

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
20180715525 09/24/2018 11:28 PM
ELECTRONIC RECORDING
RES201851-2-1-1--N**

RESOLUTION 2018-51

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, ABANDONING WHATEVER RIGHT, TITLE, OR INTEREST IT HAS IN A 10' PUBLIC UTILITY AND DRAINAGE EASEMENT LOCATED AT THE REAR OF PLAT 604-A, BLOCK 4, LOT 13, (15129 EAST PALOMINO DRIVE), FOUNTAIN HILLS, ARIZONA, AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 165, PAGE 16 OF MAPS.

DO NOT REMOVE

This is part of the official document



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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 10' public utility and drainage easement located at the rear line of Plat 604-A, Block 4, Lot 13, Fountain Hills, as recorded the Office of the County Recorder of Maricopa County, Arizona, Book 165 of Maps, Page 16, 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, on September 18, 2018.

FOR THE TOWN OF FOUNTAIN HILLS:


Linda M. Kavanagh, Mayor

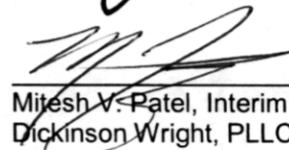
REVIEWED BY:


Grady E. Miller, Town Manager

ATTESTED TO:


Elizabeth Burke, Town Clerk

APPROVED AS TO FORM:


Mitesh V. Patel, Interim Town Attorney
Dickinson Wright, PLLC