

**RESOLUTION 2017-25**

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, ABANDONING WHATEVER RIGHT, TITLE, OR INTEREST IT HAS IN THE CERTAIN GENERAL PUBLIC AND PEDESTRIAN ACCESS EASEMENTS LOCATED IN TRACTS A1 AND A2 (THE PRIVATE ROADWAY TRACTS) OF THE DIAMANTE DEL LAGO PLAT, AS RECORDED IN BOOK 516, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA, WITH STIPULATIONS. (EA 2017-03)

WHEREAS, the Mayor and Council of the Town of Fountain Hills (the "Town Council"), as the governing body of real property located in the Town of Fountain Hills (the "Town"), may require the dedication of public streets, sewer, water, drainage, and other utility easements or rights-of-way within any proposed subdivision; and

WHEREAS, the Town Council has the authority to accept or reject offers of dedication of private property by easement, deed, subdivision, plat or other lawful means; and

WHEREAS, all present utility companies have received notification of the proposed abandonment.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, as follows:

SECTION 1. That a portion of the certain General Public and Pedestrian Access Easements located in Tracts A1 and A2 (the private roadway tracts) of the Diamante del Lago Plat, as recorded in Book 516, Page 17, records of Maricopa County, Arizona, and as more particularly described in Exhibit A, attached hereto and incorporated herein by reference, are hereby declared to be abandoned by the Town. Certain lots within this subdivision are subject to lot-to-lot drainage runoff. The property owner is required to pass the developed flows generated by the upstream lots across their property.

SECTION 2. That this Resolution is one of abandonment and disclaimer by the Town solely for the purpose of removing any potential cloud on the title to said property and that the Town in no way attempts to affect the rights of any private party to oppose the abandonment or assert any right resulting there from or existing previous to any action by the Town.

**PASSED AND ADOPTED BY the Mayor and Council of the Town of Fountain Hills, December 5, 2017.**

**FOR THE TOWN OF FOUNTAIN HILLS:**

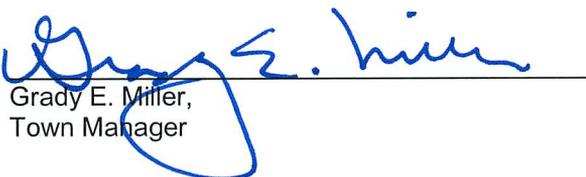
**ATTESTED TO:**

  
Linda M. Kavanagh, Mayor

  
Bevelyn J. Bender, Town Clerk

**REVIEWED BY:**

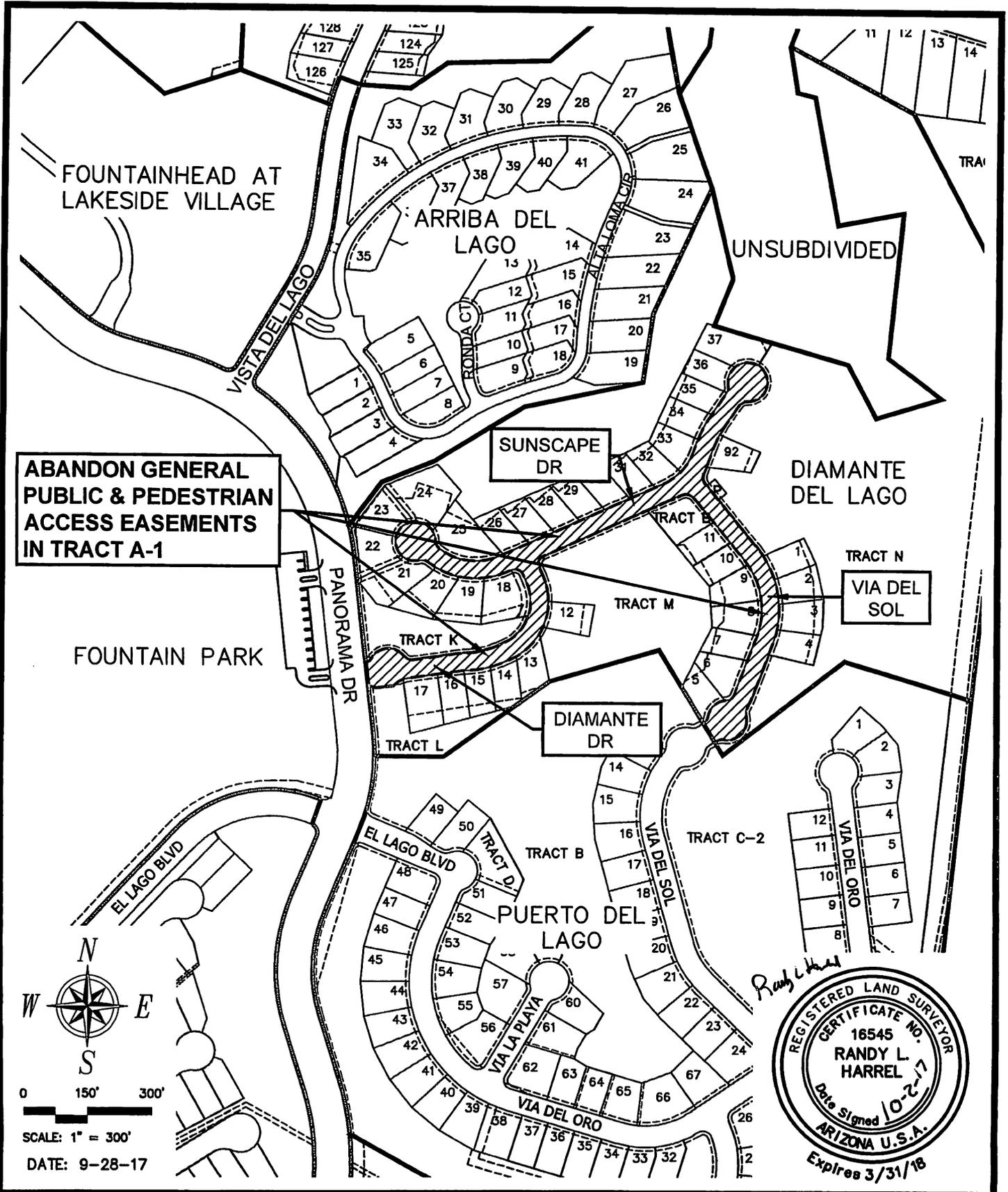
**APPROVED AS TO FORM:**

  
Grady E. Miller,  
Town Manager

  
Fredda J. Bisman, DickinsonWright PLLC  
Interim Town Attorney

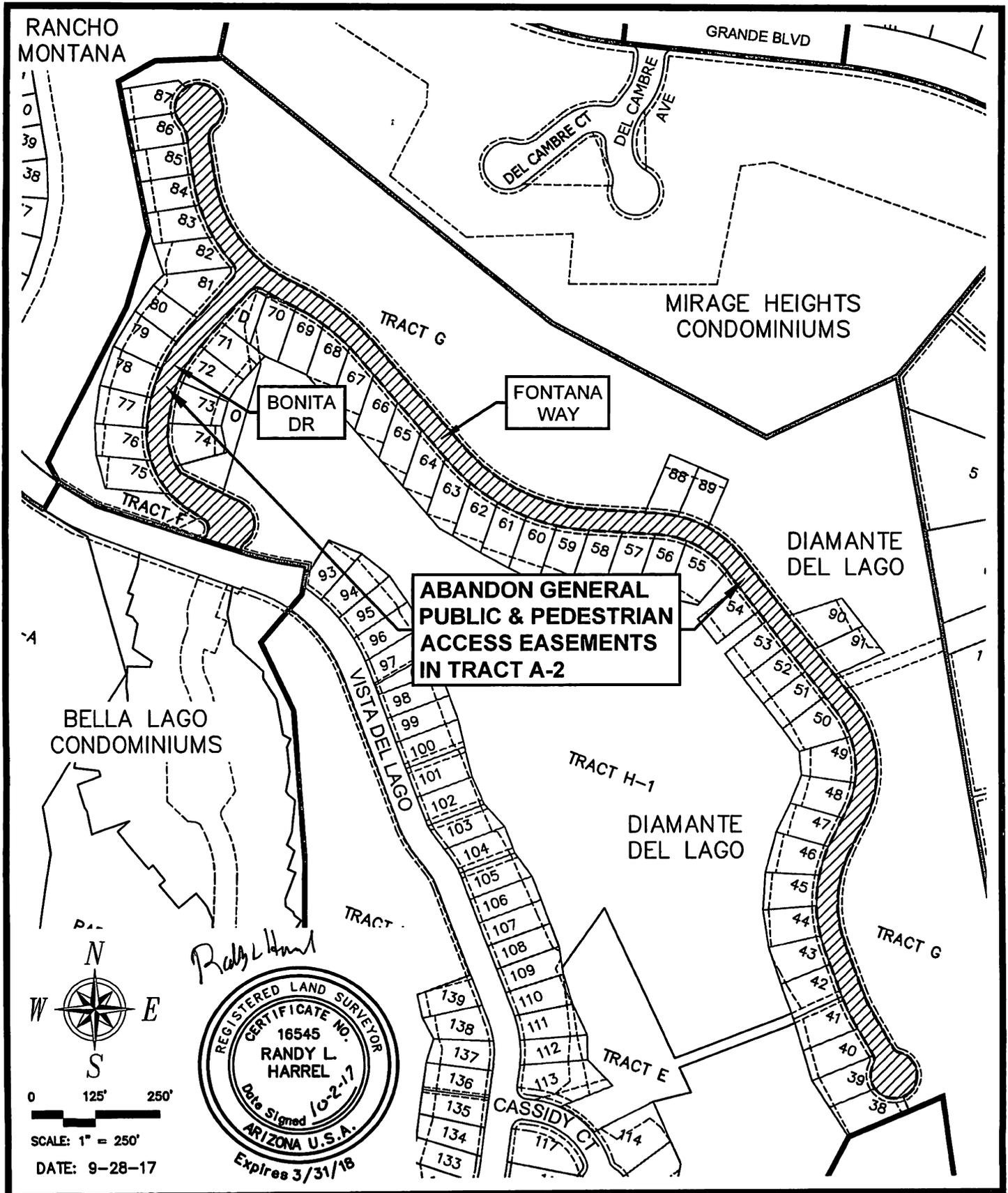
TOWN OF FOUNTAIN HILLS  
EASEMENT ABANDONMENT  
EXHIBIT "A", SHEET 1 OF 2

DIAMANTE DEL LAGO FINAL PLAT (BOOK 516, PAGE 17)



TOWN OF FOUNTAIN HILLS  
EASEMENT ABANDONMENT  
EXHIBIT "A", SHEET 2 OF 2

DIAMANTE DEL LAGO FINAL PLAT (BOOK 516, PAGE 17)



RANCHO MONTANA

GRANDE BLVD

DEL CAMBRE CT  
DEL CAMBRE AVE

MIRAGE HEIGHTS  
CONDOMINIUMS

BONITA  
DR

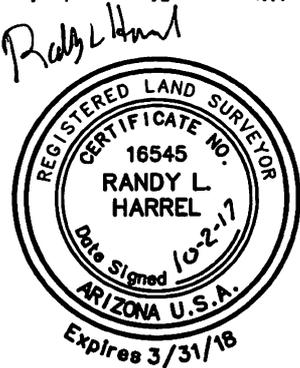
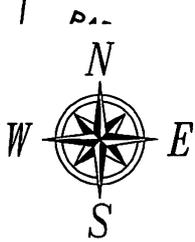
FONTANA  
WAY

**ABANDON GENERAL  
PUBLIC & PEDESTRIAN  
ACCESS EASEMENTS  
IN TRACT A-2**

DIAMANTE  
DEL LAGO

BELLA LAGO  
CONDOMINIUMS

DIAMANTE  
DEL LAGO



SCALE: 1" = 250'  
DATE: 9-28-17