

SUMMARY OF AGENDA ITEM

DATE: 06-11-07

SUBMITTED BY: LaRon Garrett

RESOLUTION/ORDINANCE # 2287

TITLE: ARESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA ACCEPTING TITLE TO CERTAIN REAL PROPERTY DESCRIBED IN THE WARRANTY DEED ATTACHED HERETO AS EXHIBIT "1", PERTAINING TO THE PAYSON ROAD IMPROVEMENT PROJECT (N. KAREN WAY ADJACENT TO 1117 N. KAREN WAY)

PURPOSE:

To accept a portion of the N. Karen Way right of way as public property and make it a publicly owned and maintained street.

SUMMARY OF CHANGES TO ACCOMPLISH THIS PURPOSE:

Transfer ownership of Karen Way from private parties to the Town of Payson.

RECOMMENDED COUNCIL ACTION:

Approval of this Resolution

BACKGROUND:

In 2002 the Town Council directed staff to discontinue maintenance of private roads within Payson. They also implemented a program where the private roads could become public roads and be part of the Town's maintenance program. This program requires the property owner to dedicate the right of way to the Town and to pay to the Town a dollar amount equal to one-half the cost of a double-chip roadway surface. Two property owners along Karen Way adjacent to 1109 and 1117 N. Karen Way have met these requirements and acceptance of this group of Resolutions (No. 2287-2288) will facilitate making this a public roadway. The developer of the Chaparral Highlands Subdivision is providing all required improvements on this section Karen Way

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RESOLUTION NO. 2287

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING TITLE TO CERTAIN REAL PROPERTY DESCRIBED IN THE WARRANTY DEED ATTACHED HERETO AS EXHIBIT "1", PERTAINING TO THE PAYSON ROAD IMPROVEMENT PROJECT.

WHEREAS, A.R.S. § 9-240 authorizes the Town to improve the streets within it; 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, certain real property described on Exhibit "1" attached hereto has been offered to the Town of Payson by Mildred M. Furnas, Individually and as Trustee of the Furnas Family Trust Dated August 9, 2000; and

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

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 those certain real property interests set forth 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 the taking of title to the said real property and to the use and control thereof, including, but not limited to, the maintenance thereof and acceptance of the deed attached hereto as Exhibit "1".

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of _____, 2007, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

F. Robert Edwards, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Samuel I. Streichman, Town Attorne

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Gila County, AZ

QCD

2007-007746

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**LEGAL DESCRIPTION
SOUTH KAREN WAY RIGHT-OF-WAY
GILA CO. ASSESSOR PARCEL NO. 302-23-005H**

A portion of the E1/2 of the NW1/4 of the SE1/4 of the SE1/4 of Section 26, T11N, R10E, Gila and Salt River Meridian, Gila County, Arizona as recorded in Dkt. 602, Page 912, and described as follows:

BEGINNING at the SE corner of said E1/2 of the NW1/4 of the SE1/4 of the SE1/4;

Thence: S 89°59'45" W, 329.65 feet;

Thence: N 00°02'28" W, 25.00;

Thence: N 89°59'45" E, 168.27 feet to the PC of a curve to the left, concave to the Northwest, having a radius of 125.00 feet and a central angle of 10°36'10";

Thence: Northeasterly along the arc of said curve 23.13 feet;

Thence: N 79°23'35" E, 108.03 feet to the PC of a curve to the right, concave to the Southeast, having a radius of 175.00 feet and a central angle of 10°35'50";

