

RESOLUTION 2019-02

A JOINT RESOLUTION OF THE BOARD OF DIRECTORS OF THE TOWN OF CAREFREE, ARIZONA UTILITIES COMMUNITY FACILITIES DISTRICT (UCFD), AND THE TOWN COUNCIL OF THE TOWN OF CAREFREE, ARIZONA, AUTHORIZING THE CHAIRMAN OF THE BOARD OF DIRECTORS AND THE MAYOR OF THE TOWN OF CAREFREE TO INSTRUCT THE ATTORNEY FOR THE UCFD AND/OR THE ATTORNEY FOR THE TOWN OF CAREFREE TO PREPARE AND FILE A CONDEMNATION ACTION AGAINST THE TOWN OF CAVE CREEK TO ACQUIRE ALL OF THE COMPONENTS OF THE CAREFREE WATER SERVICE AREA SYSTEM LOCATED WITHIN THE TOWN OF CAVE CREEK WATER UTILITY SERVICE AREA.

WHEREAS, originally, a private water company known as the Cave Creek Water Company operated and managed a water service area located within portions of the Towns of Cave Creek and Carefree; and

WHEREAS, prior to the Town of Cave Creek's purchase of this private utility, the Town of Cave Creek and the Town of Carefree entered into an Intergovernmental Agreement ("IGA") approved by Cave Creek Resolution #2005-24 and Carefree Resolution #2005-23; and

WHEREAS, this IGA specifically permits the UCFD to acquire the Carefree Service Area System which consists of the wells, pumps, meters, and other facilities located in the Carefree Service Area and the portion of the Cave Creek Central Arizona Project subcontracted water used to serve the Carefree Service Area; and

WHEREAS, as contemplated in the IGA, the UCFD wishes to acquire the delineated Carefree Service Area System.

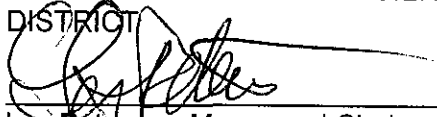
NOW, THEREFORE, IT IS RESOLVED by the Board of Directors of the UCFD and the Town Council of the Town of Carefree, Arizona that the Chairman of the Board is hereby authorized to instruct the attorney for the UCFD and/or the attorney for the Town of Carefree to prepare and file a condemnation action against the Town of Cave Creek to acquire the Carefree Water Service Area system located in the Town of Cave Creek Water Utility Service Area and execute professional services contracts in order to facilitate the acquisition of this Carefree Service Area, disconnection of the Carefree Service Area from the Cave Creek Water System, and re-connection of the Carefree Service Area to the Carefree Water Company.

PASSED AND ADOPTED BY the Board of Directors of the Town of Carefree, Arizona Utilities, Community Facilities District and the Town Council of the Town of Carefree, Arizona, this 15th day of January, 2019.

Carefree Town Council:

AYES 6 NOES 0 ABSTENTIONS 0 ABSENT 1

TOWN OF CAREFREE ARIZONA and
UTILITIES COMMUNITY FACILITIES
DISTRICT



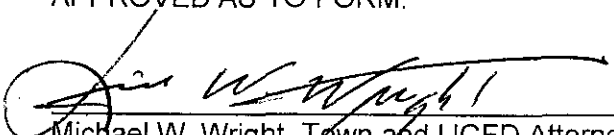
Les Peterson, Mayor and Chairman
of the Board Directors

ATTESTED TO:



Kandace French Contreras, Town Clerk of
and Board Secretary/Treasurer

APPROVED AS TO FORM:



Michael W. Wright, Town and UCFD Attorney