

**RESOLUTION 13-\_\_**

**AUTHORIZING THE ABANDONMENT OF A PORTION OF THOMAS  
LANE, A PUBLIC RIGHT-OF-WAY IN ST. DAVID**

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

A portion of the Southeast quarter of Section 32, Township 17 South, Range 21 East of the Gila and Salt River Meridian, also being a portion of land dedicated for a public roadway described in Docket 541 Page 201, and reference being made to private lands described in Docket 541 Page 198, as filed in the office of the County Recorder, Cochise County, Arizona, and more particularly described as follows:

Beginning at a point that is 660.00 feet North and 1544.14 feet West of the Southeast corner of said Section 32, said point being the Southwest corner of said public roadway, said point also being the Northwest corner of said private land;

Thence East along the South line of said public roadway, a distance of 174.07 feet to the Northeast corner of said private land;

Thence North parallel to the East Section line, a distance of 33.00 feet to a point on the North line of said public roadway;

Thence West along the North line of said public roadway, a distance of 174.07 feet to the Northeast corner of said public roadway;

Thence South parallel to the East Section line, a distance of 33.00 feet to the Point of Beginning.

**WHEREAS**, the Board of Supervisors having considered all comments regarding this request at their meeting held October 8, 2013 and having determined that the public right-of-way described hereinabove is not necessary for public use as a roadway pursuant to A.R.S. § 28-7202; and

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**Re: Authorizing The Abandonment Of A Portion Of Thomas Lane, A Public Right-Of-Way In St. David**

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

**WHEREAS**, it is known that Sulphur Springs Valley Electric Co-op has a public utility interest within said right-of-way and Southwest Gas Corporation reserves an easement to serve future customers, and other unknown public utilities may also exist within said right-of-way and that any such rights-of-way are preserved therein pursuant to A.R.S. § 28-7210,

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that the petition for the abandonment as described and requested herein is hereby granted, and the public right-of-way is 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 Quit Claim Deeds vesting title in the adjacent property owners is hereby authorized pursuant to A.R.S. § 28-7205. The Chairman of the Board is hereby authorized to execute the Quit Claim Deeds 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 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 \_\_\_\_\_, 2013.

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

**ATTEST:**

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Arlthe G. Rios  
Clerk of the Board

**APPROVED AS TO FORM:**

  
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Britt W. Hanson  
Chief Civil Deputy County Attorney