

RESOLUTION NO. 2015-05

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA APPROVING AN INSTRUMENT OF RELEASE AND RECONVEYANCE OF AN EMERGENCY ACCESS EASEMENT ON TRACT A, OF THE MARKETPLACE/FLAGSTAF AUTO PARK

RECITALS:

WHEREAS, FLAGSTAFF MOTOR COMPANY, an Arizona Corporation ("Owner"), and the City of Flagstaff have entered into an Agreement and Release whereby Owner makes certain agreements, representations and warranties in exchange for a for a release and reconveyance of an emergency access easement, Tract A of the Final Plat of the Marketplace/Flagstaff Auto Park which is recorded in the Coconino County Records as document 3430462, ("Easement") granted to the City by Owner's predecessor in interest; and

WHEREAS, the portion of the Easement affected is described in the instruments attached to the staff summary for this Resolution and entitled Release and Reconveyance of Emergency Access Easement ("Release"); and

WHEREAS, the City has determined that a release and reconveyance of the Easement will not adversely affect emergency access; and

WHEREAS, the City desires to release and reconvey the Easement described in the Release.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. That the Release and Reconveyance of Emergency Access Easement on Tract of the Marketplace/Flagstaff Auto Park is hereby approved.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this 3rd day of March, 2015.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY