

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

Development Services Department

I  
I  
I  
I  
I  
I

**OFFICIAL RECORDS OF  
MARICOPA COUNTY RECORDER  
ADRIAN FONTES  
20190234244, 04/03/2019 4:12  
RES201913T-3-1-1--,N  
ELECTRONIC RECORDING**

---

**RESOLUTION 2019-13**

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 AND ABANDONMENT OF A PORTION OF THE 20' PUBLIC UTILITY AND DRAINAGE EASEMENT AT THE NORTHERLY SIDE PROPERTY LINE OF PLAT 428, BLOCK 2, LOT 59, FOUNTAIN HILLS, ARIZONA, AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 155 OF MAPS, PAGE 19.

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



RESOLUTION 2019-13

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 AND ABANDONMENT OF A PORTION OF THE 20' PUBLIC UTILITY AND DRAINAGE EASEMENT AT THE NORTHERLY SIDE PROPERTY LINE OF PLAT 428, BLOCK 2, LOT 59, FOUNTAIN HILLS, ARIZONA, AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 155 OF MAPS, PAGE 19

**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 portions of the certain public utility and drainage easement, located at the rear and northerly side property lines of Plat 428, Block 2, Lot 59 (15013 N. Tanglewood Court) Fountain Hills, as recorded the Office of the County Recorder of Maricopa County, Arizona, Book 155 of Maps, Page 19, 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

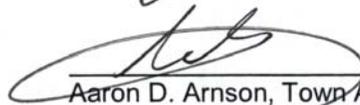
**REVIEWED BY:**

  
Grady E. Miller, Town Manager

**ATTESTED TO:**

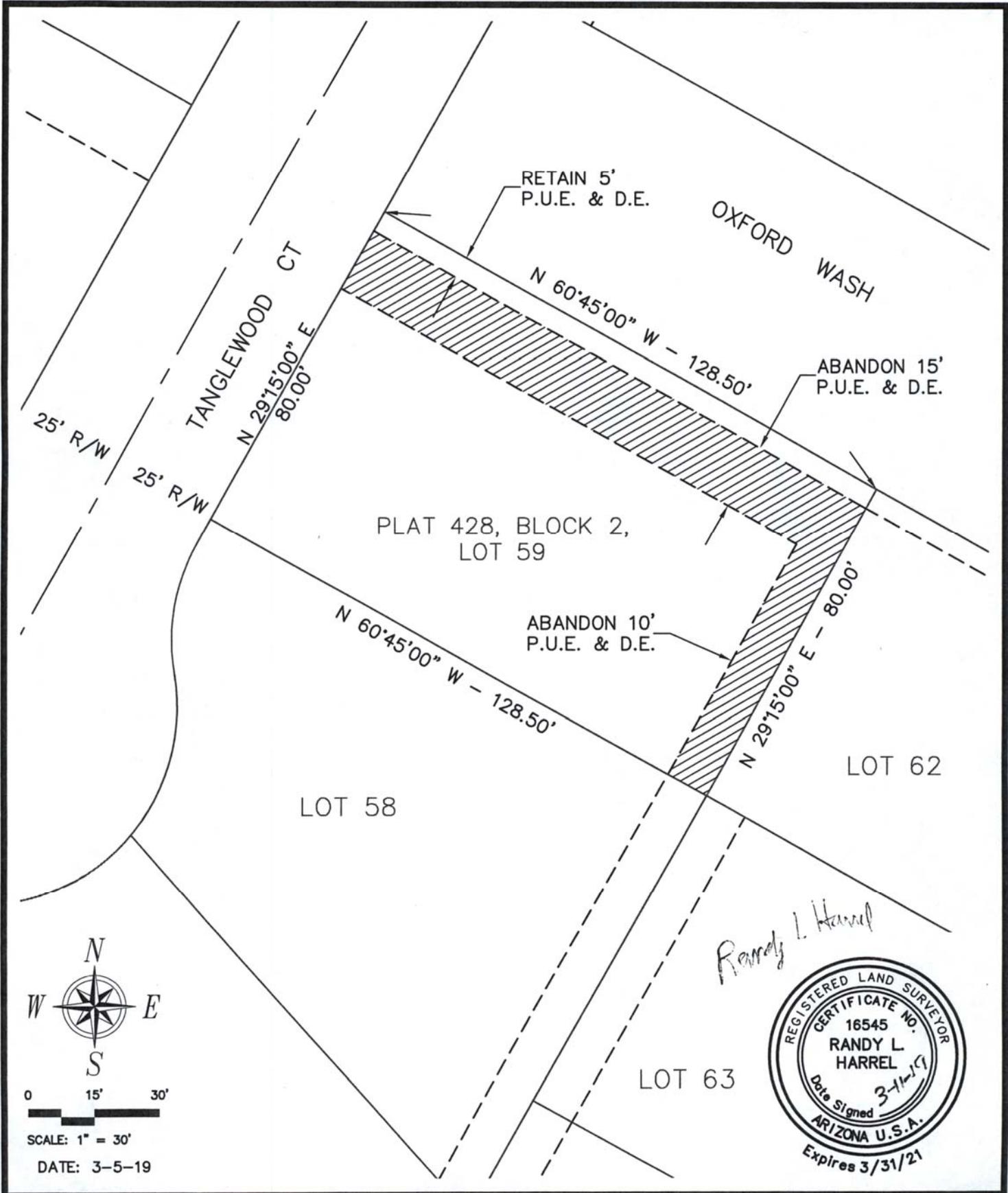
  
Elizabeth A. Burke, Town Clerk

**APPROVED AS TO FORM:**

  
Aaron D. Arnson, Town Attorney

TOWN OF FOUNTAIN HILLS  
EASEMENT ABANDONMENT  
EXHIBIT "A"

PLAT 428, BLOCK 2, LOT 59



SCALE: 1" = 30'  
DATE: 3-5-19

