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Marian Sheppard, BOS
(9/29/09 #13)

2009-011770 RESL Page: 1 of 5
10/02/2009 03:05:10 PM Receipt #: 09-6496
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Gila County, Az, Sadie Tomerlin Dalton, Recorder



RESOLUTION NO. 09-09-07

A RESOLUTION APPROVING THE DISPOSAL OF AN UNNECESSARY PUBLIC ROADWAY BEING A PORTION OF NELLIE DRIVE, EAST VERDE PARK, OFFICIAL MAP NO. 144 AND MORE PARTICULARLY DESCRIBED AS SHADED AREA "A" and SHADED AREA "B" OF RECORD OF SURVEY MAP NUMBER 3759, GILA COUNTY RECORDS, GILA COUNTY, ARIZONA

WHEREAS, GERALD J. KOESSLER and NANCY M. KOESSLER, 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, GERALD J. KOESSLER and NANCY M. KOESSLER, 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 Nellie Drive, East Verde Park, Official Map No. 144 and more particularly described as Shaded Area "A" and Shaded Area "B" of Record of Survey Map Number 3759, 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 GERALD J. KOESSLER and NANCY M. KOESSLER, 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

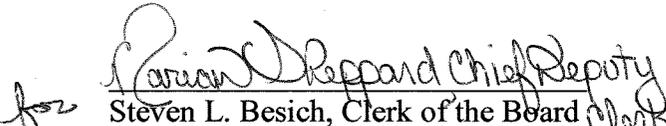
PASSED AND ADOPTED this 29th day of September 2009.

GILA COUNTY BOARD OF SUPERVISORS:


Shirley L. Dawson, Chairman of the Board

ATTEST:

APPROVED AS TO FORM:


Steven L. Besich, Clerk of the Board


Bryan Chambers, Chief Deputy County Attorney



**LEGAL DESCRIPTION
AREA "A"**

A portion of Nellie Drive adjacent to Lot 155, East Verde Park, Map No. 144, Gila County Records. Located in Indian Allotment Survey No. 656, embraced by Section 17, 18 and 19, Township 11 North, Range 10 East, of the Gila and Salt River Meridian, Gila County, Arizona, more particularly described as follows:

BEGINNING at the Northeast Corner of said Lot 155, being a ½" rebar with brass tag stamped L.S. 24516;

Thence: N 60°07'15" E Measured (N 60°00'00" E Record), 20.44 feet along the Northwesterly line of said East Verde Park to the centerline of said Nellie Drive being a ½" rebar with brass tag stamped L.S. 24516;

Thence: S 12°54'22" W Measured (S 12°47'00" W Record), leaving said Northwesterly line along said centerline, a distance of 67.92 feet to a ½" rebar with brass tag stamped L.S. 24516;

Thence: N 77°06'33" W leaving said centerline to a point on the Westerly Right-of-Way line of said Nellie Drive;

Thence: N 12°55'23" E Measured (N 12°47'00" E Record) along said Westerly Right-of-Way, 54.04 feet to the **POINT OF BEGINNING**.

Encloses 915.37 SQ. FT., 0.02 Acres More or Less.



EXPIRES 12/31/2009



**LEGAL DESCRIPTION
AREA "B"**

A portion of Nellie Drive adjacent to Lot 78, East Verde Park, Map No. 144, Gila County Records. Located in Indian Allotment Survey No. 656, embraced by Section 17, 18 and 19, Township 11 North, Range 10 East, of the Gila and Salt River Meridian, Gila County, Arizona, more particularly described as follows:

BEGINNING at the Northwest Corner of said Lot 78, being a ½" iron pipe;

Thence: S 12°53'27" W, 81.80 feet Measured (S 12°47'00" W, 81.81 feet Record) along the Easterly Right-of-Way line of said Nellie Drive feet to the Southwest Corner of said Lot 78, being a ½" iron pipe;

Thence: N 77°06'33" W leaving said Easterly Right-of-Way line, 15.02 feet to the centerline of said Nellie Drive, being a ½" rebar with brass tag stamped L.S. 24516;

Thence: N 12°54'22" E Measured (S 12°47'00" W Record), along said centerline, a distance of 67.92 feet to a point on the Northwesterly Boundary line of said East Verde Park, being a ½" rebar with brass tag stamped L.S. 24516;

Thence: N 60°07'15" E Measured (N 60°00'00" E Record), 20.44 feet along said Northwesterly line to the **POINT OF BEGINNING**;

Encloses 1,123.64 SQ. FT., 0.03 Acres More or Less.



EXPIRES 12/31/2009

