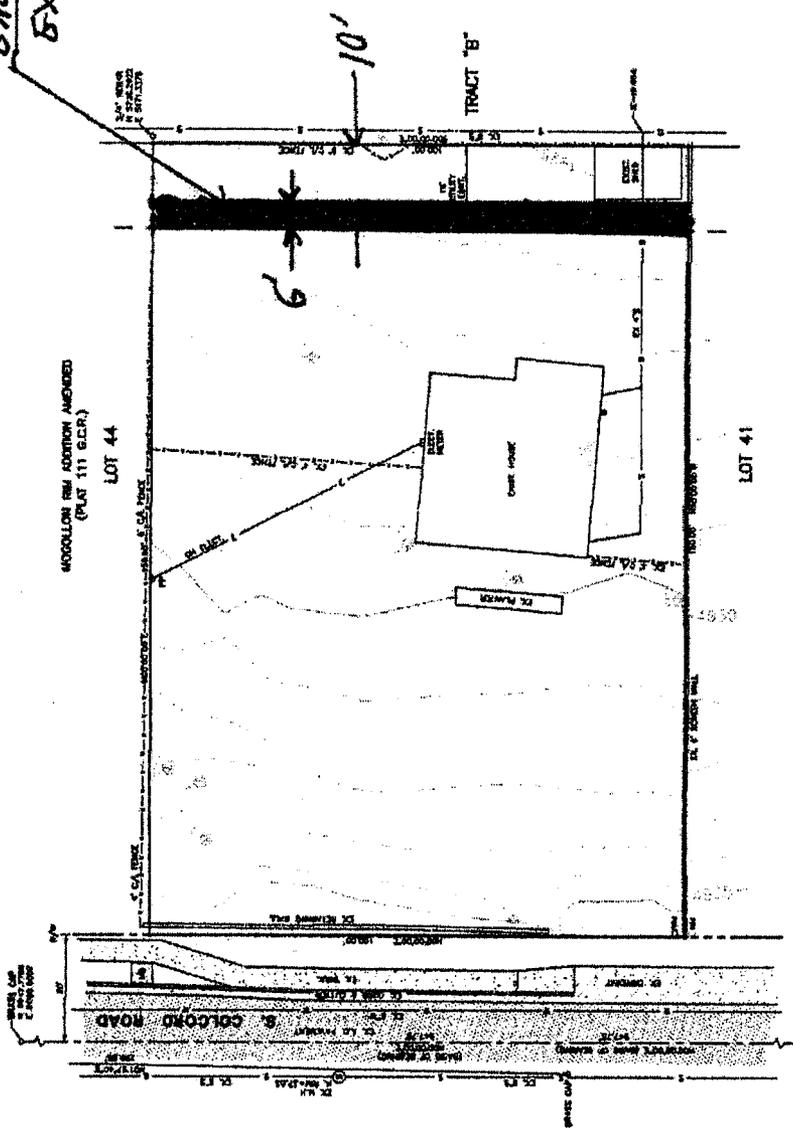
**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**PUBLIC EASEMENT TO BE ABANDONED**  
**Colcord Commons**

**The West 6.00 feet of the 16.00 foot wide Public Utility Easement located on the east side of Lots 42 and 43 of Mogollon Rim Addition Amended, as shown on Map 111, Gila County Records, located in the Southwest ¼ of Section 3, T10N, R10E, G&SRM, Gila County, Arizona.**

**Said Public Utility Easement to be abandoned is shown on attached Exhibit "B".**

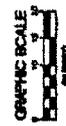
**Project 14-37**  
**December 18, 2015**

**EASEMENT TO BE EXTINGUISHED**



**SITE DATA**  
 AREA = 15,000 S.F.  
 ZONING = R-1(1)

- LEGEND**
- EXISTING A.C. PAVEMENT
  - EXISTING DRIVE WAY & DRIVE
  - EXISTING DRIVE WAY & SERVICE
  - PROPERTY LINE
  - EXISTING DRIVEWAY CURBLINE
  - EXISTING DRIVEWAY
  - EXISTING DRIVEWAY
  - EXISTING DRIVEWAY



**OWNER / DEVELOPER**  
 C. L. HARRIS JR. AND WIFE  
 801 COLCORD ROAD  
 PATRON, ARIZONA

**BENCH MARK**  
 100' BENCH MARK  
 100' BENCH MARK  
 100' BENCH MARK

**RECORD COPY**  
 THIS PLAN IS FOR RECORD  
 AND SHALL BE FILED IN THE  
 OFFICE OF THE COUNTY CLERK  
 OF MARICOPA COUNTY, ARIZONA



DATE	11/11/11
SCALE	AS SHOWN
SUR	1

**SITE PLAN**

**MOGOLLON RIM ADDITION AMENDED LOTS 42 & 43**  
 S. COLCORD ROAD  
 PATRON, ARIZONA

**Travis A. Hays**  
 Professional Engineer  
 License No. 10000  
 State of Arizona

**EXHIBIT "B"**