

RESOLUTION 15-__

**AUTHORIZING THE ABANDONMENT OF PUBLIC RIGHTS-OF-WAY
WITHIN THE RESERVED NACO TOWNSITE**

WHEREAS, the Board of Supervisors of Cochise County, Arizona is authorized to dispose of unnecessary public roadway pursuant to A.R.S. § 28-7201 through 28-7215; and

WHEREAS, there has been presented to the Board of Supervisors, a formal request praying for the abandonment of those certain public rights-of-way, more particularly described as follows:

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

WHEREAS, the Board of Supervisors having considered all comments regarding this request at their meeting held August 20th, 2015, have determined that the public rights-of-way described herein are not necessary for public use as a roadway; and

WHEREAS, certain blocks within Naco Townsite are depicted as dashed lines within an area noted as Reserved, and it has not been determined if the original intent of certain rights-of-way within the Reserved area were proposed for future development, and further it is the intent of this action to abandon any and all rights-of-way as described herein; and

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

WHEREAS, unknown public utilities may exist within said rights-of-way.

NOW THEREFORE, IT IS HEREBY RESOLVED, that the petition for the abandonment as described and requested herein is hereby granted, and the public rights-of-way are 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 are hereby vacated and the issuance of a Quit Claim Deed vesting title in the adjacent property owner is hereby authorized pursuant to A.R.S. § 28-7205. The Chairman of the Board is hereby authorized to execute the Quit Claim Deed and all other documents to complete 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.

RESOLUTION 15-__

**Re: Authorizing The Abandonment Of Public Rights-Of-Way Within The Reserved Naco
Townsite**

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PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona,
this ____ day of _____, 2015.

Patrick Call, Chairman
Cochise County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Arlethe G. Rios,
Clerk of the Board

Britt Hanson,
Chief Civil Deputy County Attorney

EXHIBIT A

PARCEL I

That portion of those certain public rights-of-way, adjoining Reserved Blocks 56 and 81, NACO TOWNSITE, according to Book 1 of Maps and Plats at pages 138 and 139, Office of the County Recorder, Cochise County, Arizona and more particularly described as follows:

That 70.00 foot wide right-of-way adjoining the East boundary of said Reserved Block 56, and adjoining the West boundary of said Reserved Block 81, South of that 75.00 foot wide right-of-way known as Newell Street, formerly known as Sixth Street;

AND;

The West 35.00 feet of that 70.00 foot wide right-of-way adjoining the East boundary of said Reserved Block 81, South of that 75.00' wide right-of-way known as Newell Street, formerly known as Sixth Street;

AND;

That certain alleyway lying within Reserved Block 81.

PARCEL II

That 10.00 foot wide right-of-way adjoining the South boundary of said Reserved Blocks 56 and 81, and adjoining the North boundary of that 80.00 foot wide right-of-way known as El Paso & Southwestern Railway according to said NACO TOWNSITE, according to Book 1 of Maps and Plats at pages 138 and 139, Office of the County Recorder, Cochise County, Arizona, more particularly described as follows:

BEGINNING at the Southeast corner of Lot 112, Block 56, NACO TOWNSITE, said point also being the Southwest corner of that certain 16.00 foot wide alley right-of-way abandoned by Resolution 98-55, recorded in Document No. 9808-23396;

thence East 559.00 feet along the Southern boundary of Reserved Blocks 56 and 81 and 10.00 feet Northerly and perpendicular to the Northerly right-of-way of the El Paso & Southwestern Railway to the East boundary of the West 35.00 feet of that 70.00 foot wide right-of-way adjoining the East boundary of said Reserved Block 81;

