

**RESOLUTION 11-\_\_\_**

**AUTHORIZING AMENDMENTS TO THE COCHISE COUNTY  
MAINTAINED ROAD SYSTEM MAPS AND THE EXCHANGE OF  
RIGHTS-OF-WAY FOR AIRSTRIP ROAD IN THE BOWIE AREA**

**WHEREAS**, the Board of Supervisors of Cochise County, Arizona, is authorized to lay out, maintain, control and manage public roads under its jurisdiction pursuant to A.R.S. § 11-251(4), and is authorized to exchange existing public rights-of-way pursuant to A.R.S. § 11-251(44) and A.R.S. § 28-7203; and

**WHEREAS**, pursuant to A.R.S. § 28-7041.C, Cochise County maintains a historical alignment of Airstrip Road, Maintenance Identification (MID) Number 8; and

**WHEREAS**, on November 13, 1989, the Board approved the official Cochise County Maintained Road System Maps by Resolution 89-107, which further identified the County maintained alignment of Airstrip Road on page 10; and

**WHEREAS**, on September 6, 1994, the Board designated Airstrip Road as a "Primitive Road" by Resolution 94-87; and

**WHEREAS**, previously Airstrip Road served as access to the Bowie airstrip and on December 3, 1990, the Board vacated the Bowie airstrip by Resolution 90-95; and

**WHEREAS**, now Airstrip Road serves as a connector road from Central Avenue to Substation Road, and Cochise County maintenance for that portion of Airstrip Road lying northeast of Substation Road, identified on the attached map "Exhibit A", is no longer necessary; and

**WHEREAS**, the historical alignment of Airstrip Road, from Central Avenue to Substation Road, traverses outside of the dedicated public right-of-way and diagonally through a privately owned parcel identified as Assessor Parcel Number (APN) 302-11-040; and

**WHEREAS**, dedicated public right-of-way exists adjacent to the southerly and easterly boundaries of APN 302-11-040, and said public right-of-way was open before June 13, 1975; and

**WHEREAS**, in order to widen and refine the curve around the southeasterly corner of APN 302-11-040, the property owner is willing to dedicate a 50 foot radius, described herein as "Exhibit B"; and

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**WHEREAS**, a hangar assessed to APN 302-11-040 lies within a portion of the dedicated public right-of-way, described herein as “Exhibit C”, and said right-of-way is not necessary for public use as a roadway pursuant to A.R.S. § 28-7202; and

**WHEREAS**, it is in the best interests of the County and the public at large to:

- 1) Delete that segment of Airstrip Road lying northeasterly of Substation Road as identified on the attached map “Exhibit A”.
- 2) Re-align that portion of Airstrip Road from Central Avenue to Substation Road to within the existing public right-of-way adjoining the southerly and easterly boundaries of APN 302-11-040 as identified on the attached map “Exhibit A”.
- 3) Exchange the unnecessary public right-of-way, described herein as “Exhibit C”, in consideration for the acquisition of right-of-way, described herein as “Exhibit B”, to provide for a widened and refined curve.

**WHEREAS**, pursuant to A.R.S. § 11-251(44), notice to the public was given by publication thirty (30) days prior in the San Pedro Valley News-Sun, the official newspaper for Cochise County, in which said notice stated the property ownership, and legal descriptions of the lands involved in the exchange; and

**WHEREAS**, unknown public utilities may exist within said right-of-way which is unnecessary for public use as a roadway,

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that we, the Cochise County Board of Supervisors, having determined that the re-alignment and cessation of maintenance activities to be in the public interest, do hereby approve the following maintenance revisions and do hereby approve that the Cochise County Maintained Road System Maps be modified to reflect the maintenance revisions:

MAP PAGE 10

Airstrip Road, MID #8

- 1) Delete that section of the road lying northeast of Substation Road, being approximately 1,700 feet in length.
- 2) Re-align that section of the road, from Central Avenue to Substation Road, into the dedicated public right-of-way adjacent to the southerly and easterly boundaries of APN 302-11-040.

**IT IS FURTHER RESOLVED** that this action to cease maintenance activities for the road segment described above shall not alter the existing status of said roadway in terms of legal access.

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**IT IS FURTHER RESOLVED** that this action to re-align the road segment described above shall not alter the Primitive Road status designated by Resolution 94-87.

**IT IS FURTHER RESOLVED** that we, the Board of Supervisors, having determined that the exchange of property, in accordance with A.R.S. § 28-7203, to be in the public interest, do hereby approve and authorize the Chairman to accept the accompanying Deed of Dedication.

**IT IS FURTHER RESOLVED** that the interest of Cochise County in lands described in the attached "Exhibit C" are hereby vacated and the issuance of a Quit Claim Deed vesting title in the adjacent property owner is hereby authorized pursuant to A.R.S. § 28-7205. The Chairman of the Board is hereby authorized to execute the Quit Claim Deed and all other documents necessary to completion of this transaction.

