

**RESOLUTION NO. 2944**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, TO APPROVE THE ABANDONMENT OF A 10' PORTION OF THE DRAINAGE EASEMENT ON LOTS 214 AND 215 OF THE PAYSON RANCHOS UNIT THREE SUBDIVISION DESCRIBED 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 property owner of Lots 214 and 215, of the Payson Ranchos Unit Three Subdivision, requests the abandonment of 10' of the privately maintained drainage easement to allow for construction of a detached garage; and

**WHEREAS**, on July 11, 2016 the Planning and Zoning Commission held a public hearing on the 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 Drainage Easement on Lots 214 and 215 of the Payson Ranchos Unit Three Subdivision 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 Drainage 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.

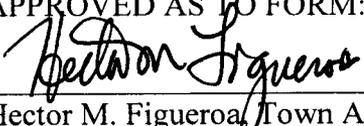
**PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA** this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by the following vote:

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

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

ATTEST:

APPROVED AS TO FORM:

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

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

**Town of Payson Legal Department**

HMF:dkk 7/11/2016 4:43 PM

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JUL 21 2016 S. 2\*

# Exhibit A

to Resolution 2944

(Abandonment of Easement Lots 214 & 215 Payson Ranchos)

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**EASEMENT FOR DRAINAGE TO BE ABANDONED**  
**Payson Ranchos Unit Three**

The Northerly 10.00 feet of the 30.00 foot wide Easement for Drainage located on the southerly side of Lots 214 and 215 of Payson Ranchos Unit Three, as shown on Map 348, Gila County Records, located in the Southwest ¼ of Section 28, T11N, R10E, G&SRM, Gila County, Arizona.

Said Public Easement for Drainage to be abandoned is shown on attached Exhibit "B".

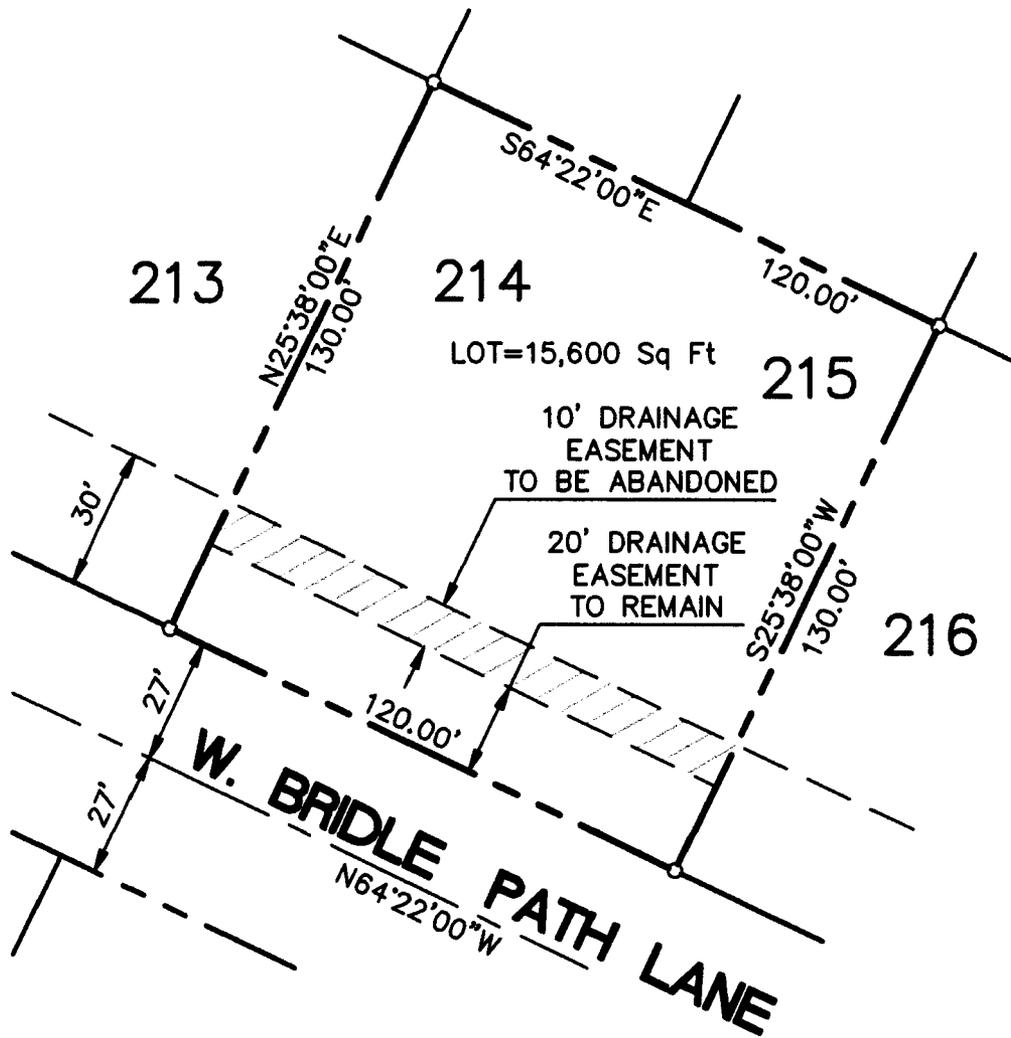
Project 16-17  
June 09, 2016



# Exhibit B

to Resolution 2944

(Abandonment of Easement Lots 214 & 215 Payson Ranchos)

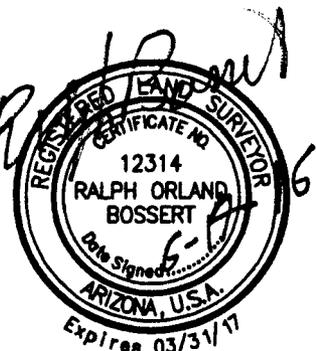


**LOTS 214 AND 215  
PAYSON RANCHOS UNIT 3  
(MAP 348 G.C.R.)**

**Verde  
Engineering  
Group  
PLLC**

1109 North McLane Road  
Payson, Arizona 85541

Ralph Bossert P.E. R.L.S.  
(928) 978-4345  
Dan Fitzpatrick P.E.  
(928) 595-2816  
JOB No. 16-17



SCALE: 1"=40'

**EXHIBIT B**