

**RESOLUTION NO. 2963**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING AND APPROVING: (1) A TEMPORARY CONSTRUCTION EASEMENT FOR THE EAST BONITA STREET IMPROVEMENTS PROJECT PHASE II RELATED TO 403 E. BONITA STREET---APN 304-04-009B (“SUBJECT PROPERTY”).**

**WHEREAS**, the Town of Payson, a municipal corporation and a political subdivision of the State of Arizona, is located entirely in Gila County and incorporated and organized under A.R.S. §§ 9-101 and 9-231; and

**WHEREAS**, pursuant to A.R.S. § 9-240 (B)(3), the Town Council shall also have power to exercise exclusive control over the streets, alley, easement, avenue, park, public place or sidewalk and to vacate, abandon, accept or abolish same within the town limits; and

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

**WHEREAS**, the Town of Payson has planned, designed and is ready to implement the East Bonita Street Improvements Project Phase II to be managed by ADOT to include, but not be limited to, road surface replacement, bike lanes, storm drain upgrades and separate utility upgrades or replacement in conjunction with this project; and

**WHEREAS**, it is the desire of the Town of Payson to accept and approve a Temporary Construction Easement for the SUBJECT PROPERTY; and

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

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

Section 1: That the Compensation Price is accepted and approved in substantially the form attached hereto under Exhibit I.

Section 2: That the Town of Payson does hereby approve the consideration paid and accepts said Temporary Construction Easement described and depicted under Exhibit “I” attached hereto and incorporated by reference as though set forth in full herein.

Section 3: That Kenny J. Evans, Mayor of the Town of Payson, is authorized to execute Resolution No. 2963.

Section 4: That the Town of Payson and Town Officials be and are hereby authorized to take such other and further actions as may be necessary or appropriate in perfecting the use and control thereof, including, but not limited to, the maintenance thereof, and the official recordation of the documents attached hereto under Exhibit "I".

**PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON** this 15<sup>th</sup> day of September, 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 "I"***  
***to Resolution No. 2963***

**(Bonita Phase II 403 E. BONITA)**



**Received By:**

08-09-16

Date:  
*[Signature]*

August 2, 2016

**HAND DELIVERED**

Joseph A. Aguirre Sr. and Elenore M. Farrell  
403 E. Bonita Street  
Payson, AZ 85541

RE: Project: East Bonita Street Improvements Phase II  
Project No.: SZ068  
Address: 403 E. Bonita Street, Payson, AZ 85541  
APN: 304-04-009B

Dear Mr. Aguirre and Ms. Farrell:

The Town of Payson presents its offer of \$200.00 for the property rights needed in connection with the above project. Provided is a map showing how your land is affected by this project.

Also enclosed is the document necessary to convey a Temporary Construction Easement to the Town. If you accept the offer, please sign all documents on the appropriate lines provided. The documents marked "Your Copy" are for your records.

Processing time and final payment is generally 30-60 days after the signed documents are received; however, unusual circumstances may increase this time.

If you have any questions, please contact me at 2001 W. Camelback Road, Ste. 285, Phoenix, Arizona 85015, or call 602-682-0000. Thank you for your consideration.

Sincerely,

*[Signature]*

Susan D. Lane, Right of Way Agent  
Tierra Right of Way Services, Ltd.  
As agent for the Town of Payson

Attachment/Enclosures



# State of Arizona Substitute W-9 & Vendor Authorization Form

**Purpose:** Establish or update a vendor account with the State of Arizona. This form meets the Federal requirements to request a taxpayer identification number (TIN), request certain certifications and claims for exemption, as well as the State of Arizona requirements for vendor establishment.

**Instructions:** Complete form if

1. You are a U.S. person (including a resident alien);
2. You are a vendor that provides goods or services to an Arizona state agency; **AND**
3. You will receive payment from the State of Arizona.

### Type of Request (Must select at least ONE)

New Request    
  New Location (Additional Address ID)    
  Change (Select the type(s) of change from the following:

Tax ID     Legal Name     Entity Type     Minority Business Indicator  
 Main Address     Remittance Address     Contact Information

### Taxpayer Identification Number (TIN) (Provide ONE Only)

Social Security Number (SSN) 526-46-4708 OR Federal Employer Identification Number (FEIN) \_\_\_\_\_

### Entity Name (\* Must Provide Legal Name. Must match SSN or FEIN given. If Individual or Sole Proprietorship enter First, Middle, Last Name.)

