2016-09085
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Requested By: City Of Sierra Vista
Christine Rhodes - Recorder
Cochise County , AZ
05-27-2016 09:38 AM Recording Fee $7.00

RESOLUTION 2016-037

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; ACCEPTING FROM THE PASCUA YAQUI TRIBE THE PROPERTY LOCATED AT 366 MCABEE STREET; 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, the property located at 366 McAbee Street was bequeathed to the Pascua Yaqui Tribe upon the death of its owner in May 2012; and

WHEREAS, the property was subsequently vandalized and burned and the City has invested over $3,000 to secure the property with fencing; and

WHEREAS, the condition of the property is having a negative impact on the neighborhood and surrounding residents and businesses; and

WHEREAS, the Pascua Yaqui Tribe agreed to deed the property to the City of Sierra Vista upon the condition that they will not be responsible for any abatement or clean-up costs; and

WHEREAS, accepting the property and getting it cleaned up and redeveloped is in the public's best interest.

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

Section 1

The City Council hereby restates its established policy supporting efforts to facilitate clean up of dilapidated properties within the community.

Section 2

That the City Council hereby accepts the property located at 366 McAbee Street from the Pascua Yaqui Tribe as specified in the Quit Claim Deed attached and made reference hereto.

Section 3

That 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 26th DAY OF MAY, 2016.

Frederick W. Mueller
Mayor

Approval as to Form:

Nathan Williams
City Attorney

Attest:

Jill Adams
City Clerk

Prepared by:
Mary Jacobs
Assistant City Manager

When Recorded Return To:
City of Sierra Vista
1011 N. Coronado Drive
Sierra Vista, AZ 85635

QUIT CLAIM DEED

For value received, the Pascua Yaqui Tribe, a federally recognized Indian Tribe, hereby quit-claims to the City of Sierra Vista without any warranty of any nature, all of its right title and interest in and to the real property described more fully described on EXHIBIT A, attached hereto.

Date: APRIL 28, 2016

PASCUA YAQUI TRIBE

By: _____
Peter Yucupicio, Chairman
Pascua Yaqui Tribe

STATE OF ARIZONA)
) ss
COUNTY OF PIMA)

Before me this 28 day of APRIL, 2016, personally appeared Peter Yucupicio, whose identity was proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same.

_____
Notary Public

My Commission Expires:
OCT 31, 2016

LUPITA G SANCHEZ
Notary Public - Arizona
Pima County
My Comm Expires Oct 31, 2016

EXHIBIT A

The improvements to be conveyed are situated upon the following real property located in the City of Sierra Vista, Cochise County, State of Arizona, more specifically described as:

