

RESOLUTION 14-

**AUTHORIZING THE RELEASE OF PARCEL 104-27-200 FROM ASSURANCE
AGREEMENT OF THE RIO CORTE SUBDIVISION**

WHEREAS, a Subdivision Plat was recorded on October 25, 2007, in the Office of the Cochise County Recorder in Book 15, Page 86 and 86A of the Maps and Plats Records of Cochise County, creating the Rio Corte Subdivision; and

WHEREAS, an Assurance Agreement between Cochise County and Pioneer Title Agency, Inc., an Arizona Company, as Trustee under Trust No. 517603 for Rio Corte Lender, LLC, an Arizona limited liability company as Beneficiary of Trust No. 517603, was originally made for the completion of certain improvements for Rio Corte Subdivision, on October 4, 2007 and recorded in the Office of the Cochise County Recorder by Fee No. 2011-01982; and

WHEREAS, a substitute Assurance Agreement between Cochise County and Pioneer Title Agency, Inc., an Arizona Company, as Trustee under Trust No. 512012 for Rio Corte Lender, LLC, an Arizona limited liability company as Beneficiary of Trust No. 512012, was made for the completion of certain improvements for Rio Corte Subdivision, on January 25, 2011 and recorded in the Office of the Cochise County Recorder by Fee No. 2011-10873, on May 16, 2011; and

WHEREAS, these Agreements were made pursuant to ARS 11-806.01 in order to provide for improvements to be made upon the real property subject to the Plat; and

WHEREAS, Parcel 104-27-200, was recorded on September 5, 2007, prior to the October 25, 2007, recordation of the Rio Corte Final Plat; and

WHEREAS, the parcel does not conform to the recorded Final Plat; and

WHEREAS, the subject property cannot be developed in accordance with said Final Plat in so much as Parcel 104-27-200 does not conform to said Plat; and

WHEREAS, the parcel, having been recorded prior to recordation of the Final Plat, cannot legally be bound by terms of the Final Plat or any Assurance Agreements pertaining thereto,

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Cochise County Board of Supervisors hereby authorizes and directs release of Parcel 104-27-200 from any and all Assurance Agreements with respect to the Rio Corte Subdivision and authorizes and directs the execution and

recording of said Release as Exhibit A hereto.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona,
this _____ day of _____, 2014.

Ann English, Chairman
Cochise County Board of Supervisors

ATTEST:

ATTEST AS TO FORM:

Arlethe Rios,
Clerk of the Board

Adam Ambrose
Deputy County Attorney