

RESOLUTION NO. 2942

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE TEMPORARY CONSTRUCTION EASEMENT DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "1" IN CONJUNCTION WITH THE BONITA STREET PHASE 2 PROJECT.

WHEREAS, A.R.S. § 9-241 provides that the Town of Payson may receive, hold, lease, and convey property, real or personal, necessary or proper to carry out the purposes of the municipal corporation, within or without its limits;

WHEREAS, the certain easement described on Exhibit "1" attached hereto and diagramed in Exhibit "A" to that Exhibit "1" has been offered to the Town of Payson for consideration set forth in Exhibit "1" by Mary Suzanne Malinski, a single woman, who has legal authority to grant the easement and which Exhibits are incorporated herein as though set forth in full;

WHEREAS, said real property is located within the corporate limits of the Town of Payson; and

WHEREAS, said easement is required for the construction of the Bonita Street Phase 2 roadway improvements.

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 approve the consideration paid and accepts the Temporary Construction easement described in Exhibit "1" attached hereto and incorporated herein as though set forth in full at this point.

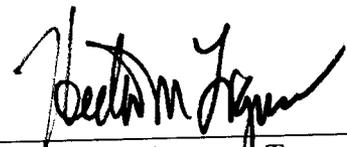
Section 2. That the Town of Payson shall perform any and all other acts necessary or appropriate to accept said slope easement and to the use and control thereof, including, but not limited to, the maintenance thereof.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of _____, 2016, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

Kenny J. Evans, Mayor

APPROVED AS TO FORM:



Hector M. Figueroa, Town Attorney

ATTEST:

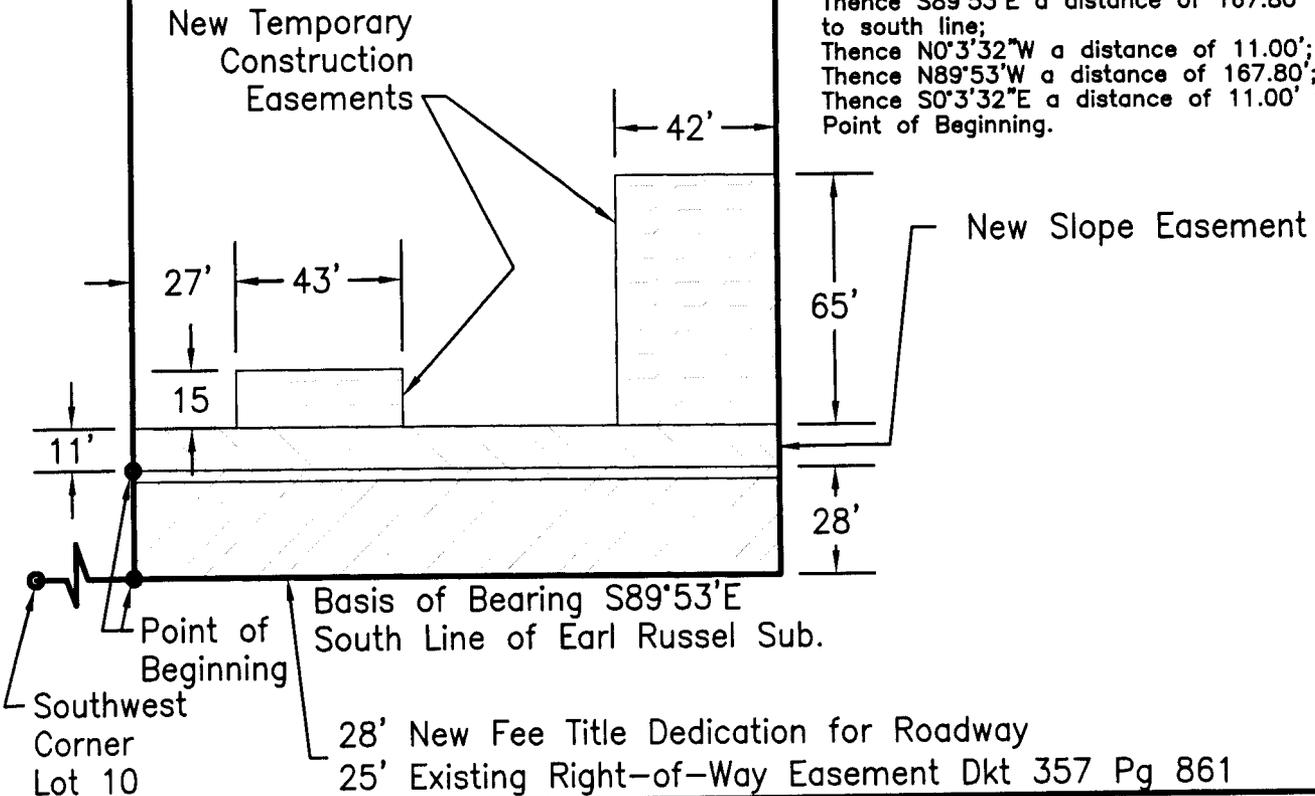
Silvia Smith, Town Clerk

JUL 07 2016 G.14*

Mary Suzanne Malinski
208 E Bonita St



SCALE: 1"=50'



Fee Title Legal Description:
That Part of Lot 10 of the Earl Russel Subdivision Map No. 73 Gila County Records, Payson, AZ more particularly described as follows:

Commencing at the Southwest Corner of Lot 10, thence S89°53'E a distance of 226.67' along the south line of the Earl Russell Subdivision to the Point of Beginning, Thence S89°53'E a distance of 167.80' along southline; Thence N0°3'32"W a distance of 28.00'; Thence N89°53'W a distance of 167.80'; Thence S0°3'32"E a distance of 28.00' to the Point of Beginning.

Slope Easement Legal Description:
That Part of Lot 10 of the Earl Russel Subdivision Map No. 73 Gila County Records, Payson, AZ more particularly described as follows:

Commencing at the Southwest Corner of Lot 10, Thence S89°53'E a distance of 226.67' along the south line of the Earl Russell Subdivision; Thence N0°3'32"W a distance of 28.00' to the Point of Beginning, Thence S89°53'E a distance of 167.80' parallel to south line; Thence N0°3'32"W a distance of 11.00'; Thence N89°53'W a distance of 167.80'; Thence S0°3'32"E a distance of 11.00' to the Point of Beginning.

TOWN OF PAYSON, ARIZONA

PLAT OF PARCEL OF CONCERN
IN ATTACHED DOCUMENT

PART OF LOT 10 RUSSELL SUBDIVISION

MAP No. 73 GILA COUNTY RECORDS

EXHIBIT "A"

SCALE: 1"=50'

DRAWN BY: C. WARD

CHECKED BY: _____

DATE: 6/4/16