

2015-05979

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Requested By: City Of Sierra Vista

Christina Rhodes - Recorder

Cochise County, AZ

04-03-2015 02:21 PM Recording Fee \$8.50

**WHEN RECORDED MAIL TO:**

**City of Sierra Vista  
1011 N. Coronado Drive  
Sierra Vista, AZ 85635**

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**THE ABOVE SPACE RESERVED FOR RECORDING INFORMATION**

**CAPTION HEADING**

**DO NOT REMOVE**

**THIS IS PART OF THE OFFICIAL DOCUMENT**

RESOLUTION 15-025

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY; APPROVING THE ABANDONMENT OF EASEMENTS ON PARCEL #107-16-037D IN THE CROSSROADS COMMERCE CENTER SUBDIVISION, LOCATED IN SECTION 31, TOWNSHIP 21 SOUTH, RANGE 21 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, A.R.S §28-7202 through §28-7205 permits the governing body of the City of Sierra Vista to dispose of public rights-of-way through sale or abandonment; and

WHEREAS, A.R.S. §28-7202 permits the City Council to take such disposition of public rights-of-way; and

WHEREAS, this resolution reaffirms settled policy that allows the City Council to abandonment easements dedicated by subdivision plat;

WHEREAS, City of Sierra Vista Resolution 514, as amended by Resolutions 530, 930, and 1035 establishes standard procedures for the abandonment of public rights-of-way; and

WHEREAS, the appropriate public utility companies, city staff, and abutting property owners were contacted and did not oppose the proposed abandonment; and

WHEREAS, the Planning and Zoning Commission recommended approval of the abandonments.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

That the following Goal of VISTA 2030, the City of Sierra Vista General Development Plan, are reaffirmed: Citizen Participation 1-1.

SECTION 2

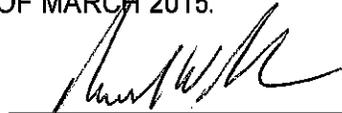
That the abandonment of an 8-foot public utility easement and the abandonment of a 1-foot vehicular non-access easement, as described in Exhibit A, be, and hereby, is approved with the following condition:

1) A portion of Technology Drive, as shown in Exhibit B, shall be abandoned within one year after issuance of the Certificate of Occupancy.

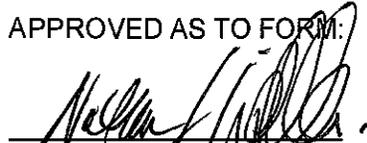
SECTION 3

The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

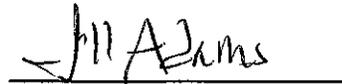
PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 26<sup>TH</sup> DAY OF MARCH 2015.

  
\_\_\_\_\_  
FREDERICK W. MUELLER  
Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
NATHAN WILLIAMS  
City Attorney

ATTEST:

