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10/08/2008 09:06:22 AM Receipt #: 08-6141
Rec Fee: \$0 Marion Sheppard, Bos
Gila County, Az, Sadie Tomerlin Dalton, Recorder



When recorded deliver to:

Marian Sheppard, BOS
(10/07/08)



CAPTION HEADING:

**RESOLUTION NO. 08-10-02 DISPOSING OF AN UNNECESSARY PUBLIC
ROADWAY DESCRIBED AS A PORTION OF CUL-DE-SAC OFF OF STANDAGE
DRIVE, ADJACENT TO LOT 94 & A PORTION OF LOT 95,
TONTON VILLAGE TWO, TO MICHAEL & CHANDA HARPER**

DO NOT REMOVE

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RESOLUTION NO. 08-10-02

A RESOLUTION APPROVING THE DISPOSAL OF AN UNNECESSARY PUBLIC ROADWAY DESCRIBED AS A PORTION OF CUL-DE-SAC OFF OF STANDAGE DRIVE, ADJACENT TO LOT 94 & A PORTION OF LOT 95, TONTO VILLAGE TWO, OFFICIAL MAP NO. 245, GILA COUNTY RECORDS, GILA COUNTY, ARIZONA

WHEREAS, MICHAEL J. HARPER and CHANDA S. HARPER, Husband and Wife, are the owners of the land adjoining that parcel of land hereinbefore described; and

WHEREAS, it has been determined that the disposal of the unnecessary public roadway will not leave any property without access to public roads and streets of Gila County, and is no longer necessary for public use, and the same should be granted; and

WHEREAS MICHAEL J. HARPER and CHANDA S. HARPER, Husband and Wife, agree that in consideration of the disposal of the said parcel of land and the conveyance of the ground so vacated to them as the adjoining owners, to release and discharge the COUNTY OF GILA from any and all damages, claims and demands of every kind and nature arising out of the conveyance of the same to them as the adjoining property owners; and

WHEREAS, it is to the best interest of the COUNTY OF GILA to be relieved of the obligation to maintain said parcel of land;

NOW, THEREFORE, BE IT RESOLVED by the Gila County Board of Supervisors:

Section 1: That the piece of land described herein and constituting that portion of cul-de-sac adjacent to Lot 94 and a portion of Lot 95, as shown on Tonto Village Two, Official Map No. 245, Gila County, Arizona, as described on the attached Exhibit "A", and the same is hereby, vacated and abandoned, subject, however, to all existing water, gas and utility easements now existing on said parcel of land.

Section 2: That the Chairman of the said Board of Supervisors, be, and he is hereby authorized, empowered and directed to make, execute and deliver in the name and under the seal of the COUNTY OF GILA, a quit claim deed conveying MICHAEL J. HARPER and CHANDA S. HARPER, Husband and Wife, as owners of the adjacent property, that parcel of land hereinbefore described, and to cause said Deeds to be attested and the seal of the said COUNTY OF GILA to be affixed thereto by the Clerk of the said Supervisors.

PASSED AND ADOPTED this 7th day of October 2008.



ATTEST:

Steven L. Besich
Steven L. Besich, Clerk of the Board

GILA COUNTY BOARD OF SUPERVISORS:

José M. Sanchez
José M. Sanchez, Chairman of the Board

APPROVED AS TO FORM:

Bryan Chambers
Bryan Chambers, Chief Deputy County Attorney



EXHIBIT "A"
VACATION DESCRIPTION
Portion of Unnamed Cul-de-sac
Adjacent to Lot 94 and portion of Lot 95
TONTO VILLAGE 2, Plat Map No. 245

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Job No. GC2008-39

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A parcel of land being a portion of the unnamed cul-de-sac adjacent to lot 93, as shown on Tonto Village 2, Official Plat Map Number 245, Gila County Records, being a subdivision of a part of Homestead Entry Survey No. 132, Gila County, Arizona, having a boundary more particularly described as follows;

Commencing for a tie at Corner No. 2 of Homestead Entry Survey No. 132, from which Corner No. 6 of said Homestead bears N.29° 43' 57" E., 679.30 feet,

THENCE N. 29° 43' 57" E., 561.90 feet to the southerly Right of way line of Standage Drive as shown on previously mentioned Plat No. 245;

THENCE S. 71° 52' 09" E., 312.06 feet, more or less, to the intersection of the centerline of the unnamed cul-de-sac adjacent to lots 93, 94, 95 and 96 and the southerly Right of way line of Standage Drive as shown on previously mentioned Plat;

THENCE S. 18° 07' 51" W., 71.00 feet along said centerline to radius point of cul-de-sac, and the POINT OF BEGINNING;

THENCE N. 88° 59' 49" W. (calculated), 35.00 feet to the northeast corner of said lot 94 and the beginning of a non-tangent curve concave to the northeast;



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THENCE 64.57 feet (calculated) along the arc of said curve to the left, having a radius of 35.00 feet (record), a central angle of 105° 36' 32" (calculated) to the beginning of a non-radial line;

THENCE N. 14° 36' 21" W., 35.00 feet (record) to the POINT OF BEGINNING, having an area of 1,129 square feet, or 0.026 acres, more or less.

SUBJECT TO: Arizona Revised Statute § 28-7210 all Rights of way or easements of 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 disposal or vacation thereof.