

RESOLUTION NUMBER R21-013

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAFFORD, GRAHAM COUNTY, ARIZONA AUTHORIZING THE ABANDONMENT OF AN EASEMENT, AS MORE THOROUGHLY RECORDED WITH THE GRAHAM COUNTY RECORDER ON NOVEMBER 27, 2007, IN DOCUMENT NO. 2007-09237.

WHEREAS, the City of Safford, Graham County, Arizona, an Arizona Municipal Corporation ("Grantee") and Everett Houston Bowman and Billie Bowman ("Grantor") entered into an Indenture/Utility Easement Agreement in perpetuity on November 19, 2007, and;

WHEREAS, said Indenture/Utility Easement Agreement granted an easement in perpetuity for right-of-way unto the Grantee, its successors or assigns to construct and maintain utilities together with all necessary and desirable connections, attachments, guys, anchorages, and other appurtenances for the purposes of conducting utilities through, over, across certain real property, as more thoroughly described on "Exhibit A" which was attached to said indenture, and which is also hereby incorporated by reference as if full set forth herein; and;

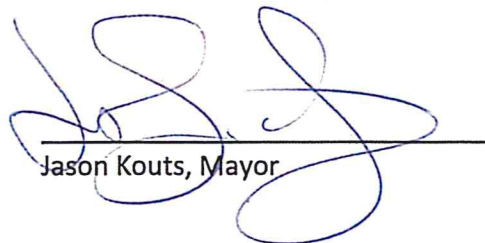
WHEREAS, Grantor planned to develop said property with utilities traversing along western edge as described on "Exhibit A" and serving development on parcel APN 101-16-031C, and;

WHEREAS, Grantors development did not take place and said Indenture/Utility Easement was never utilized; and,

WHEREAS, Tyler and Shanna Cluff purchased parcel APN 101-16-031C and neighboring parcel directly west, APN 101-16-018A, and plan to combine parcels for one single family dwelling and request abandonment of existing and previously recorded Utility Easement in lieu of establishing their own Utility Easement that better suits their development.

NOW THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Safford, pursuant to *Arizona Revised Statutes* §9-241, adopts and approves: (i) the abandonment of the recorded easement in document 2007-09237; and (ii) the Mayor is authorized to execute any documents required to complete the abandonment.

PASSED, ADOPTED AND APPROVED by the Mayor and City Council of the City of Safford, Graham County, Arizona this 10th day of May 2021.


Jason Kouts, Mayor

ATTEST:

Tamara Webster
Tamara Webster, CMC
City Clerk

APPROVED AS TO FORM:

William J. Sims, III
William J. Sims, III
City Attorney

CERTIFICATION

STATE OF ARIZONA)
) ss
County of Graham)

I HEREBY CERTIFY, that the foregoing Resolution Number R21-013 was duly passed and adopted by the Mayor and City Council of the City of Safford, Graham County, Arizona, at a regular council meeting held May 10, 2021. A quorum of the Council was present at the meeting.

Tamara Webster
Tamara Webster, CMC, City Clerk

May 10, 2021
Date: