

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

**AUTHORIZING THE ACQUISITION OF RIGHT-OF-WAY FOR  
WILLOW LAKES FLOOD CONTROL STRUCTURES LOCATED  
NORTH OF BENSON**

**WHEREAS**, the Flood Control District Board of Cochise County, Arizona is authorized to acquire rights-of-way for drainage purposes to manage and transport storm runoff pursuant to A.R.S. § 48-3603; and

**WHEREAS**, it is necessary to establish flood control structures to carry storm waters from the Pacheco Wash watershed to the San Pedro River and around Willow Lakes Unit One; and

**WHEREAS**, in order to facilitate construction of the flood control structures it is necessary to acquire approximately 4.5 acres of right-of-way from four parcels being Assessor Parcel Numbers 208-25-001D, 208-25-001E, 208-29-005B and 208-29-005C, and located in Section 12, Township 16 South, Range 19 East, and Section 7, Township 16 South, Range 20 East G.&S.R.M.; and

**WHEREAS**, it is in the best interest of Cochise County and the public to pursue the acquisition of said right-of-way,

**NOW, THEREFORE, IT IS RESOLVED** that we, the Flood Control District Board, having determined that acquisition of this right-of-way to be in the public interest, do hereby authorize such actions as may be necessary to acquire the right-of-way for Willow Lakes Flood Control Structures as stated above.

**IT IS FURTHER RESOLVED** that the Director of the Highway and Floodplain Department, or his designee, is authorized to act on behalf of the Board to acquire the right-of-way, and settle any resulting damages, through purchase at the appraised value or condemnation action as necessary.

**IT IS FURTHER RESOLVED** that should a condemnation action become necessary to acquire all, or any portion of, this right-of-way, the County Attorney Office is authorized to proceed with said action.

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

**Re: Authorizing the Acquisition of Right-of-Way for Willow Lakes Flood Control Structures Located North of Benson**

**Page 2**

**IT IS FINALLY RESOLVED** that the Chairman of the Board, is hereby authorized to accept the instruments of conveyance from the affected property owners for the subject properties.

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

\_\_\_\_\_  
Patrick Call, Chairman  
Cochise County Flood Control District Board

**ATTEST:**

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Britt Hanson,  
Chief Civil Deputy County Attorney