

RESOLUTION NO. 2891

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING TITLE TO CERTAIN REAL PROPERTY DESCRIBED IN THE QUIT CLAIM DEED ATTACHED HERETO AS EXHIBIT '1', PERTAINING TO PORTIONS OF SOUTH MUD SPRINGS ROAD AND EAST GRANITE DELLS ROAD.

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 in Exhibit "A" and Exhibit "B" and diagramed in Exhibit "C" to that Exhibit "1" has been offered to the Town of Payson for consideration set forth in Exhibit "1" by The Rim Country Educational Alliance, a Separate Legal Entity, and the Rim Country Educational Foundation, LLC, who have 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 _____, 2015, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Hector M. Figueroa, Town Attorney

DEC 10 2015 2.3

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

EXHIBIT "1"
to Resolution No. 2891

QUIT CLAIM DEED

This quit claim deed is made on the ____ day of _____, 2015, by The Rim Country Educational Alliance, a Separate Legal Entity and the Rim Country Educational Foundation, LLC, an Arizona Limited Liability Corporation, as Grantor, and the Town of Payson, a municipal corporation of the State of Arizona, as Grantee.

Grantor, in consideration of the sum of ten dollars (\$10.00) 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 attached legal descriptions
Exhibit A – Mud Springs Road
Exhibit B – Granite Dells Road

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.

GRANTOR
Rim Country Educational Alliance

GRANTOR
Rim Country Educational Foundation, LLC

STATE OF ARIZONA)
) §
County of Gila)

The foregoing easement deed was acknowledged before me this ____ day of _____, 2015, by _____, who acknowledged himself to be the _____ of the Rim Country Educational Alliance, and that as such officer, being duly authorized so to do, signed his/her name as such officer.

My commission expires: _____

Notary Public

STATE OF ARIZONA)
) §
County of Gila)

The foregoing easement deed was acknowledged before me this ____ day of _____, 2015,
by _____, who acknowledged himself to be the
_____ of the Rim Country Educational Alliance, and that as such officer,
being duly authorized so to do, signed his/her name as such officer.

My commission expires: _____

Notary Public

EXHIBIT 'A'
LEGAL DESCRIPTION
OF
MUD SPRINGS ROAD RIGHT OF WAY

A parcel of property intended to be used for a public roadway and public utilities located in the SW $\frac{1}{4}$ of Section 2, T10 N, R10 E, G&SRM, Gila County, Arizona more particularly described as follows:

COMMENCING at the W $\frac{1}{4}$ Corner of Said Section 2;

THENCE S89°24'07"E along the east-west mid-section line of said Section 2 a distance of 25.55 feet to the TRUE POINT OF BEGINNING;

THENCE continuing S89°24'07"E along said east-west mid-section line 96.80 feet;

THENCE S00°35'53"W 8.64 feet;

THENCE N88°47'46"W 36.89 feet;

THENCE S01°12'14"W 684.39 feet to a Point of Curvature of a circular curve concave northwesterly with a radius of 530.00 feet;

THENCE southwesterly along the arc of said curve 98.40 feet to a point of reverse curvature of a circular curve concave southeasterly with a radius of 470 feet;

THENCE southwesterly along the arc of said curve 91.73 feet to a Point of Tangency;

THENCE S00°39'31"W 415.41 feet to a point on the south line of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 2;

THENCE N89°20'58"E along the south line of said NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 2 a distance of 60.00 feet to the southwest corner of said NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 2, said point being on the west line of said Section 2;

THENCE N00°39'31"E along the west line of said Section 2 a distance of 657.00 feet to the southwest corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 2, said point also being the southwest corner of that property described in the Small Tracts Act Survey No. 017, Map No. 215 & 215A, Gila County Recorders Office, Gila County, Arizona;

THENCE S88°21'22"E along the south line of said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 2, and along the south line of said Small Tracts Act Survey No. 017 a distance of 19.46 feet to the southeast corner of said Small Tracts Act Survey No. 017;

THENCE N01°12'14"E 640.26 feet to the northeast corner of said Small Tracts Act Survey No. 017, said point being the TRUE POINT OF BEGINNING.

The above easement containing 1.86 acres, more or less.

EXHIBIT 'B'
LEGAL DESCRIPTION
OF
GRANITE DELLS ROAD
RIGHT OF WAY
LOCATED IN THE 1500 BLOCK OF EAST GRANITE DELLS ROAD

A parcel of property intended to be used for a public roadway and public utilities located in the SE $\frac{1}{4}$ of Section 2, T10 N, R10 E, G&SRM, Gila County, Arizona more particularly described as follows:

BEGINNING at the SE Corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Said Section 2;

THENCE N89°03'11"W along the south line of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Said Section 2 a distance of 240.28 feet;

THENCE N64°31'15"E 268.57 feet to a point on the east line of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Said Section 2;

THENCE S01°03'15"W along the east line of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Said Section 2 a distance of 119.53 feet the POINT OF BEGINNING.

The above parcel containing 0.33 acres, more or less.

