

**RESOLUTION 13-\_\_\_**

**AUTHORIZING THE CONVEYANCE OF HISTORIC JAIL INCLUDING THE  
ABANDONMENT OF A PORTION OF A PUBLIC RIGHT-OF-WAY KNOWN AS  
GHOST TOWN TRAIL IN PEARCE**

**WHEREAS**, Cochise County holds title to the historic jail in Pearce (the “Jail”);

**See attached “EXHIBIT A-1” and “EXHIBIT A-2”**

**WHEREAS**, a fence around the Jail has been installed in order to protect the Jail; said fence extends beyond the boundaries of the Jail and into the County right-of-way for the County road known as Ghost Town Trail, but the fence does not extend into the road itself; said portion of the right-of-way being hereinafter referred to as the “Fenced Right-of-Way; and

**See attached “EXHIBIT B-1” and “EXHIBIT B-2”**

**WHEREAS**, Old Pearce Preservation Association (“OPPA”), an Arizona nonprofit corporation, which is formed in order to preserve, acquire, protect and promote the appreciation of historical items, buildings and real properties in Pearce, Arizona, has requested that the Board of Supervisors convey the Jail and Fenced Right-of-Way to OPPA to enhance its ability to preserve the Jail; and

**WHEREAS**, pursuant to A.R.S. § 11-251(9), with the unanimous consent of the Board of Supervisors, a county “may sell or lease any county property for a specific use to any solely charitable, social or benevolent nonprofit organization incorporated or operating in this state” without the public auction process; and

**WHEREAS**, OPPA meets the criteria of A.R.S. § 11-251(9), and the draft deed limits OPPA’s use to “the public purpose of preserving the historic former jail, allowing the public to view the jail, and related purposes”; and

**WHEREAS**, the Board of Supervisors having considered all comments regarding this request at their meeting held May 7, 2013, and having determined that the conveyance of the Jail is in the best interest of the public in accordance with A.R.S. § 11-251(9), and having determined that the Fenced Right-of-Way is not necessary for public use as a roadway pursuant to A.R.S. § 28-7202 since, even if it is abandoned, the remaining right-of-way for Ghost Town Trail meets the

**RESOLUTION 13-**

**Re: Authorizing The Conveyance Of Historical Jail Including The Abandonment Of  
A Portion Of A Public Right-Of-Way Known As Ghost Town Trail In Pearce**

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minimum width established by the Board of Supervisor pursuant to Resolution 89-04 and Map & Plat Book 12 Pages 77-77A; and

**WHEREAS**, the Fenced Right-of-Way has a market value commensurate with the public benefit received by Cochise County in accordance with A.R.S. § 28-7208; and

**WHEREAS**, unknown public utilities may exist within the Fenced Right-of-Way,

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that OPPA's request to acquire the Jail and Fenced Right-of-Way is hereby granted, and the Fenced Right-of-Way is hereby vacated, in accordance with A.R.S. § 28-7201, *et seq.*

**IT IS FURTHER RESOLVED** that the Board Chair is hereby authorized to execute the Quit Claim Deed conveying title to the Jail and Fenced Right-of-Way to OPPA, and all other documents necessary to complete the 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 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** unanimously by the Board of Supervisors of Cochise County, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Ann English, Chair  
Cochise County Board of Supervisors

**ATTEST:**

\_\_\_\_\_  
Clerk of the Board

**APPROVED AS TO FORM:**

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

**EXHIBIT A-1**

That portion of Block 1 and the 100.00 foot wide right-of-way known as Ghost Town Trail, formerly known as Willcox Avenue, according to the Amended Plat of the Bignon Tract, Maps and Plats Book 0 Page 175, as filed in the office of the County Recorder, and being a portion of Section 32, Township 17 South, Range 25 East of the Gila and Salt River Meridian, Cochise County, Arizona, and more particularly described as follows:

COMMENCING at the Southeast Corner of said Section 32, from which the South one-quarter Corner of said Section 32 bears South  $89^{\circ}48'10''$  West, a distance of 2643.32 feet;

Thence North  $85^{\circ}54'25''$  West, a distance of 2343.57 feet to a point 22.00 feet south and 11.00 feet east of the Northeast corner of Lot 1 of said Block 1, said point being North  $00^{\circ}58'00''$  East, a distance of 201.49 feet from the Corner of the Renaud Store, and said point being the POINT OF BEGINNING;

Thence South  $88^{\circ}05'44''$  West, along a line 22.00 feet south of and parallel to the North line of Lots 1, 2, 3, 4 and 5 of said Block 1, a distance of 130.00 feet;

Thence North  $01^{\circ}54'16''$  West, along a line 119.00 feet west of and parallel to the East line of Lots A, D and 1 of said Block 1, a distance of 72.00 feet, to a point on the north line of Lot A of said Block 1;

Thence North  $88^{\circ}05'44''$  East, along the north line of Lot A of said Block 1, a distance of 130.00 feet, to a point 11.00 feet east of the Northeast corner of Lot A of said Block 1;

Thence South  $01^{\circ}54'16''$  East, along a line 11.00 feet east of and parallel to the East line of Lots A, D and 1 of said Block 1, a distance of 72.00 feet to the POINT OF BEGINNING.

