

Town of Fountain Hills I  
16705 E. Avenue of the Fountains I  
Fountain Hills, AZ 85268 I  
I  
Development Services Department I  
I

---

**RESOLUTION 2019-20**

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 10' PUBLIC UTILITY AND DRAINAGE EASEMENT LOCATED AT THE REAR PROPERTY LINE OF PLAT 431, BLOCK 5, LOT 16, FOUNTAIN HILLS, ARIZONA, AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 151, OF MAPS, PAGE 43.

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



RESOLUTION 2019-20

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 10' PUBLIC UTILITY AND DRAINAGE EASEMENT LOCATED AT THE REAR PROPERTY LINE OF PLAT 431, BLOCK 5, LOT 16, FOUNTAIN HILLS, ARIZONA, AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 151, OF MAPS, PAGE 43

**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:**

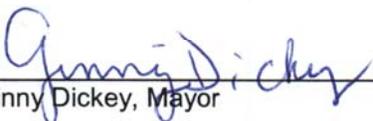
NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, as follows:

SECTION 1. That the certain public utility and drainage easement, located at the rear property line of Plat 431, Block 5, Lot 16 (17336 E. El Pueblo Blvd.) Fountain Hills, as recorded the Office of the County Recorder of Maricopa County, Arizona, Book 151, of Maps, Page 43, are hereby declared to be abandoned by the Town as shown in Exhibit A. 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.

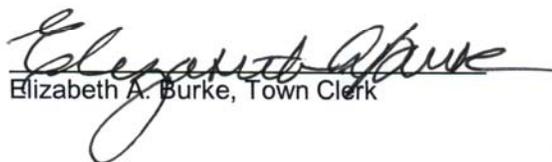
SECTION 2. That this Resolution is one of abandonment and disclaimer by the Town solely for the purpose of removing any potential cloud on the title to said property and that the Town in no way attempts to affect the rights of any private party to oppose the abandonment or assert any right resulting 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, this 2<sup>nd</sup> day of April, 2019.

**FOR THE TOWN OF FOUNTAIN HILLS:**

  
\_\_\_\_\_  
Ginny Dickey, Mayor

**ATTESTED TO:**

  
\_\_\_\_\_  
Elizabeth A. Burke, Town Clerk

**REVIEWED BY:**

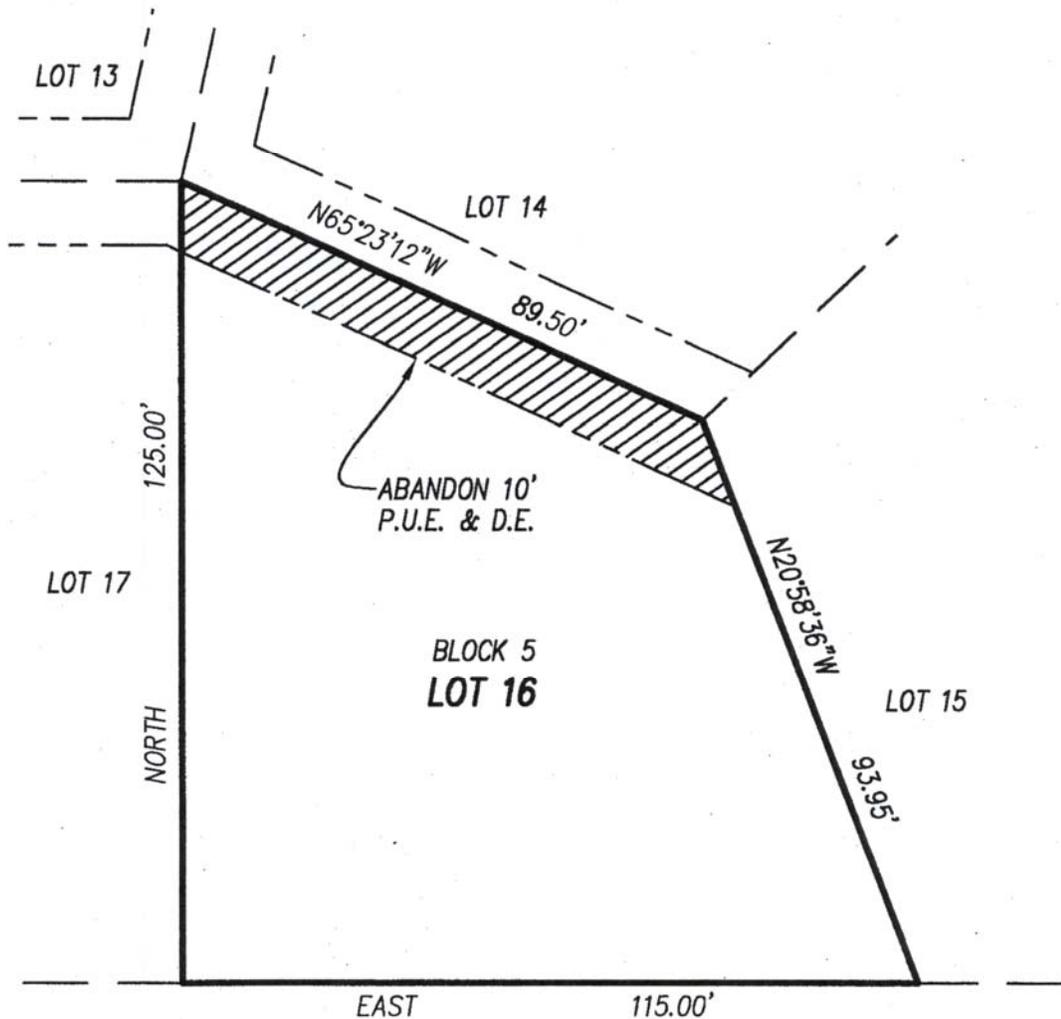
  
\_\_\_\_\_  
Grady E. Miller, Town Manager

**APPROVED AS TO FORM:**

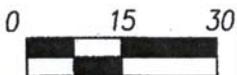
  
\_\_\_\_\_  
Aaron D. Arnsen, Town Attorney

TOWN OF FOUNTAIN HILLS  
EASEMENT ABANDONMENT  
EXHIBIT "A"

FOUNTAIN HILLS PLAT NO. 431, BLOCK 5, LOT 16



EAST EL PUEBLO BOULEVARD



SCALE: 1" = 30'

DATE: 11/21/18



EXPIRES 6/30/20