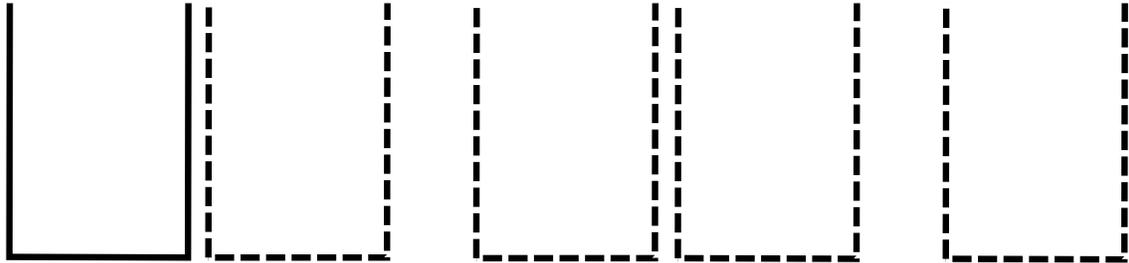
thence South 10.00 feet to the Northerly right-of-way of the El Paso & Southwestern Railway right-of-way;

thence West along said Northerly right-of-way a distance of 559.00 feet;

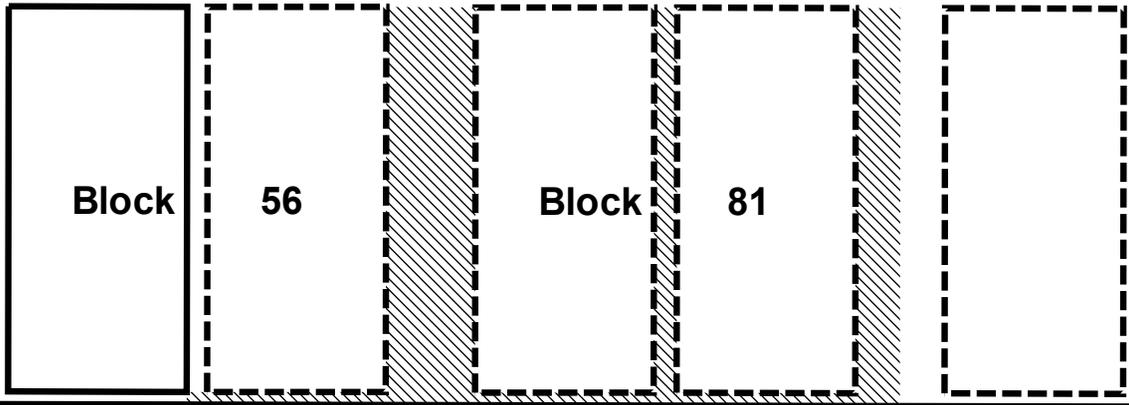
thence North 10.00 feet to the Southeast corner of Lot 112, Block 56, NACO TOWNSITE and the TRUE POINT OF BEGINNING.

EXHIBIT A-1

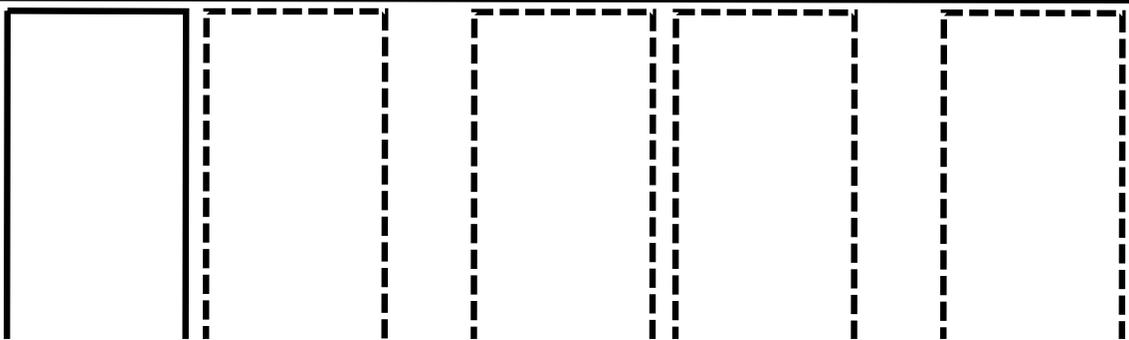
(Abandonment of public rights-of-way within Reserved Naco Townsite)



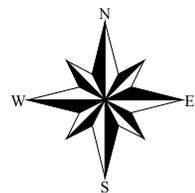
Newell Street (fka Sixth Street)



El Paso & Southwestern Railway



 **Area of Abandonment**



NTS