

**TOWN OF CAREFREE, ARIZONA
RESOLUTION #2022-13**

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 FACILITIES ASSOCIATED WITH THE CAREFREE WATER CONSOLIDATION PROJECT (WCP) 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 the Carefree WCP 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 properties to be acquired, legally described in the attached Exhibit "A" and mapped in the attached Exhibit "B" for each parcel and incorporated by reference, are necessary for the construction, operation, and maintenance of the Carefree WCP and related facilities as determined by the UCFD; and

WHEREAS, the UCFD and engineers have considered various alternatives and plans, and have concluded that the property to be acquired is consistent with the greatest public good and least private injury; and

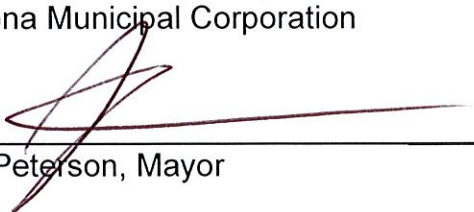
WHEREAS, the Town of Carefree has independently assessed the necessity to locate these Carefree WCP facilities on the property to be acquired, and concurs with the findings of the UCFD and engineers, as set forth above, as to the necessity of the property for the proposed use, and that the location of the facilities 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" for each parcel in fee title or any lesser interest therein, and to take immediate possession thereof, for the location, construction, operation, and maintenance of the Carefree WCP 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 22 day of August, 2022.

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

Exhibits A and B

for

Parcel No. 1
(APN 216-32-129)

Public Utility Easement

August 4, 2022

EXHIBIT A
LEGAL DESCRIPTION FOR
CAREFREE WATER CONSOLIDATION PROJECT
PUBLIC UTILITY EASEMENT

A portion of Lot 3 Black Mountain Foothills recorded in Book 229 of Maps, Page 14, Maricopa County Recorder, located in the Southwest 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:

Beginning at the Southwest corner of said Lot 3;

Thence North 00°04'48" East, along the Westerly line of said Lot 3, a distance of 16.00 feet to a point on a line that is parallel with and 16.00 Northerly, as measured at right angles, from the South line of said Lot 3;

Thence South 89°55'12" East, along said parallel line, a distance of 236.01 feet to a point on a 258.00 foot radius non-tangent curve, whose center bears South 74°50'45" East also being a point on a curve which is parallel with and 8.00 feet Westerly, as measured at right angles, from the East line of said Lot 3;

Thence Southerly, along said parallel curve, through a central angle of 03°39'04", a distance of 16.44 feet to a point on the Southerly line of said Lot 3;

Thence North 89°55'12" West, along said Southerly line, a distance of 232.24 feet to the True Point of Beginning.

Containing 0.086 Acres, more or less.



APN 211-28-131

APN 216-32-129
LOT 3
BOOK 229 OF MAPS,
PAGE 14, MCR

8' PUE
BOOK 229 OF MAPS,
PAGE 14, MCR

16'

POINT OF BEGINNING

APN 216-32-128
LOT 2
BOOK 229 OF MAPS,
PAGE 14, MCR

OLD PAINT ROAD



SCALE 1" = 50'

EXHIBIT B

4550 North 12th Street
Phoenix, Arizona 85014
Phone 602-264-6831
<http://www.cvlci.com>

CAREFREE WATER
CONSOLIDATION PROJECT
PUBLIC UTILITY EASEMENT



1 OF 1

Exhibits A and B

for

Parcel No. 1
(APN 216-32-129)

Temporary
Construction Easement

April 7, 2022

EXHIBIT A
LEGAL DESCRIPTION FOR
CAREFREE WATER CONSOLIDATION PROJECT
TEMPORARY CONSTRUCTION EASEMENT

A portion of Lot 3 Black Mountain Foothills recorded in Book 229 of Maps, Page 14, Maricopa County Recorder, located in the Southwest 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 Southwest corner of said Lot 3;

Thence North 00°04'48" East, along the Westerly line of said Lot 3, a distance of 16.00 feet to the True Point of Beginning;

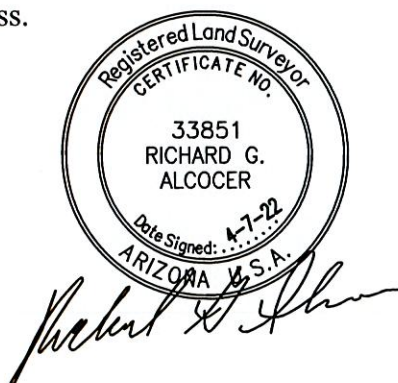
Thence North 00°04'48" East, continuing along said Westerly line, a distance of 12.00 feet to a point on line which is parallel with and 28.00 feet Northerly, as measured at right angles, from the South line of said Lot 3;