  
\_\_\_\_\_  
JILL ADAMS  
City Clerk

PREPARED BY: Jeff Pregler  
Senior Planner

# EXHIBIT A

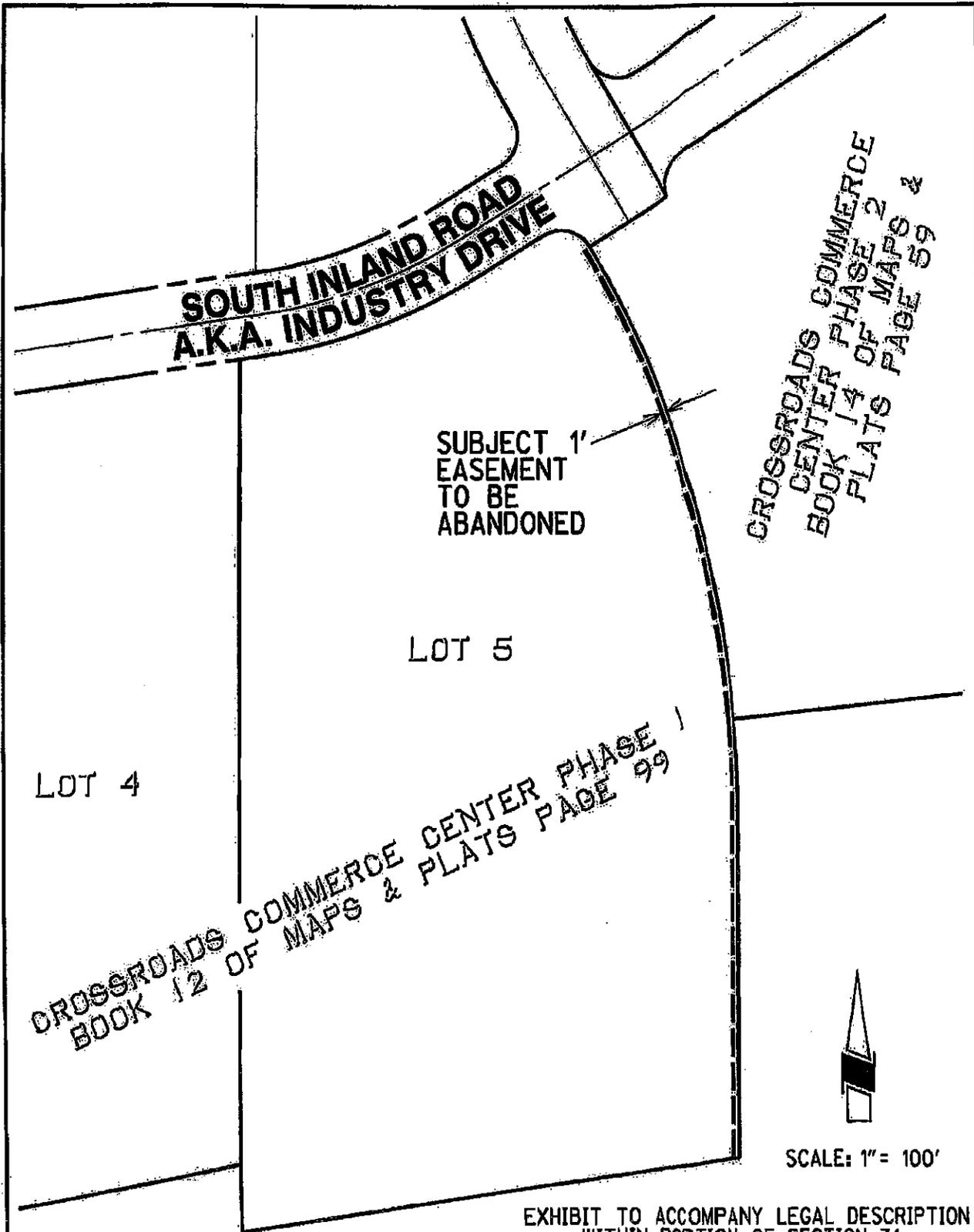


EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
 WITHIN PORTION OF SECTION 31,  
 TOWNSHIP 21 SOUTH, RANGE 21 EAST,  
 G&SRM, COCHISE COUNTY, ARIZONA

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3945 EAST FORT LOWELL ROAD - SUITE 111  
 TUCSON, AZ 85712  
 520.795.1000  
 (FAX) 520.322.6956

