

Town of Fountain Hills  
16705 E. Avenue of the Fountains  
Fountain Hills, AZ 85268

Development Services Department

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**OFFICIAL RECORDS OF  
MARICOPA COUNTY RECORDER  
ADRIAN FONTES  
20180671000 09/05/2018 4:24 PM  
ELECTRONIC RECORDING  
RES201850-3-1-1--N**

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**RESOLUTION 2018-50**

**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 NORTHERLY PORTION OF THE 10' PUBLIC UTILITY AND DRAINAGE EASEMENT, BUT RETAINING THE SOUTHERLY 30' OF SAID EASEMENT, OF PLAT 204, BLOCK 1, LOT 8, FOUNTAIN HILLS, ARIZONA, AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 142, PAGE 10 OF MAPS.**

**DO NOT REMOVE  
This is part of the official document**



RESOLUTION 2018-50

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 NORTHERLY PORTION OF THE 10' PUBLIC UTILITY AND DRAINAGE EASEMENT, BUT RETAINING THE SOUTHERLY 30' OF SAID EASEMENT, OF PLAT 204, BLOCK 1, LOT 8, FOUNTAIN HILLS, ARIZONA, AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 142, PAGE 10 OF MAPS.

RECITALS:

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.

ENACTMENTS:

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

SECTION 1. That the northerly portion of the ten foot (10') public utility and drainage easement, but retaining the southerly thirty foot (30') of said easement, of Plat 204, Block 1, Lot 8, Fountain Hills, as recorded the Office of the County Recorder of Maricopa County, Arizona, Book 142 of Maps, Page 10, 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.

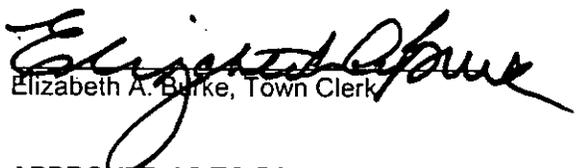
SECTION 2. That this Resolution is one of abandonment and disclaimer by the Town solely for the purpose of removing any potential cloud on the title to said property and that the Town in no way attempts to affect the rights of any private party to oppose the abandonment or assert any right resulting 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, September 4, 2018.

FOR THE TOWN OF FOUNTAIN HILLS:

  
Linda M. Kavanaugh, Mayor

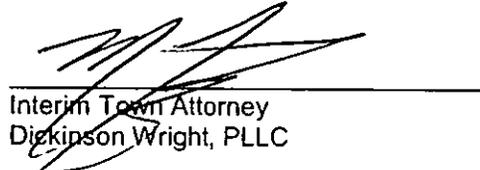
ATTESTED TO:

  
Elizabeth A. Burke, Town Clerk

REVIEWED BY:

  
Grady E. Miller, Town Manager

APPROVED AS TO FORM:

  
Interim Town Attorney  
Dickinson Wright, PLLC

TOWN OF FOUNTAIN HILLS  
 EASEMENT ABANDONMENT  
 EXHIBIT "A"  
 PLAT 204, BLOCK 1, LOT 8

