

**RESOLUTION NO. 2584**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING FEE TITLE IN AND TO CERTAIN REAL PROPERTY, ALL DESCRIBED ON EXHIBIT "1" ATTACHED HERETO COMPRISING RIGHT-OF-WAY ACQUISITION FOR THE ST. PHILIPS ST. CONSTRUCTION PROJECT.**

**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 within the existing St. Philips St. roadway alignment and described on Exhibit "1" attached hereto has been offered to the Town of Payson by the Saint Philip The Apostle Roman Catholic Church - Payson; and

**WHEREAS**, said real property is necessary to maintain the continuity of the St. Philips St. road right of way and is all located within the corporate limits of the Town of Payson; and

**WHEREAS**, the Mayor and Common Council find that the acceptance of said interests in real property and the St. Philips St. road to which they appertain are beneficial to the public health, safety and welfare,

**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 and receive those interests in real property 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 accept said interests in real property and to the use and control thereof.

**PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON** this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by the following vote:

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

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

ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Timothy M. Wright, Town Attorney

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**EXHIBIT "1"**

to Resolution No. 2584

Recording Requested By: Town of Payson

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

**QUIT CLAIM DEED**

This quit claim deed is made on the 7th day of October, 2010, by SAINT PHILIP THE APOSTLE ROMAN CATHOLIC CHURCH - PAYSON, whose address is C/O DIOCESE OF TUCSON, ATTN: REAL PROPERTY DEPARTMENT, PO BOX 31, City of TUCSON, PIMA County, State of ARIZONA, 85702-0031, as Grantor, and the Town of Payson, a municipal corporation of the State of Arizona, as Grantee.

Grantor, in consideration of the sum of one dollars (\$1.00) and other valuable considerations, to the Grantor paid, the receipt of which is acknowledged, remises, releases and forever quit claims to Grantee all of the right, title and interest of Grantor, in and to that certain real property situated in Gila County, Arizona, and more particularly described as follows:

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

To have and to hold, all and singular the above described property, together with the tenements, hereditaments and appurtenances belonging to the property, or in any way appertaining, and the rents, issues and profits of said property to Grantee and Grantee's successors and assigns forever.

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

Rev. William Louis Gyure for St. Philip the Apostle Roman Catholic Church  
GRANTOR

STATE OF ARIZONA )  
 )  
County of GILA )

On 10-7-2010, before me, undersigned Notary Public, personally appeared WILLIAM L. GYURE, 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.

My Commission Expires: 11-11-2013

Jolene Phipps  
Notary Public



Jolene Phipps  
Notary Public  
Gila County, Arizona  
My Comm. Expires 11-11-13

EXHIBIT "A"

A strip of land 33 feet wide for a part of South Saint Philips Street Right-of-Way over an existing easement more particularly described as follows:

The West 33 feet of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 3, Township 10 North, Range 10 East, of the Gila and Salt River Meridian, Gila County, Arizona.

Reference: Saint Philips

