

RESOLUTION FCD 12 - __

**AUTHORIZING THE ACQUISITION OF RIGHT-OF-WAY FOR
THE WILLOW LAKES FLOOD CONTROL STRUCTURES,
TRAVERSING ASSESSOR PARCEL NUMBERS 208-29-005B AND
208-29-005C, AND 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, on July 12, 2011, the Board adopted Resolution FCD 11-02 which authorized the acquisition of rights-of-way, at appraised value, for those portions which traverse APN 208-29-005B and 208-29-005C; and

WHEREAS, a counter to the appraised value offer has been proposed by Joanne Lopez, owner of APN 208-29-005B, and Ernesto Lopez, owner of APN 208-29-005C who are requesting that the respective rights-of-way be acquired for \$6,000.00 and \$5,000.00 rather than at the appraised value of \$4,000.00 and \$2,600.00; and

WHEREAS, it will be mutually beneficial to the Flood Control District and to the Lopez's to acquire these rights-of-way, within budgeted funds as described above,

NOW, THEREFORE, BE IT RESOLVED that acquisition of these rights-of-way are in the public interest, and such action as may be necessary to acquire these rights-of-way is hereby authorized.

BE IT FINALLY RESOLVED, that the Director of the Highway and Floodplain Department, or his designee, is authorized to act on behalf of the County to accept the offer proposed by Joanne Lopez and Ernesto Lopez to acquire the rights-of-way for \$6,000.00 and \$5,000.00, respectively.

RESOLUTION FCD 12-___

Re: Authorizing the Acquisition of Right-of-Way for the Willow Lakes Flood Control Structures, Traversing Assessor Parcel Numbers 208-29-005B and 208-29-005C, and Located North of Benson

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PASSED AND ADOPTED by the Flood Control District Board of Cochise County, Arizona, this _____ day of _____, 2012

Richard R. Searle, Chairman
Cochise County Flood Control District Board

ATTEST:

Katie A. Howard,
Clerk of the Board

APPROVED AS TO FORM:



David C. Fifer,
Civil Deputy County Attorney