When recorded,
return to:
Marian Sheppard, BOS
(9/29/09 #11)

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10/02/2009 03:05:10 PM Receipt #: 09-6496
Rec Fee: $0 Bos
Gila County, Az, Sadie Tomerlin Dalton, Recorder

RESOLUTION NO. 09-09-05

A RESOLUTION APPROVING THE DISPOSAL OF AN UNNECESSARY PUBLIC ROADWAY BEING A PORTION OF CHRISTOPHER CREEK LOOP (OLD STATE HIGHWAY 260) AND MORE PARTICULARLY DESCRIBED AS PARCEL "260-A" OF RECORD OF SURVEY MAP NUMBER 3744, GILA COUNTY RECORDS, GILA COUNTY, ARIZONA

WHEREAS, DALE S. ASHBY and NANCY A. ASHBY, 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, DALE S. ASHBY and NANCY A. ASHBY, 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 owner, 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 portion of land described herein and constituting that portion of Christopher Creek Loop (Old State Highway 260) and more particularly described as Parcel "260-A" of Record of Survey Map Number 3744, Gila County Records, Gila County, Arizona, 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 she 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 DALE S. ASHBY and NANCY A. ASHBY, husband and wife, as owners of the adjacent property, that parcel of land hereinbefore described, and to cause said Deed to be attested and the seal of the said COUNTY OF GILA to be affixed thereto by the Clerk of the said Supervisors.

The above described quit claim deed and legal description are attached for informational purposes only and will be recorded as a separate document

PASSED AND ADOPTED this 29th day of September 2009.

GILA COUNTY BOARD OF SUPERVISORS:

Shirley L. Dawson

Shirley L. Dawson, Chairman of the Board

ATTEST:

Marian Sheppard Chief Deputy Clerk

for Steven L. Besich, Clerk of the Board

APPROVED AS TO FORM:

Bryan Chambers, Chief Deputy County Attorney

When recorded return to:
Gila County Engineering Services
1400 East Ash Street
Globe, Arizona 85501

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: for the consideration of Ten Dollars ($10.00), and other valuable considerations, **GILA COUNTY, a BODY POLITIC,** does hereby release, remise, and forever quitclaim unto **DALE S. ASHBY and NANCY A. ASHBY**, the Releasee, with all rights, title and interest in that certain Real Property situated in Gila County, State of Arizona, and legally described as follows:

See Exhibit "A" attached and made part hereof

Exempt per A. R. S. section 11-1134 A-3

Dated this 29th day of September 2009

Approved:

Shirley L. Dawson

Shirley L. Dawson, Chairman
Gila County Board of Supervisors

Attest:

for Marian Sheppard, Chief Deputy Clerk

Steven L. Besich,
Clerk of the Board of Supervisors

STATE OF (ARIZONA)
) ss.
COUNTY OF (GILA)

ACKNOWLEDGMENT

On this 29th day of September, 2009, before me, the undersigned Notary Public, personally appeared Shirley L. Dawson, Chairman of the Gila County Board of Supervisors, and Steven L. Besich, Clerk of said Board, known to me to be the individuals who executed the foregoing instrument and acknowledged the same to be their free act and deed.

WITNESS my hand and official seal.

Stacey C. Espinoza

My Commission Expires:

Notary Public

STACEY C. ESPINOZA
Notary Public - Arizona
Gila County
My Comm. Expires Mar 29, 2010

EXHIBIT "A"
VACATION OF OLD STATE ROUTE 260 RIGHT-OF-WAY
(CHRISTOPHER CREEK LOOP)
LEGAL DESCRIPTION

Job No. 2008-15

A parcel of land being a portion of that property described in Docket 717, page 477, rerecorded in Docket 718, page 209 being situate in the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 30 and the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section 30, Township 11 North, Range 13 East, Gila and Salt River Meridian, Gila County, Arizona, having a boundary more particularly described as follows;

Commencing for a tie at the NE-NW 1/64 corner of said Section 30, said point being a U.S.D.A. aluminum cap stamped LS 14220, from which the C-N-N 1/64 corner stamped LS 14220 of said Section 30 bears S. 89° 38' 42" E., a distance of 657.45 feet;

THENCE S. 00° 03' 30" W., 242.43 feet to a 1/2" open pipe with tag stamped LS 18436 on the North right-of-way line of old State Route 260, also known as the Christopher Creek Loop, said point being on a non-tangent curve, concave to the North and the POINT OF BEGINNING;

THENCE 392.00 feet along said curve to the left, having a radius of 1700.00 feet, with a central angle of 13° 12' 42", whose chord bears N. 82° 43' 02" E., 391.13 feet to a aluminum cap stamped LS 21780 marking the beginning of a spiral curve;

THENCE along spiral curve whose chord bears N. 74° 22' 39" E., 164.56 feet to a 6" X 6" concrete monument with brass pin;

THENCE continuing along said North right-of-way line of old State Route 260, also known as the Christopher Creek Loop, N. 73° 26' 27" E., 502.33 feet to a 1/2" open pipe with tag stamped LS 16520;

THENCE S. 89° 48' 00" E., 233.12 feet, departing said North right-of-way to a 5/8" rebar with 2" Aluminum cap stamped Land Surveying Services., RLS 25089 (set);

THENCE S. 74° 00' 40" W., 725.59 feet to a 5/8" rebar with 2" Aluminum cap stamped Land Surveying Services., RLS 25089 (set);

THENCE S. 81° 13'14" W., 167.95 feet to a 5/8" rebar with 2" Aluminum cap stamped Land Surveying Services., RLS 25089 (set) and the beginning of a tangent curve to the right;

THENCE 401.96 feet along said curve to the right, having a radius of 1740.00 feet, with a central angle of 13° 14' 10", to a 5/8" rebar with 2" Aluminum cap stamped Land Surveying Services., RLS 25089 (set);

THENCE N. 00° 23' 30" E., 40.01 feet to the POINT OF BEGINNING, having an area of 1.442 acres, more or less.

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