Legal Name\* Joe A. Aguirre SR

DBA Name \_\_\_\_\_

### Entity Type (Must Select One of the Following)

Individual/Sole Proprietor or single-member LLC (6I)    
  An international organization or any of its agencies/instrumentalities (5U)  
 Corporation (5A)    
  The US or any of its political subdivisions or instrumentalities (2G)  
 Partnership (5C)    
  A state, a possession of the US, or any of their political subdivisions or instrumentalities (4G)  
 Limited liability company (LLC) including Corporations & Partnerships (5A)    
  Other: Tax Reportable Entity (5P)    
 Description \_\_\_\_\_  
 Other: Tax Exempt Entity (5H)

### Minority Business Indicator (Must select one of the following)

Small Business (01)    
  Small, Woman Owned Business- Hispanic (31)    
  Minority Owned Business- African American (04)  
 Small Business- African American (23)    
  Small, Woman Owned Business- Native American (33)    
  Minority Owned Business- Asian (32)  
 Small Business- Asian (24)    
  Small, Woman Owned Business- Other Minority (11)    
  Minority Owned Business- Hispanic (74)  
 Small Business- Hispanic (25)    
  Woman Owned Business (03)    
  Minority Owned Business- Native American (15)  
 Small Business- Native American (27)    
  Woman Owned Business- African American (17)    
  Minority Owned Business- Other Minority (02)  
 Small Business- Other Minority (05)    
  Woman Owned Business- Asian (18)    
  Non-Profit, IRC §501(c) (88)  
 Small, Woman Owned Business (06)    
  Woman Owned Business- Hispanic (19)    
  Non-Small, Non-Minority or Non-Woman Owned Business (00)  
 Small, Woman Owned Business- African American (29)    
  Woman Owned Business- Native American (21)  
 Small, Woman Owned Business- Asian (30)    
  Woman Owned Business- Other Minority (08)    
  Individual, Non-Business (00)

### Veteran Owned Business? YES NO

**Main Address (Where tax information and general correspondence is to be mailed)**    
**Remittance Address (Where payment is to be mailed)**  Same as Main

Address 403 E BOWITA     Address Line 1 \_\_\_\_\_  
 City PAVON State AZ Zip code 85541     Address Line 2 \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_

### Vendor Contact Information

Name \_\_\_\_\_ Title \_\_\_\_\_

Phone # \_\_\_\_\_ Ext. \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

### Certification Exempt from backup withholding

Under Penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me) AND
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding AND
3. I am a U.S. person (including U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN.

**The Internal Revenue Service does not require your consent to any provision of this document other than the certification required to avoid backup withholding.**

Signature [Handwritten Signature] Title \_\_\_\_\_ Date 8/9/2010

**Return completed form to the state agency with whom you do business, for review and authorization.**

### STATE OF ARIZONA AGENCY USE ONLY - AGENCY AUTHORIZATION VENDOR: DO NOT WRITE BELOW THIS LINE

State HRIS EIN \_\_\_\_\_ Print Name \_\_\_\_\_ Signature \_\_\_\_\_

AGY \_\_\_\_\_ Title \_\_\_\_\_ Phone # \_\_\_\_\_ Email \_\_\_\_\_ Date \_\_\_\_\_

### STATE OF ARIZONA GAO USE ONLY VENDOR & STATE AGENCY: DO NOT WRITE BELOW THIS LINE

IRS TIN Matching     HRIS     Other    Vendor Number \_\_\_\_\_    Processed by \_\_\_\_\_    Date Processed \_\_\_\_\_

## TEMPORARY CONSTRUCTION EASEMENT

The undersigned Grantor, for the consideration of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION, does hereby grant to the **Town of Payson**, by and through its **Department of Transportation**, hereinafter termed Grantee, an exclusive temporary construction easement ("TCE") for use by its agents and contractors under Grantee's direction, to reconstruct and improve East Bonita Street from SR 87 to Bentley Street to accommodate two (2) travel lanes and a 4-foot bike lane on each side along with associated improvements in connection with the construction of Project No. SZ068 of the East Bonita Street Improvements Phase II (the "Project") across that certain real property situated in Gila County, Arizona, described as:

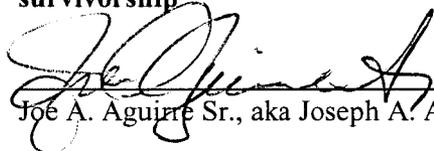
That portion of Parcel B, as shown on Record of Survey/Minor Land Division, recorded as Survey Map No. 2921, records of Gila County, Arizona, being a portion of Lot 10, Mogollon Rim Addition Plat Two, according to Map No. 150, records of Gila County, Arizona, as shown in **red** on the plat(s) attached hereto and made a part hereof (the "Property").

To the extent practicable, Grantee shall leave the Property in the same condition as existing immediately prior to Grantee's entry.

It is further understood and agreed that this TCE is to expire and terminate thirty (30) days after the completion of the Project.

IN WITNESS WHEREOF, this instrument is executed this 9 day of August 2016.

**GRANTORS: Joe A. Aguirre Sr., aka Joseph A. Aguirre, SR., a single man and Elenore M. Farrell, a single woman, as joint tenants with right of survivorship**

  
\_\_\_\_\_  
Joe A. Aguirre Sr., aka Joseph A. Aguirre, SR.

Deceased  
\_\_\_\_\_  
Elenore M. Farrell

ACKNOWLEDGEMENT

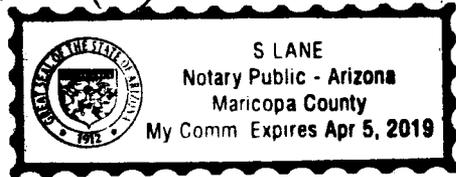
STATE OF ARIZONA )  
 ) ss.  
County of Maricopa )

On this 9 day of August, 2016, before me, the undersigned Notary Public, personally appeared Joe A. Aguirre who executed and acknowledged the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

S Lane  
\_\_\_\_\_  
Notary Public

My Commission Expires: 4/5/19



STATE OF ARIZONA )  
 ) ss.  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_ who executed and acknowledged the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

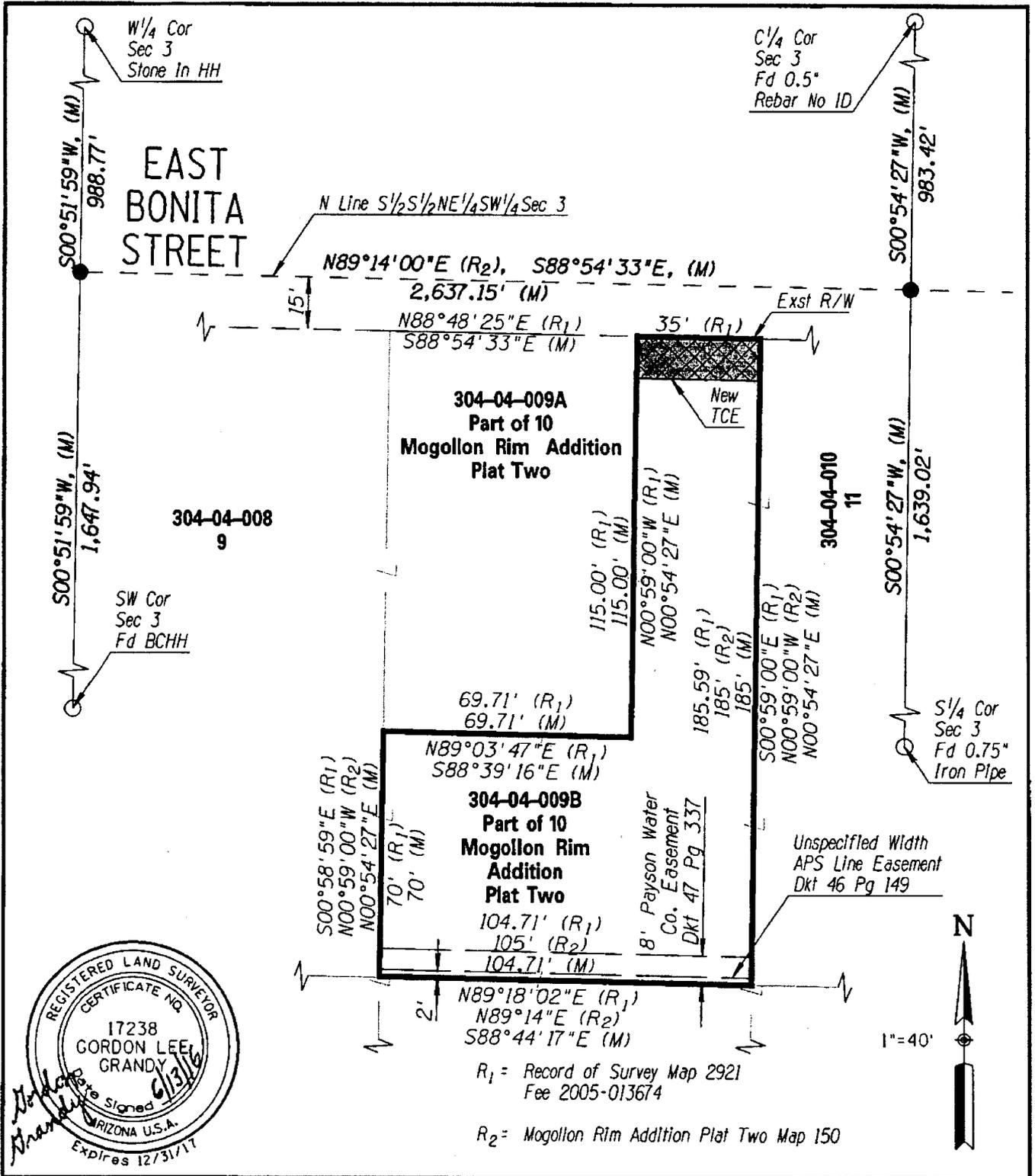
My Commission Expires:

Accepted: **Town of Payson**



Signature: \_\_\_\_\_

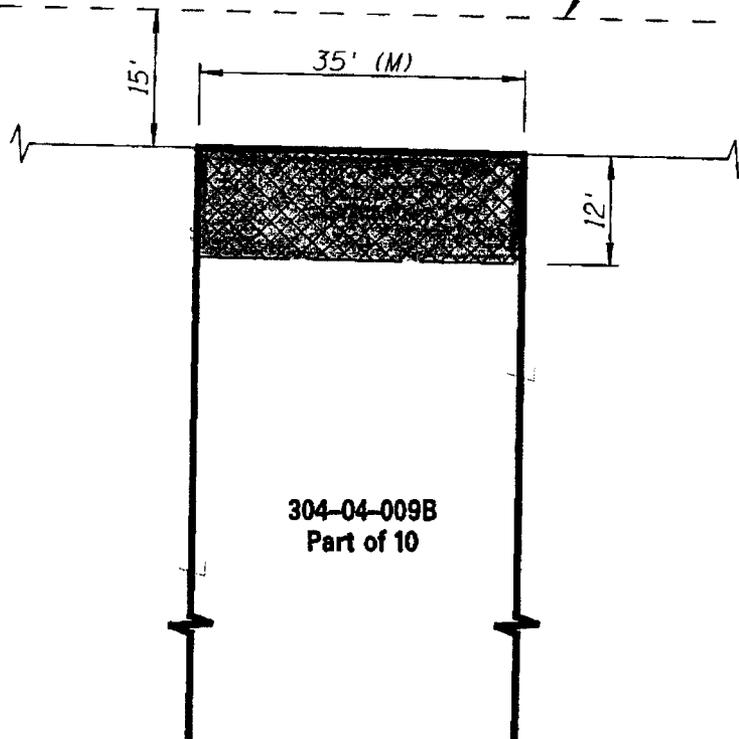
Date: \_\_\_\_\_



<b>ADOT</b>	DATE: 6/16	PROJECT NUMBER 0000 GI PAY SZ068 01C SHEET 1 OF 2
	DSN: KRT	
	DRN: KRT	
	CHK: GLG	

EAST BONITA STREET

N Line S 1/2 S 1/2 NE 1/4 SW 1/4 Sec 3



304-04-009B  
Part of 10

N



1"=20'



	Parcel Area	Sq Ft	Acres
Before	Gross/Net	11,349	0.2605
After	Net	11,349	0.2605
	New TCE 	420	0.0096



**NFra Inc.**  
a transportation engineering firm  
77 East Thomas Road, Suite 200  
Phoenix, Arizona 85012

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
FOR TEMPORARY CONSTRUCTION EASEMENT  
ASSESSOR PARCEL 304-04-009B



DATE: 6/16  
DSN: KRT  
DRN: KRT  
CHK: GLG

PROJECT NUMBER  
0000 GI PAY SZ068 01C

SHEET 2 OF 2

AZ

CERTIFICATION OF VITAL RECORDS



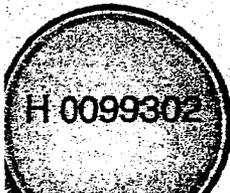
STATE OF ARIZONA

STATE OF ARIZONA DEPARTMENT OF HEALTH SERVICES - OFFICE OF VITAL RECORDS CERTIFICATE OF DEATH

State File NO. 102- 2016-014488

Form with fields for decedent's name, date of death, sex, social security number, date of birth, age, place of death, facility name, city, town & zip code, county, birthplace, marital status, name of surviving spouse, usual residence street address, city and county, state, zip code, ever in the armed forces, decedent's race, occupation, father's name, mother's name, informant's name, relationship, mailing address, funeral facility, funeral director, license number, method of disposition, name and location of 1st and 2nd disposition facilities, medical certification section, cause of death part B, cause and manner of death certification, certifier's address, name of person completing cause of death, date certified, name of registrar, date registered.

DATE ISSUED: 04/05/2016



This is a true certification of the facts on file with the OFFICE OF VITAL RECORDS, ARIZONA DEPARTMENT OF HEALTH SERVICES, PHOENIX, ARIZONA Revised 07/2015

Krystal Colburn KRISTAL COLBURN ASSISTANT STATE REGISTRAR

