


STATE OF ARIZONA )

COUNTY OF MARICOPA )

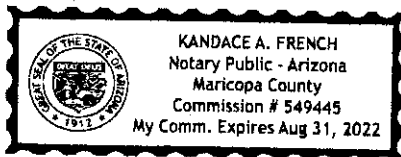
I, **Kandace French**, the duly appointed, qualified Notary Public for the State of Arizona and Town Clerk for the Town of Carefree, do hereby certify and attest the attached to be a true and correct copy of:

**Town of Carefree, Arizona Resolution #2021-06** as presented to me by Stacey Bridge – Denzak, Director of Planning and Zoning for the Town of Carefree.

DATED this 19<sup>th</sup> day of July, 2021

  
NOTARY PUBLIC

My commission expires:



**TOWN OF CAREFREE, ARIZONA  
RESOLUTION #2021-06**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE MAYOR OF THE TOWN OF CAREFREE TO INSTRUCT THE ATTORNEY FOR THE TOWN OF CAREFREE TO TAKE ALL ACTIONS NECESSARY OR CONVENIENT TO ACQUIRE AND SEEK IMMEDIATE POSSESSION OF REAL PROPERTY IN FEE TITLE OR ANY LESSER INTEREST THEREIN NECESSARY FOR THE LOCATION, CONSTRUCTION, OPERATION, AND MAINTENANCE OF A WATER STORAGE RESERVOIR AND RELATED FACILITIES BY DONATION, PURCHASE, EXCHANGE, OR THE EXERCISE OF EMINENT DOMAIN, PLUS USUAL AND CUSTOMARY CLOSING COSTS AS MAY BE NECESSARY TO FURTHER THE PURPOSE OF THIS ACQUISITION; AND FURTHER AUTHORIZING THE DISBURSEMENT OF ALL NECESSARY FUNDS FOR THESE PURPOSES.**

**WHEREAS**, providing adequate water service to the public is a proper public purpose; and

**WHEREAS**, the construction, operation, and maintenance of a water storage reservoir and related facilities will further that public purpose; and

**WHEREAS**, the Town of Carefree, Arizona Utilities Community Facilities District ("UCFD") and the Town of Carefree desire to act to achieve that public purpose by mutual cooperation for the benefit of the citizens of the UCFD and the Town; and

**WHEREAS**, the property to be acquired, legally described in Exhibit "A" and mapped in Exhibit "B" incorporated by reference, is necessary for the construction, operation, and maintenance of a water storage reservoir and related facilities as determined by the UCFD; and

**WHEREAS**, the UCFD and engineers have considered various alternative sites and plans, and have concluded that the location of the storage tank on the property to be acquired is consistent with the greatest public good and least private injury; and

**WHEREAS**, the Town of Carefree has independently assessed the necessity to locate the water storage reservoir on the property to be acquired, and concurs with the findings of the UCFD and engineers, as set forth above, as to the necessity of the property for the proposed use, and that the location of the storage tank on the property to be acquired is consistent with the greatest public good and least private injury; and

**NOW, THEREFORE, IT IS RESOLVED** by the Mayor and Common Council of the Town of Carefree, Maricopa County, Arizona that the Mayor is hereby authorized to instruct the attorney for the Town of Carefree to take all actions necessary or convenient to acquire the

real property legally described in Exhibit "A" and mapped in Exhibit "B" in fee title or any lesser interest therein, and to take immediate possession thereof, for the location, construction, operation, and maintenance of a water storage reservoir and related facilities by donation, purchase, exchange, or the exercise of eminent domain; execute professional services contracts in order to facilitate the acquisition of the property and property interests; and further authorizing the disbursement of funds for these purposes.

**PASSED AND ADOPTED BY** the Mayor and Common Council of the Town of Carefree, Arizona, this 12<sup>th</sup> day of April, 2021.


