

RESOLUTION NO. 2943

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING TITLE TO CERTAIN REAL PROPERTY DESCRIBED IN THE WARRANTY CLAIM DEED ATTACHED HERETO AS EXHIBIT '1', PERTAINING TO THE BONITA STREET PHASE 2 IMPROVEMENT 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, certain real property described on Exhibit "1" attached hereto and pertaining to the property described and diagramed on 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 do so 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

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 and receive that certain real property interests set forth in Exhibit "1" substantially in the form attached hereto and incorporated herein as though set forth in full at this point.

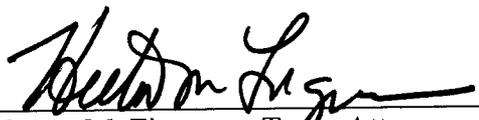
Section 2. That the Town of Payson shall perform any and all other acts necessary or appropriate to accept said roadway and to the use and control thereof, including, but not limited to, the maintenance thereof.

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.15*

Recording Requested By: Town of Payson

When recorded, return to:
Silvia Smith, Town Clerk
Town of Payson
303 North Beeline Highway
Payson, Arizona 85541

EXHIBIT "1"
to Resolution No. 2943

WARRANTY DEED

For the consideration of ONE AND NO/100 DOLLARS, and other valuable considerations, I or we MARY SUZANNE MALINSKI, a single women, the GRANTOR, do hereby convey to THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION the GRANTEE, the following described real property situate in Gila County, Arizona:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

This Deed is exempt from an Affidavit of Value pursuant to ARS #11-1134 A 3

SUBJECT TO: Existing taxes, assessments, covenants, conditions, restrictions, rights of way and easements of record.

And the GRANTOR binds itself and its successors to warrant the title against its acts and none other, subject to the matters above set forth.

Dated 6.7.16

Mary Suzanne Malinski

STATE OF _____)
County of Gila)

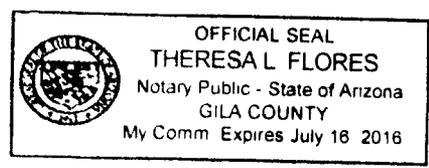
On June 7, 2016, before me, undersigned Notary Public, personally appeared ~~Mary Suzanne Malinski~~ *Mary Suzanne Malinski* personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to be that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signatures(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

Theresa Flores

Notary Public

My Commission Expires:
July 16, 2016

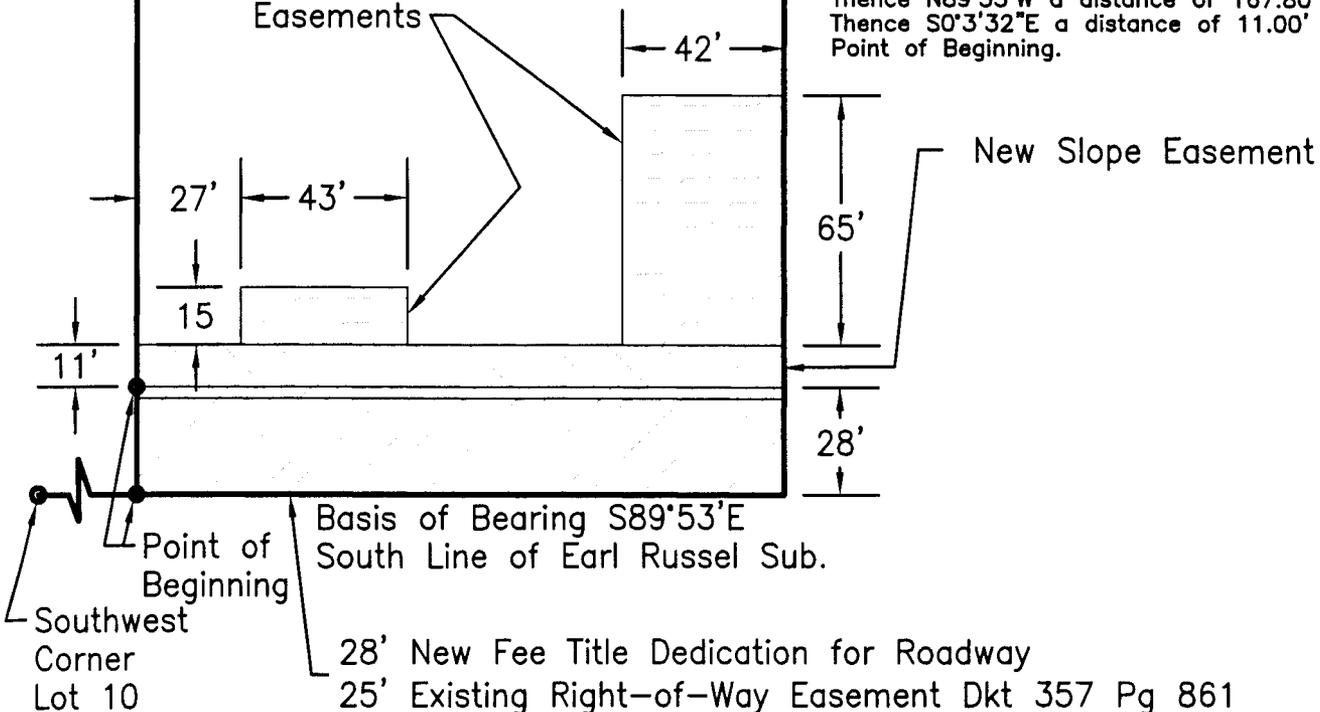


Mary Suzanne Malinski
208 E Bonita St



SCALE: 1"=50'

New Temporary
Construction
Easements



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