

RESOLUTION 11-__

**AUTHORIZING THE ABANDONMENT OF PUBLIC RIGHTS-OF-WAY
WITHIN THE PEARCE TOWNSITE**

WHEREAS, there has been presented to the Board of Supervisors of Cochise County Arizona, a formal request praying for the abandonment of those certain public rights-of-way, more particularly described as follows:

See attached "EXHIBIT A"

WHEREAS, the Board of Supervisors having considered all comments regarding this request at their meeting held November __, 2011, and having determined that the public rights-of-way described hereinabove are not necessary for public use as a roadway pursuant to A.R.S. § 28-7202; and

WHEREAS, the lands described above are occupied by the historic Renaud Store conveyed to Charles Renaud in 1906 per Deeds of Real Estate Book 31 Page 550, and are the same lands dedicated as public rights-of-way in 1910 per Map and Plat Book 0 Page 107 as filed in the office of the Cochise County Recorder; and

WHEREAS, a public benefit is received by Cochise County to clear potential title issues associated with said conveyances; and

WHEREAS, the vacated rights-of-way have a market value commensurate with the public benefit received by Cochise County in accordance with A.R.S. § 28-7208; and

WHEREAS, a Quit Claim Deed for the vacated rights-of-way will be issued to the adjacent property owner, in accordance with A.R.S. § 28-7208; and

WHEREAS, unknown public utilities may exist within said right-of-way.

NOW THEREFORE, IT IS HEREBY RESOLVED, that the petition for the abandonment as described and requested herein is hereby granted, and the public rights-of-way are hereby vacated, in accordance with A.R.S. § 28-7201, *et seq.*

IT IS FURTHER RESOLVED that the interest of Cochise County in lands described above is 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. § 28-7205.2. 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 FINALLY 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

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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.

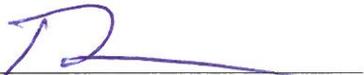
PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona,
this ____ day of _____, 2011.

Patrick Call, Chairman
Cochise County Board of Supervisors

ATTEST:

Katie A. Howard,
Clerk of the Board

APPROVED AS TO FORM:



Britt W. Hanson,
Chief Civil Deputy County Attorney

" Exhibit A "

LEGAL DESCRIPTION

THAT PORTION OF SECTION 5, TOWNSHIP 18 SOUTH, RANGE 25 EAST, GILA AND SALT RIVER MERIDIAN, COCHISE COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IRON PIN REPRESENTING THE NORTH QUARTER CORNER OF SAID SECTION 5;

THENCE N89°48'10"E ALONG THE NORTH LINE OF SECTION 5, 172.33 FEET;

THENCE S00°11'49"W PERPENDICULAR TO SAID NORTH LINE OF SECTION 5, 35.17 FEET TO THE NORTHWEST CORNER OF LOT 22 OF BLOCK 4 OF THE PEARCE TOWNSITE BEING THE **POINT OF BEGINNING**;

THENCE N00°11'49"E, 8.35 FEET;

THENCE N88°03'07"E, 141.97 FEET;

THENCE S01°56'53"E, 38.22 FEET;

THENCE S88°03'07"W, 4.72 FEET TO THE SOUTHEAST CORNER OF SAID LOT 22;

THENCE N01°56'53"W, 29.87 FEET TO THE NORTHEAST CORNER OF SAID LOT 22;

THENCE S88°03'07"W, 137.25 FEET TO THE NORTHWEST CORNER OF SAID LOT 22 BEING THE **POINT OF BEGINNING**

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
36913
DALE ALBERT
JONES
DATE SIGNED 6/29/11
ARIZONA U.S.A.

Dale Albert Jones

Expires
12/31/2013