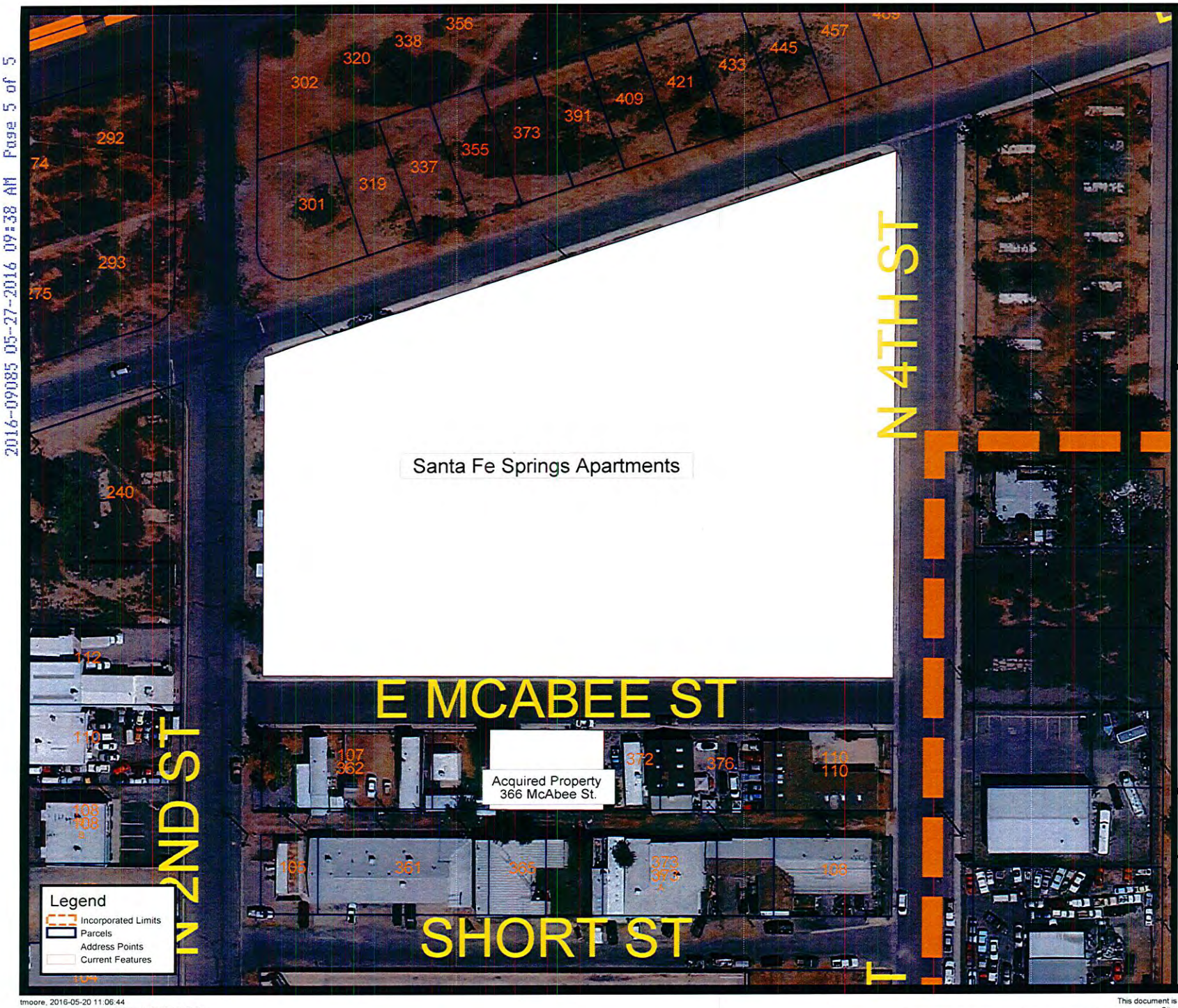
PARCEL I:

THAT PORTION OF BLOCK 4, **FIRST ADDITION TO TOWNSITE OF FRY,** COCHISE COUNTY, ARIZONA, AS PER THE OFFICIAL MAP THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF COCHISE COUNTY, ARIZONA ON JANUARY 13, 1955, IN BOOK 3 OF MAPS, AT PAGE 127, MORE PARTICULARLY DESCRIBED AS FOLLOWS: **BEGINNING** AT A POINT WHICH IS NORTH 512.03 FEET AND EAST 210.00 FEET FROM THE SOUTHWEST CORNER OF SAID BLOCK 4; THENCE EAST 42.00 FEET; THENCE SOUTH 60.00 FEET; THENCE WEST 42.00 FEET; THENCE NORTH 60.00 TO THE POINT OF BEGINNING.

PARCEL II:

THAT PORTION OF BLOCK 4, **FIRST ADDITION TO TOWNSITE OF FRY,** COCHISE COUNTY, ARIZONA, AS PER THE OFFICIAL MAP THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF COCHISE COUNTY, ARIZONA ON JANUARY 13, 1955, IN BOOK 3 OF MAPS, AT PAGE 127, MORE PARTICULARLY DESCRIBED AS FOLLOWS: **BEGINNING** AT A POINT WHICH IS NORTH 512.03 FEET AND EAST 168.00 FEET FROM THE SOUTHWEST CORNER OF SAID BLOCK 4, THENCE EAST 42.00 FEET; THENCE SOUTH 60.00 FEET; THENCE WEST 42.00 FEET; THENCE NORTH 60.00 FEET TO THE POINT OF BEGINNING.

COMMONLY KNOWN AS: 366 MCABEE STREET
SIERRA VISTA, ARIZONA 85635



Acquired Property
366 McAbee St.

This map is a product of the City of Sierra Vista GIS

0' 1" = 99'

tmoore, 2016-05-20 11:06:44
(\\pc-gis01\GIS\Encompass\Admin\Meta\View.Mdb)

This document is a graphic representation only of best available sources.
City of Sierra Vista assumes no responsibility for any errors.
The Land Use designations for the areas outside the City limits may not be consistent with adopted Cochise County Land Use Plans.