

When recorded return to:
Clerk of the Board
P.O. Box 827
Florence AZ 85132

RESOLUTION NO. _____

A RESOLUTION OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS ORDERING THE ABANDONMENT AND EXTINGUISHMENT OF AN EASEMENT COMPRISING A PORTION OF MANZANITA STREET.

WHEREAS, pursuant to A.R.S. § 11-251.16 and Pinal County Development Services Code, Chapter 7.10, a petition has been presented to the Pinal County Board of Supervisors (the “Board”) requesting the extinguishment of a federal patent easement comprising of a portion of Manzanita Street commencing from Moon Road proceeding easterly to Marlow Road for approximately 330.10 feet, 33 feet wide, located within Supervisory District #5, Section 13, Township 1 North, Range 8 East, of the Gila and Salt River Base and Meridian, Pinal County, Arizona (the “Easement”); and

WHEREAS the Board having found the Petition to be in proper form; proper notice having been given for the public hearing; the public hearing having been held for public input; no land adjoining the Easement being left without access to public highway; and the Board having considered the feasibility, advantages and necessity of said action and finding the public’s best interest to be served by granting the extinguishment of the Easement; and

WHEREAS, consideration for the extinguishment of the Easement includes tax revenues gained by adding the land to the County’s tax rolls; cessation of County Maintenance responsibility for the Easement; and relief from potential liability for property damages, injury or death, which may occur in the Easement.

THEREFORE, BE IT RESOLVED by the Pinal County Board of Supervisors that the Easement comprising a portion of Manzanita Street commencing from Moon Road proceeding easterly to Marlow Road for approximately 330.10 feet, 33 feet wide, located within Supervisory District #5, Section 13, Township 1 North, Range 8 East, of the Gila and Salt River Base and Meridian, Pinal County, Arizona and legally described in Exhibit A attached hereto, is hereby abandoned and extinguished and all rights and interests held by Pinal County in the Easement are relinquished and hereby revert to the current record owner(s) of fee simple title to the land underlying the Easement:

EXCEPT rights-of-way or easements of existing sewer, gas, water or similar pipelines and appurtenances and for canals, laterals or ditches and appurtenances, and for electric, telephone, and similar lines and appurtenances, which shall continue, as they existed prior to this abandonment in accordance with A.R.S. 28-7210.

BE IT FURTHER RESOLVED that the Chairman of the Pinal County Board of Supervisors, on behalf of the Board, is authorized to execute this Resolution and all other documentation which may be necessary to release all rights held by Pinal County in the Easement to the owner(s) of record of the fee simple title to the land underlying the Easement.

BE IT FURTHER RESOLVED that this Resolution shall become effective when recorded in the Office of the County Recorder of Pinal County, Arizona

PASSED AND ADOPTED this _____ day of _____ 2022,
by the PINAL COUNTY BOARD OF SUPERVISORS.

Chairman of the Board

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:

Deputy County Attorney

EXHIBIT A
TO
RESOLUTION NO. _____

[Legal Description]

See following pages.

LEGAL DESCRIPTION EASEMENT ABANDONMENT

A portion of the Southwest quarter of Section 13, Township 1 North, Range 8 East of the Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

Commencing at a Spike with Straddles marking the Southwest corner of said Section 13, from which an Aluminum Cap flush to pavement marking the West quarter corner of said Section 13, bears North 00 Degrees 02 Minutes 36 Seconds West, a distance of 2641.12 feet, and from which a 1/2-inch Rebar marking the South quarter corner of said Section 13 bears North 89 Degrees 50 Minutes 49 Seconds East, a distance of 2642.35 feet. Thence North 00 Degrees 02 Minutes 36 Seconds West along the West boundary of the Southwest quarter of said Section 13, a distance of 1320.56 feet. Thence North 89 Degrees 52 Minutes 12 Seconds East leaving the West boundary of the Southwest quarter of said Section 13, a distance of 330.14 feet to a 1/2-inch Rebar with tag stamped R.L.S. #21773. Thence North 00 Degrees 02 Minutes 59 Seconds West, a distance of 297.10 feet to the **POINT OF BEGINNING**;

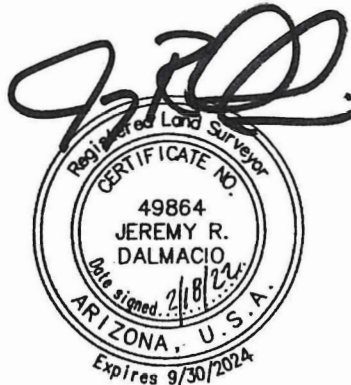
Thence continuing North 00 Degrees 02 minutes 59 Seconds West, a distance of 33.00 feet to a 1/2-inch Rebar with tag stamped R.L.S. #21773;

Thence North 89 Degrees 52 Minutes 33 Seconds East, a distance of 330.10 feet to a 1/2-inch Rebar with tag stamped R.L.S. #21773;

Thence South 00 Degrees 03 Minutes 22 Seconds East, a distance of 33.00 feet;

Thence South 89 Degrees 52 Minutes 33 Seconds West, a distance of 330.10 feet to the **POINT OF BEGINNING**.

