

RESOLUTION 2019-30

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 HILLSIDE PROTECTION EASEMENT LOCATED AT THE REAR OF LOT 32A OF THE RE-PLAT "FINAL PLAT OF BLOCK 2, LOTS 32A AND 32B...PLAT 505-A" (15813 EAST TEPEE DRIVE) AS RECORDED IN BOOK 515, PAGE 23, RECORDS OF MARICOPA COUNTY, ARIZONA (EA 2018-18)

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:

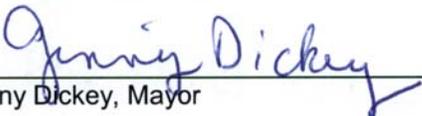
NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, as follows:

SECTION 1. That the certain hillside protection easement, at the rear of Lot 32A of the re-plat "Final Plat of Block 2, Lots 32A and Lots 32B...Plat 505-A" (15813 East Tepee Drive), Fountain Hills, as recorded the Office of the County Recorder of Maricopa County, Arizona, Book 515 of Maps, Page 23, 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.

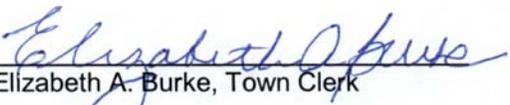
PASSED AND ADOPTED by the Mayor and Council of the Town of Fountain Hills, this 7th day of May, 2019.

FOR THE TOWN OF FOUNTAIN HILLS:



Ginny Dickey, Mayor

ATTESTED TO:



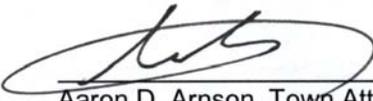
Elizabeth A. Burke, Town Clerk

REVIEWED BY:



Grady E. Miller, Town Manager

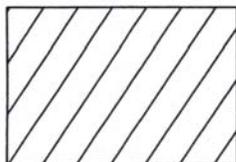
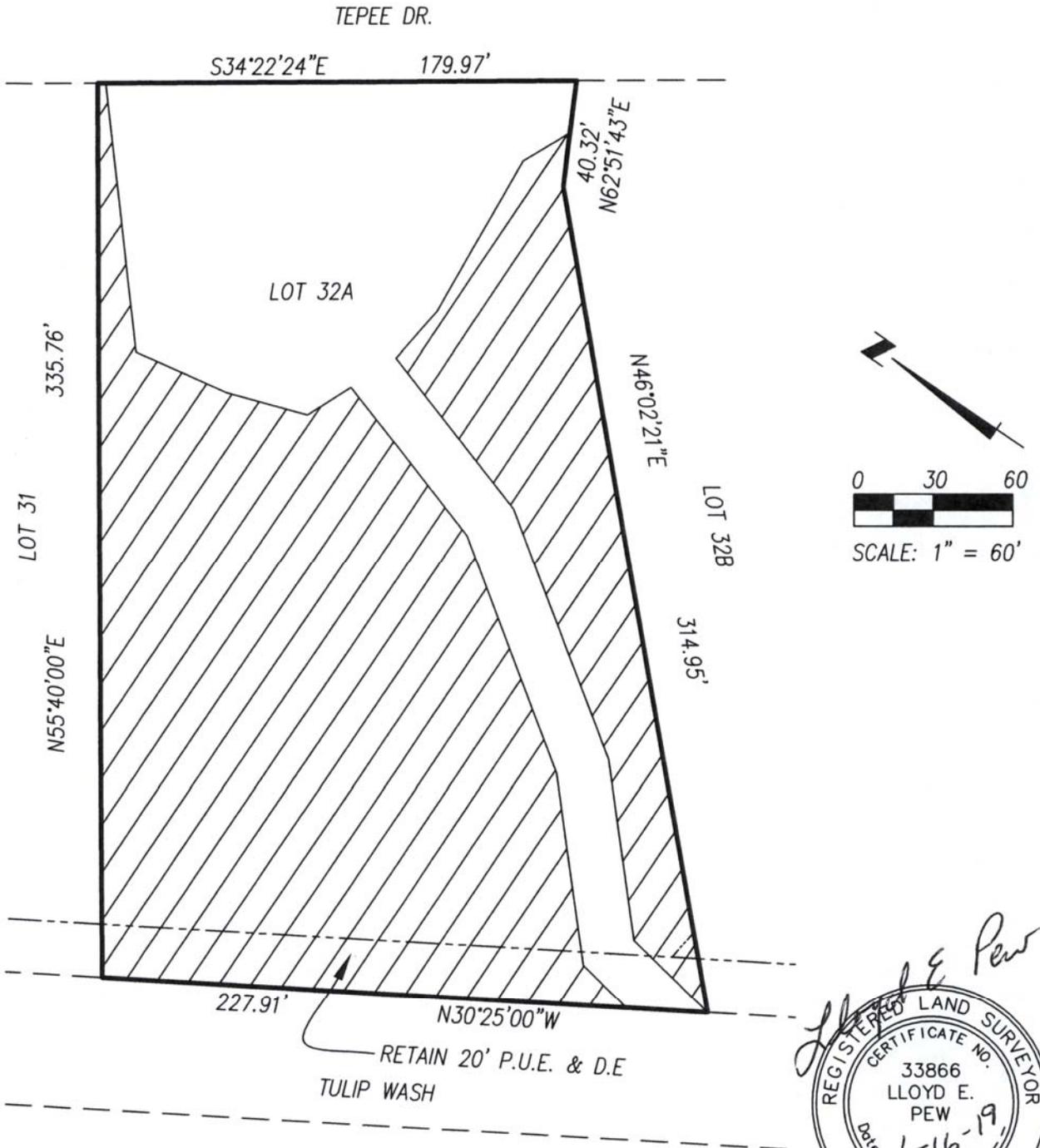
APPROVED AS TO FORM:



Aaron D. Arnson, Town Attorney

**TOWN OF FOUNTAIN HILLS
EASEMENT ABANDONMENT
EXHIBIT "A"**

LOT 32A OF REPLAT OF LOT 32 505A, MCR 515-23



DENOTES EASEMENT ABANDONMENT
HILLSIDE PROTECTION EASEMENT AS SHOW ON
LOT 32A OF REPLAT OF LOT 32, BLOCK 2, FINAL
PLAT 505-A, BOOK 515 OF MAPS. PAGE 23.



EXPIRES 6/30/20