**IT IS FURTHER RESOLVED** that any and all rights-of-way or easements for existing sewer, gas, water or similar pipelines and appurtenances and for canals, laterals or ditches and appurtenances and for electric, telephone, and similar lines and appurtenances shall continue as they existed prior to the disposals or abandonment thereof, pursuant to A.R.S. § 28-7210.

**IT IS FINALLY RESOLVED** that all resolutions or ordinances in conflict with the intent and purposes of this resolution are hereby superseded to the limited extent necessary to resolve said conflict(s) in favor of carrying out the intent and purposes of this resolution.

**PASSED AND ADOPTED** by the Board of Supervisors of Cochise County, Arizona, this day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Patrick Call, Chairman  
Cochise County Board of Supervisors

**ATTEST:**

\_\_\_\_\_  
Katie A. Howard,  
Clerk of the Board

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
David Fifer,  
Deputy County Attorney

# Resolution 11- EXHIBIT A

N CENTRAL AVE

Area deleted from maintenance

AIRSTRIp RD

E SUBSTATION RD

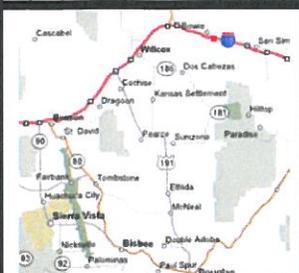
Area of re-alignment

Dedicated area

Vacated area

### Legend

-  Roads
-  Parcels
-  Abandonment
-  Dedication
-  Airstrip Road (Remove from maintenance)
-  Airstrip Road (Historic alignment)
-  Airstrip Road (Re-alignment)



## Airstrip Road in Bowie

This map is a product of the Cochise County GIS



**EXHIBIT "B"**

LAND TO BE ACQUIRED FROM PROPERTY OWNER

That portion of Lots 10 and 11, Block 23, Bowie Station Townsite, Book 2 page 69 of Maps and Plats, as filed in the office of the County Recorder, Cochise County, Arizona, and more particularly described as follows:

BEGINNING at the Southeast corner of Lot 11, of said Block 23;

Thence North  $75^{\circ}09'45''$  West, along said Southwesterly boundary of Lot 11 of said Block 23 a distance of 32.38 feet to a point of a non-tangent curve concave to the Northwest, a radial line of said curve through said point having a bearing of North  $22^{\circ}01'57''$  West;

Thence Northeasterly and Northerly along said curve to the left, having a radius of 50 feet and a central angle of  $68^{\circ}01'59''$ , a distance of 59.37 feet to a point of tangency, said point also being on the Easterly boundary of Lot 10 of said Block 23;

Thence South  $00^{\circ}03'46''$  East, along said Easterly boundary of Lot 10 and continuing along the Easterly boundary of Lot 11 of said Block 23, a distance of 54.70 feet to the POINT OF BEGINNING.

## EXHIBIT "C"

### LAND TO BE VACATED TO PROPERTY OWNER

That portion of a 60 foot wide right-of-way, known as Florida Ave, Bowie Station Townsite, Book 2 page 69 of Maps and Plats, as filed in the office of the County Recorder, Cochise County, Arizona, and more particularly described as follows:

COMMENCING at the Southeast Corner of Lot 11, Block 23 of said Bowie Station Townsite, said point also being a point on the Northeasterly right-of-way of said Florida Ave;

Thence North  $75^{\circ}09'45''$  West, along said Northeasterly right-of-way of said Florida Ave a distance of 32.38 feet to a point of a non-tangent curve concave to the North, a radial line of said curve through said point having a bearing of North  $22^{\circ}01'57''$  West, said point also being the POINT OF BEGINNING;

Thence Westerly along said curve to the right, having a radius of 50 feet and a central angle of  $36^{\circ}52'12''$ , a distance of 32.18 feet to a point of tangency;

Thence North  $75^{\circ}09'45''$  West, along a line 10 feet Southwesterly of and parallel to said Northeasterly right-of-way of said Florida Ave, a distance of 168.97 feet to a point on the Southwesterly prolongation of the Northwesterly boundary of said Lot 1, Block 23;

Thence North  $14^{\circ}49'44''$  East, along said Southwesterly prolongation of the Northwesterly boundary of said Lot 1, Block 23 a distance of 10.00 feet to the Southwest corner of Lot 1, Block 23 of said Bowie Station Townsite, said point also being a point on the Northeasterly right-of-way of said Florida Ave;

Thence South  $75^{\circ}09'45''$  East, along the Northeasterly right-of-way of said Florida Ave a distance of 198.97 feet to the POINT OF BEGINNING.