Comprising an area of 0.250 Acres; 10,893 Square Feet, more or less.

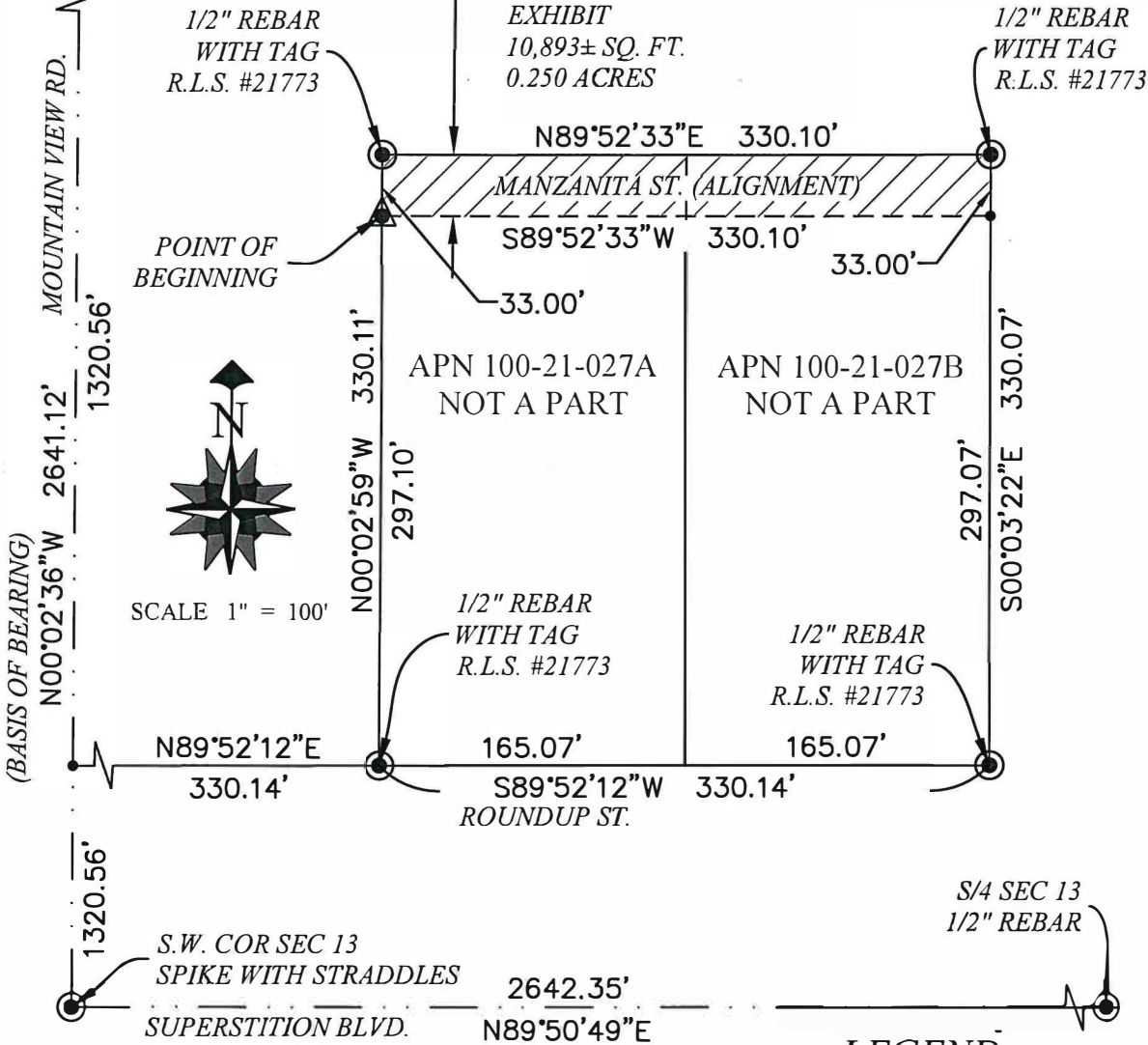


ABANDONMENT EXHIBIT

W/4 SEC 13
ALUMINUM CAP
FLUSH TO PAVEMENT

33' ROADWAY AND PUBLIC
UTILITIES RIGHT OF WAY
U.S. PATENT NO. 1180665
TO BE ABANDONED BY THIS
EXHIBIT
10,893± SQ. FT.
0.250 ACRES

OWNER OF RECORD
STEPHEN A. &
JENNA M. BEHNKE



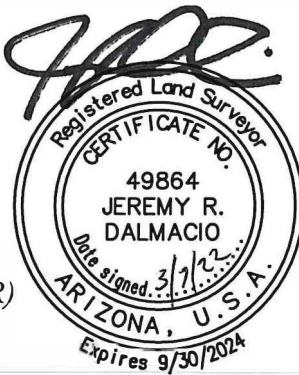
A PORTION OF SW/4,
SEC. 13, T.1N., R.8E.

SURVEYOR'S NOTE

*This exhibit was done utilizing
dimensions and monuments
displayed in P.C.R., Fee No.
2019-098260, referred herein as (R)

Date 2/18/22

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LEGEND

- = Monument per (R)
- = Point of Beginning
- = Calculated point
- = Section line
- = Easement line

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