Ayes 7 Noes 0 Abstentions 0 Absent 0

TOWN OF CAREFREE, an  
Arizona Municipal Corporation

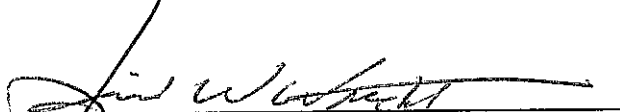


\_\_\_\_\_  
Les Peterson, Mayor

ATTEST:

  
\_\_\_\_\_  
Kandace French, Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael W. Wright, Town Attorney

# **Exhibit "A"**

January 6, 2021

LEGAL DESCRIPTION  
BOULDERS WATER TANK SITE  
TOWN OF CAREFREE, ARIZONA  
UTILITIES COMMUNITY FACILITIES DISTRICT

That portion of Tract R-1 of Boulders Carefree 4 Phase 1 recorded in Book 173 of Maps, Page 38, Maricopa County Records, located in a portion of the Northeast Quarter of Section 3, Township 5 North, Range 4 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the G.L.O. Brass Cap marking the East Quarter Corner of said Section 3, from which the Maricopa County Highway Department Brass cap in hand hole marking the Northeast Corner of said Section 4 bears North 00°10'35" West, a distance of 2,618.57;

Thence North 89°57'53" West, along the South line of the Northeast Quarter of said Section 4, a distance of 70.01 feet to a Rebar with cap marked LS#33851 and the True Point of Beginning;

Thence continuing North 89°57'53" West, along said South line, a distance of 240.00 feet to a point on the Easterly right-of-way for Tom Darlington Drive;

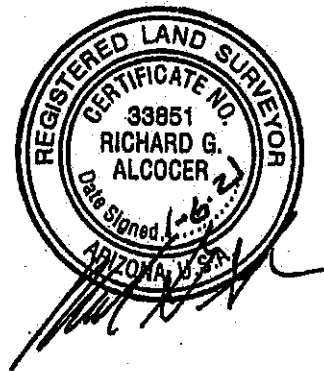
Thence North 09°24'08" East, along said Easterly right-of-way, a distance of 177.36 feet;

Thence South 89°57'53" East, departing said easterly right-of-way, a distance of 170.00 feet;

Thence South 00°02'07" West, a distance of 120.00 feet;

Thence South 36°45'23" East, a distance of 68.68 feet to the True Point of Beginning.

Containing 33,407 Square Feet or 0.767 Acres, more or less.

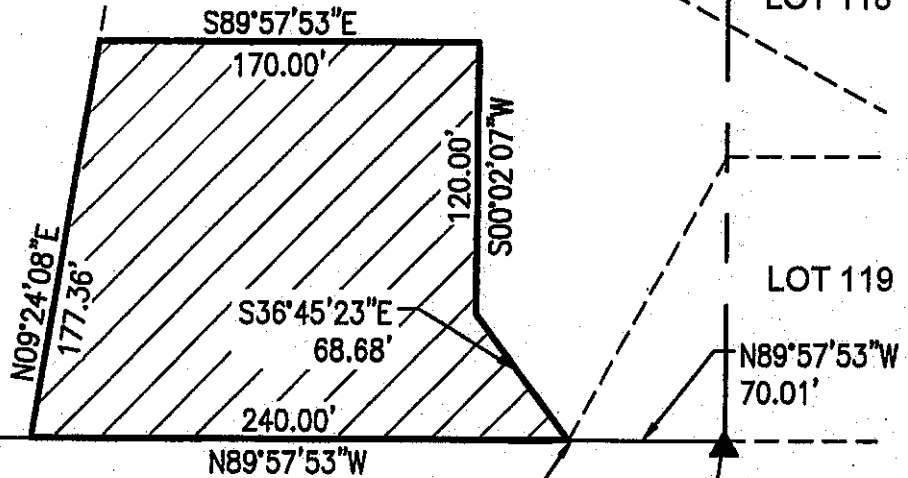


## **Exhibit "B"**

NORTHEAST CORNER, SECTION 3  
TOWNSHIP 5 NORTH, RANGE 4 EAST

TRACT R-1  
BOOK 173 OF MAPS, PAGE 38

TOM DARLINGTON DRIVE



POINT OF BEGINNING  
EAST 1/4 CORNER, SECTION 3  
TOWNSHIP 5 NORTH, RANGE 4 EAST  
POINT OF COMMENCEMENT



<p>SCALE 1" = 80' EXHIBIT</p>	<p>TOWN OF CAREFREE, ARIZONA UTILITIES COMMUNITY FACILITIES DISTRICT</p>	
<p>4550 North 12th Street Phoenix, Arizona 85014 Phone 602-264-6831 <a href="http://www.cvlci.com">http://www.cvlci.com</a></p>	<p><b>BOULDERS WATER TANK SITE</b></p>	