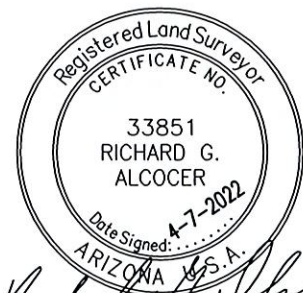
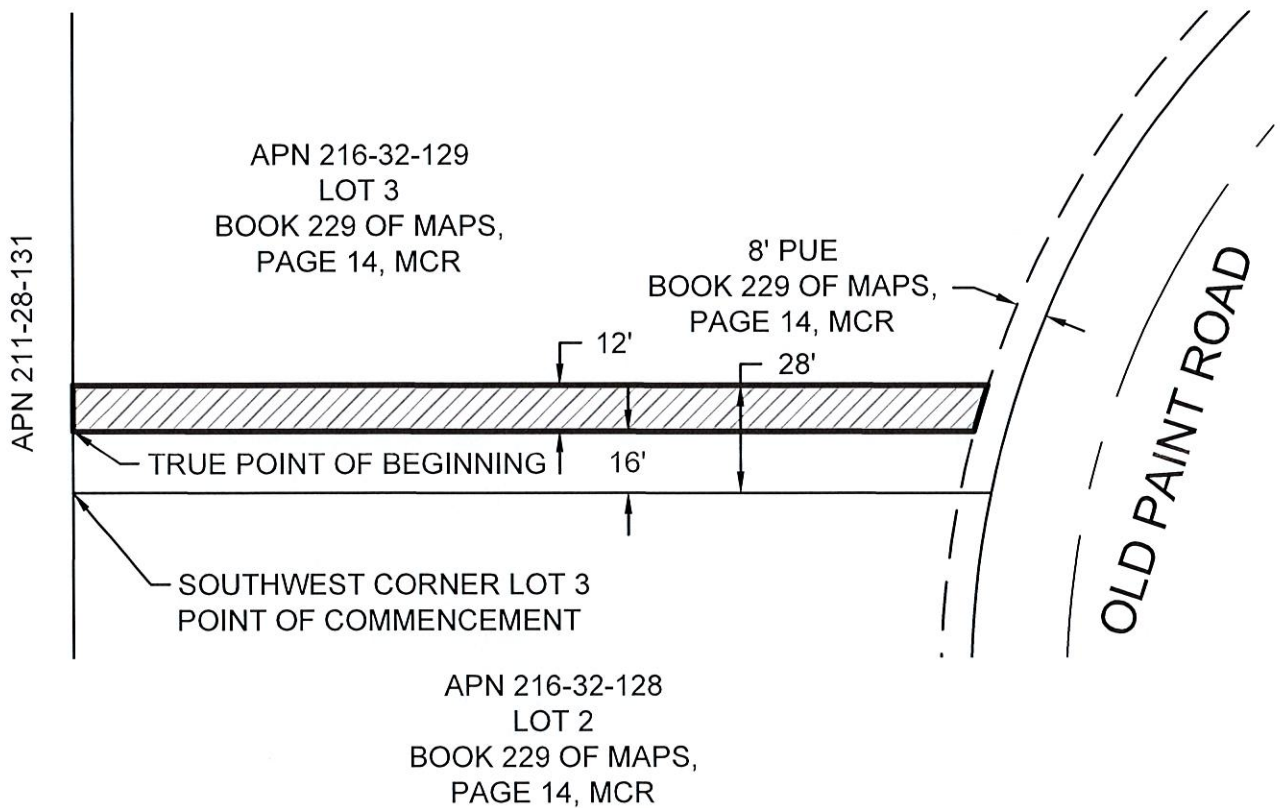
Thence South 89°55'12" East, along said parallel line, a distance of 239.55 feet to a point on a curve parallel with and 8.00 feet Westerly, as measured at right angles, from the Easterly curve of said Lot 3 and a point on a 258.00 foot radius non-tangent curve, whose center bears South 72°04'00" East;

Thence Southerly, along said parallel curve, along said curve, through a central angle of 02°46'45", a distance of 12.51 feet to a point on line which is parallel with and 16.00 feet Northerly, as measured at right angles, from said South line;

Thence North 89°55'12" West, along said parallel line, a distance of 236.01 feet to the True Point of Beginning.

Containing 0.065 Acres, more or less.





Richard G. Alcocer

SCALE 1" = 50'

EXHIBIT B

4550 North 12th Street
Phoenix, Arizona 85014
Phone 602-264-6831
<http://www.cvlci.com>

CAREFREE WATER CONSOLIDATION PROJECT TEMPORARY CONSTRUCTION EASEMENT



1 OF 1

Exhibits A and B

for

Parcel No. 2

(APN 216-25-001X)

Public Utility Easement

August 4, 2022

EXHIBIT A
LEGAL DESCRIPTION FOR
CAREFREE WATER CONSOLIDATION PROJECT
PUBLIC UTILITY EASEMENT

A portion of Parcel described in Instrument No. 2017-0393100, Maricopa County Records, located in the Northwest Quarter of Section 25, Township 6 North, Range 4 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Beginning at the Northwest Corner of said Parcel;

