

RESOLUTION No. 2013-28

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF,
ARIZONA, APPROVING AN INSTRUMENT OF PARTIAL RELEASE AND
PARTIAL RECONVEYANCE OF A VEHICULAR NON-ACCESS EASEMENT
ON LOT 29A, WOODLANDS VILLAGE UNIT 3**

RECITALS:

WHEREAS, Campus Park Flagstaff, Ltd., a Texas limited partnership (“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 partial release and partial reconveyance of a portion of one-foot non-vehicular access easements, as well as the 17.5 foot buffer yard, landscape, and slope easements on Lot 29A of Woodlands Village Unit 3, A.P.N 112-29-001E, (“Easements”) granted to the City by Owner’s predecessor in interest pursuant to the 1995 “Replat, Resubdivision of Lots 28 & 29 in Woodland Village Unit III,” as recorded in Case 6, Map 43, Official Records of Coconino County, Arizona; and

WHEREAS, the portion of the Easements affected is described in Exhibit A attached hereto and made a part hereof, and entitled Partial Release and Partial Reconveyance of a Portion of Easements (“Release”); and

WHEREAS, in order to comply with City requirements for the multi-family residential development Owner’s future successor in interest has proposed, Owner will need to provide a means of entering Highland Mesa Boulevard as a secondary access, which will have to be routed over the area affected by the Easements; and

WHEREAS, the City has determined that a release and reconveyance of a portion of the Easements will not adversely affect the Flagstaff Urban Trail System; and

WHEREAS, the City desires to release and reconvey the portion of the Easements described in the Release.

ENACTMENTS:

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

SECTION 1. That the Partial Release and Partial Reconveyance of a Portion of Non Vehicular Access, Buffer Yard, Landscape, and Slope Easements on Lot 29A, Woodlands Village Unit 3, described in Exhibit A attached hereto and made a part hereof, is hereby approved.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this 15th day of October, 2013.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY