

RESOLUTION NO. 2016-04

**A RESOLUTION TO ABANDON AN UNUSED PUBLIC UTILITY EASEMENT
RECORDED IN COCONINO COUNTY DOCKET 245, PAGE 5, WHICH
EASEMENT ENCUMBERS THE REAL PROPERTIES DESCRIBED IN
EXHIBIT 'A' ATTACHED HERETO**

RECITALS:

WHEREAS, a perpetual easement and right-of-way for water, sewer and utility purposes was granted to the City of Flagstaff, Arizona, a municipal corporation on November 22, 1965, Docket 245, PAGE 5, Records of Coconino County, Arizona; and

WHEREAS, the City of Flagstaff has relocated the utility line and the line is no longer in use or necessary as a public easement and may therefore, be abandoned; and

WHEREAS, the City of Flagstaff does not own fee title ownership but has an interest through an easement; and

WHEREAS, pursuant to A.R.S §28-7214, the easements may be extinguished by resolution of the governing body of the city; and

WHEREAS, A.R.S. §9-402(E), the Flagstaff City Council has determined that the City no longer needs the easement and that the easement has no public use or market value.

ENACTMENTS:

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

That the City hereby abandons the easement described in Exhibit "A" and attached herein which was dedicated to the City of Flagstaff, Arizona, a municipal corporation in Docket 245, Page 5, on November 22, 1965.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 16th day of February, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibit 'A'

A strip of land 16.0 feet in width and 1715.76 feet in length being situated in the NE1/2 NW1/4 and the NW1/4NE1/4 of Section 13, Township 21 North, Range 7 East, G.&S.R.B.&M.; Coconino County, Arizona; lying 8.0 feet on either side of, and parallel with the following described center line:

From the center of said Section 13, N. 0° 01'00" E. 1489.63 feet along the mid-section line to the true point of beginning; thence S. 83°25'40" W. 784.16 feet to the East line of that parcel of land known as the Diamond 'S' Trailer Court; and from the same true point of beginning, N. 83°25'40" E. 931.60 feet to an existing sewer manhole adjacent to the Interstate 40 Highway right-of-way.