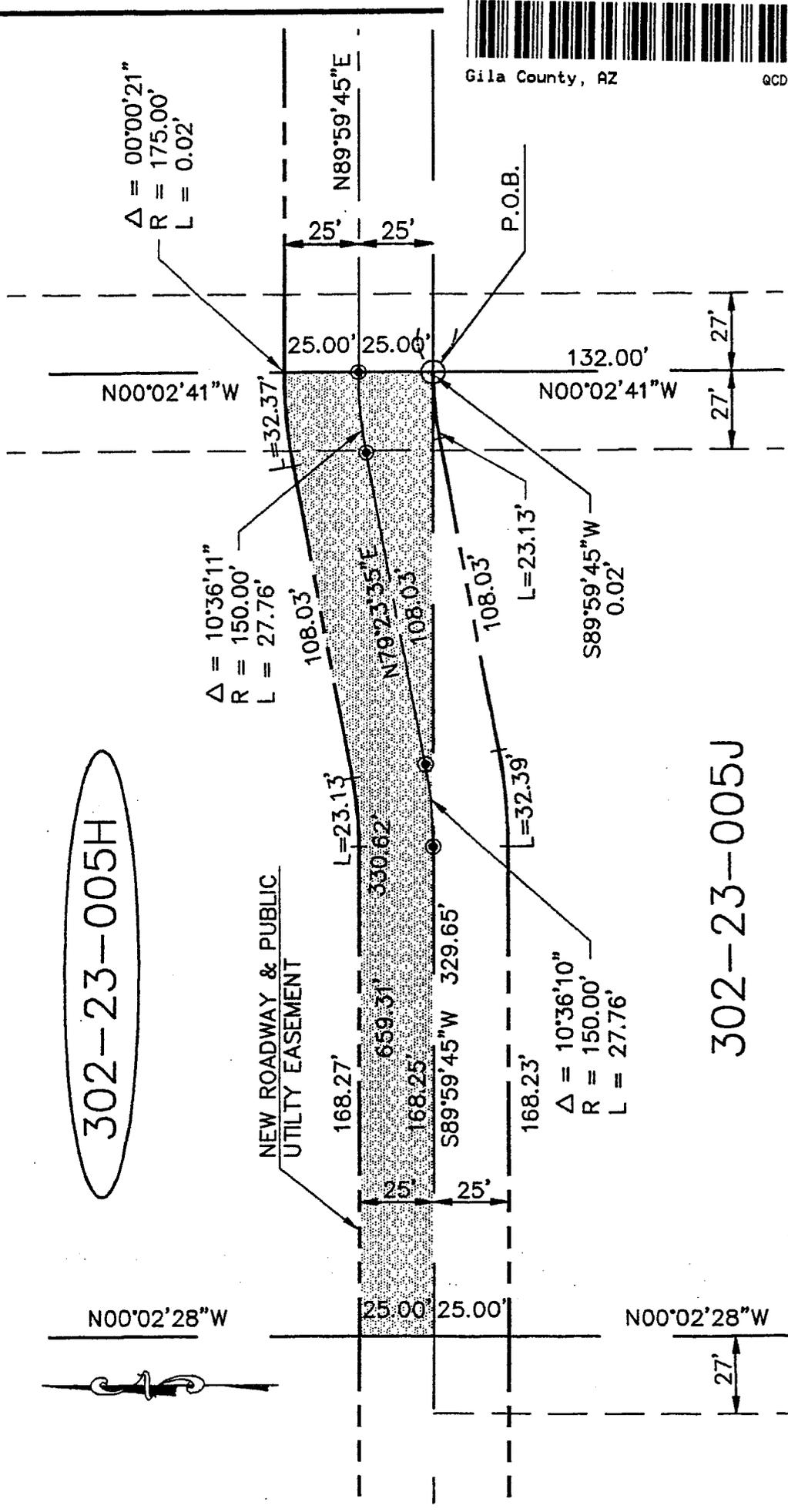
Thence: Northeasterly along the arc of said curve 32.37 feet;

Thence: S 00°02'41" E, 50.00 feet to the POINT OF BEGINNING.

**Tetra Tech, Inc.
Project No. 2424.0003**

GILA CO, AZ, LINDA HAUGHT ORTEGA - RECORDER, BY: CHAPARRAL PINES INVESTOR
 DATE: 05/27/1998 TIME: 01:27 PAGE #: 0003 OF 0004 FEE #: 1998 7941

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EXHIBIT "A"

ASL SIERRA
 CONSULTING ENGINEERS

SCALE: 1"=50'

JAN., 1997