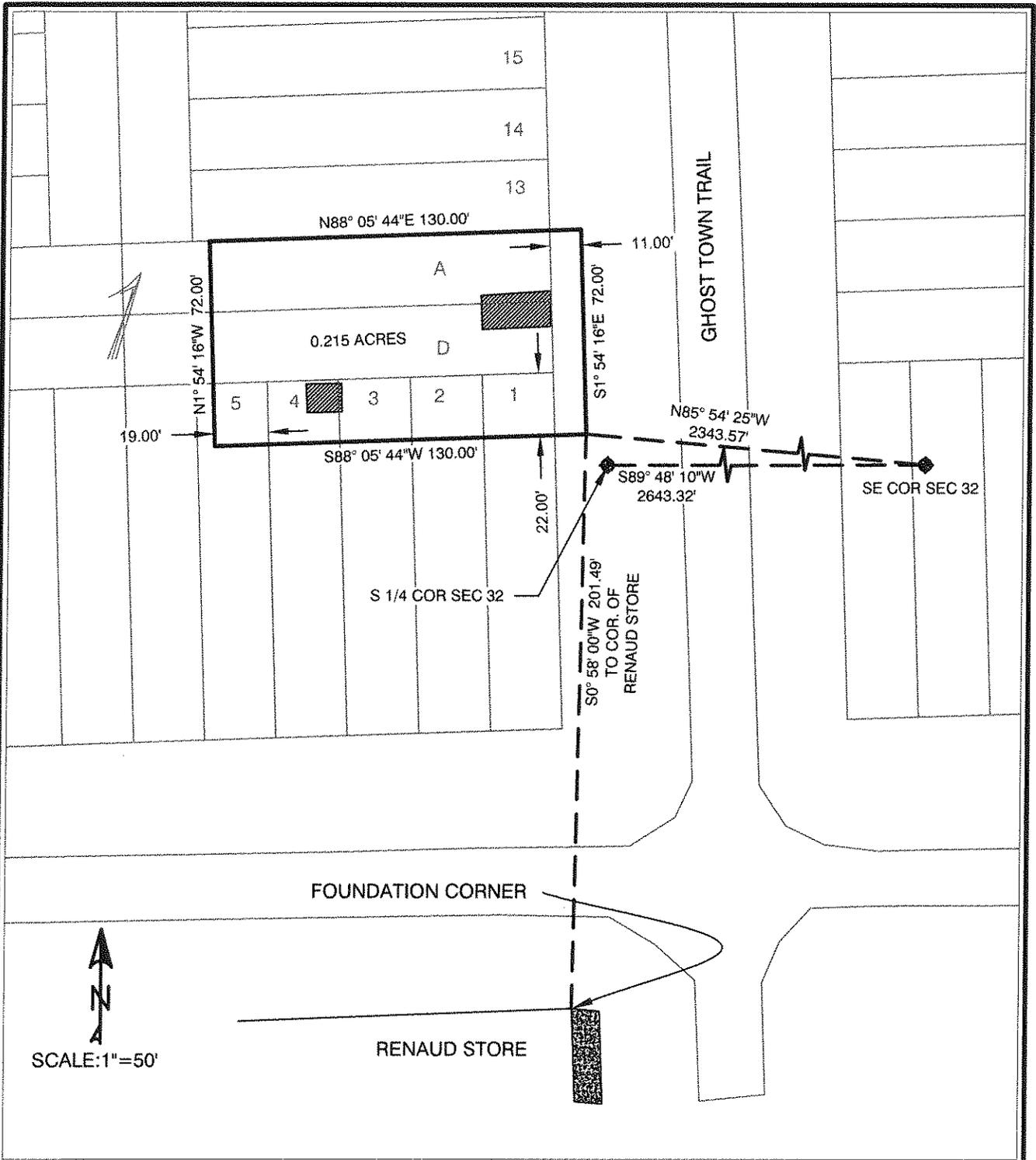


EXHIBIT A-2  
 PEARCE JAIL PROPERTY

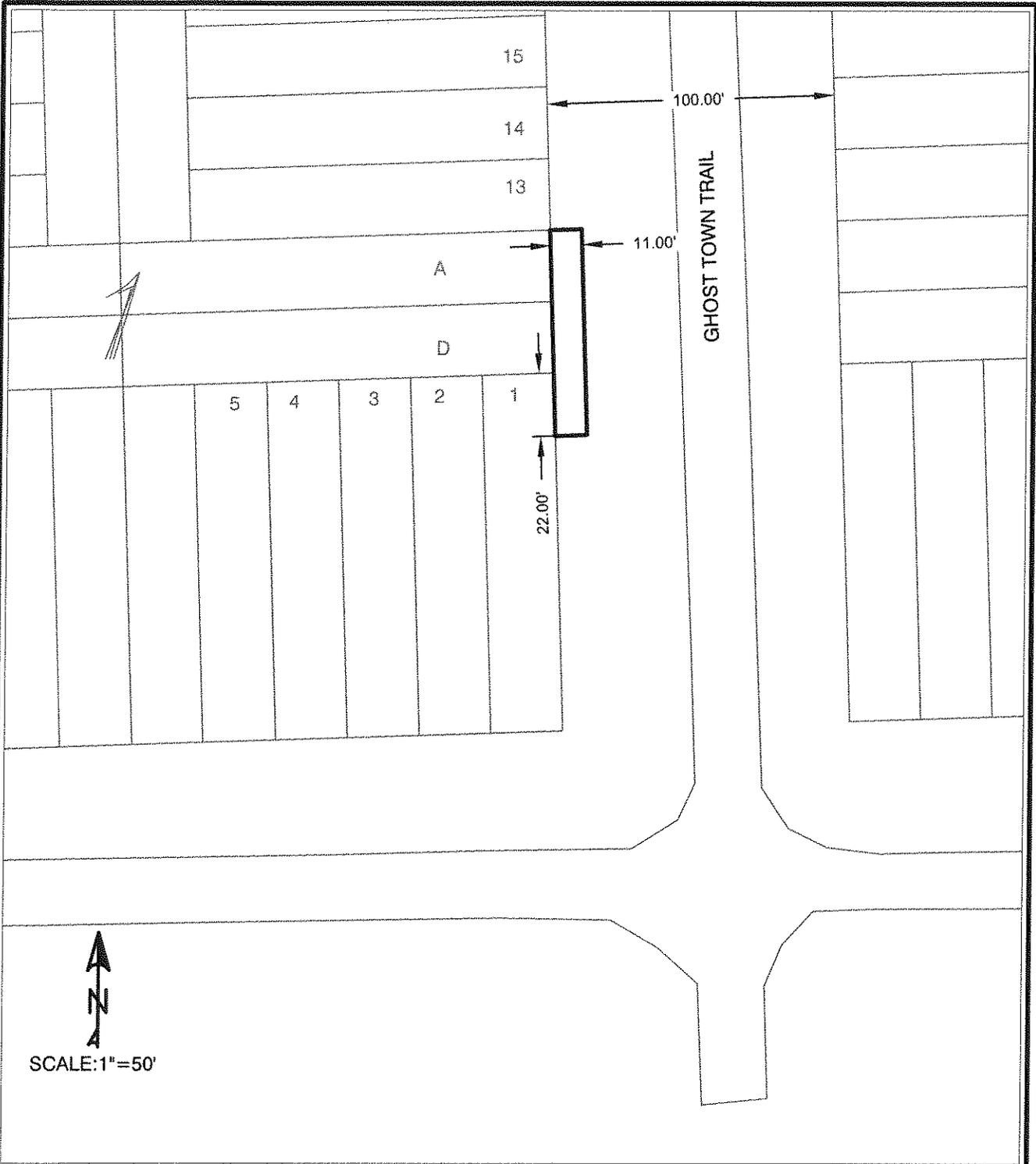
**EXHIBIT B-1**

That portion of the 100.00 foot wide right-of-way, known as Ghost Town Trail, formerly known as Willcox Avenue, according to the Amended Plat of the Bignon Tract, Maps and Plats Book 0 Page 175, as filed in the office of the County Recorder, Cochise County, Arizona, and more particularly described as follows:

The Westerly 11.00 feet of said 100.00 foot wide right-of-way adjoining the Easterly boundary of Lots A and D of Block 1 of said Bignon Tract;

AND;

The Northerly 22.00 feet of the Westerly 11.00 feet of said 100.00 foot wide right-of-way adjoining the Easterly boundary of Lot 1 of Block 1 of said Bignon Tract.



*EXHIBIT B-2*  
*VACATED RIGHT-OF-WAY*