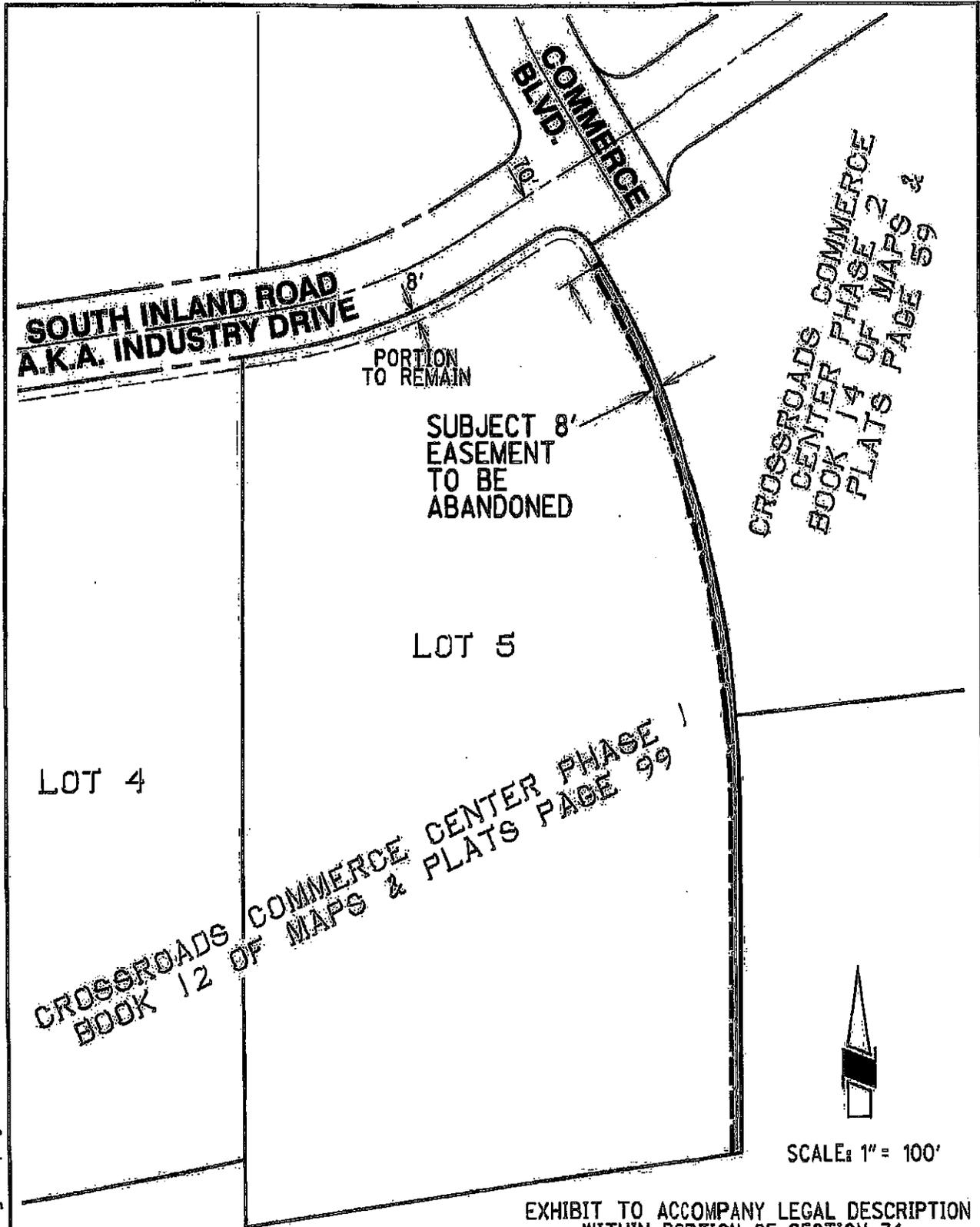


**LEGAL DESCRIPTION  
EASEMENT ABANDONMENT**

ALL OF THAT 1 FOOT VEHICULAR NON-ACCESS EASEMENT LYING WESTERLY OF AND CONTIGUOUS WITH THE EAST LINE OF LOT 5 AS GRANTED ON THE PLAT OF **CROSSROADS COMMERCE CENTER PHASE 1**, A SUBDIVISION OF COCHISE COUNTY, ARIZONA, ACCORDING TO THE PLAT RECORDED IN BOOK 12 OF MAPS AND PLATS AT PAGE 99, RECORDS OF THE COCHISE COUNTY RECORDER,

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 TUCSON, AZ 85712  
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 (FAX) 520.322.6956

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
 WITHIN PORTION OF SECTION 31,  
 TOWNSHIP 21 SOUTH, RANGE 21 EAST,  
 G&SRM, COCHISE COUNTY, ARIZONA



**LEGAL DESCRIPTION  
EASEMENT ABANDONMENT**

ALL OF THAT 8 FOOT PUBLIC UTILITY EASEMENT LYING WESTERLY OF AND CONTIGUOUS WITH THE EAST LINE OF LOT 5 AS GRANTED ON THE PLAT OF **CROSSROADS COMMERCE CENTER PHASE 1**, A SUBDIVISION OF COCHISE COUNTY, ARIZONA, ACCORDING TO THE PLAT RECORDED IN BOOK 12 OF MAPS AND PLATS AT PAGE 99, RECORDS OF THE COCHISE COUNTY RECORDER.

**EXCEPT ANY PORTION LYING NORTHERLY OF A LINE BEING 70.00 SOUTHEASTERLY OF AND PARALLEL WITH THAT TANGENT PORTION OF THE CENTERLINE OF SOUTH INLAND ROAD WHICH INTERSECTS THE CENTERLINE OF COMMERCE BOULEVARD AS SHOWN ON SAID PLAT OF **CROSSROADS COMMERCE CENTER PHASE 1**.**

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REVISED 2/19/15



EXHIBIT B