Thence South 89°38'40" East, along the North line of said Parcel, a distance of 18.91 feet to a point on the Westerly line of the 20.00 foot Easement for Ingress, Egress and Public Utilities recorded in Instrument No. 2005-0049665, Maricopa County Records;

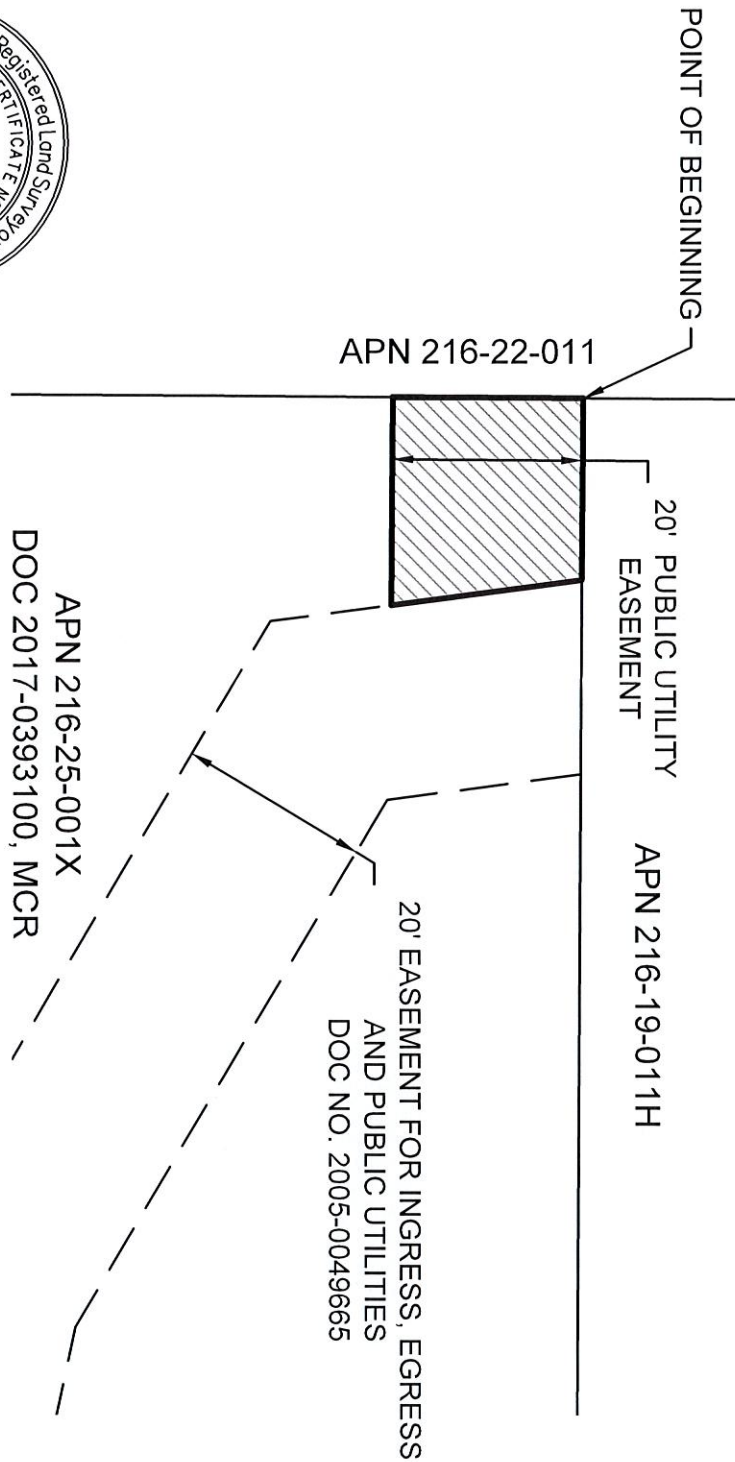
Thence South 07°31'01" East, along said Westerly line, a distance of 20.19 feet to a point on a line parallel with and 20.00 feet South, as measured at right angles, from said North line;

Thence North 89°38'40" West, along said parallel line, a distance of 21.68 feet to a point on the West line of said Parcel;

Thence North 00°21'20" East, along said West line, a distance of 20.00 feet to the Point of Beginning.

Containing 0.009 Acres, more or less





SCALE 1" = 20'

EXHIBIT B

4550 North 12th Street
Phoenix, Arizona 85014
Phone 602-264-6831
<http://www.cvlci.com>

CAREFREE WATER
CONSOLIDATION PROJECT
PUBLIC UTILITY EASEMENT



1 OF 1

Exhibits A and B

for

Parcel No. 2
(APN 216-25-001X)

Temporary
Construction Easement

September 28, 2021

EXHIBIT A
LEGAL DESCRIPTION FOR
CAREFREE WATER CONSOLIDATION PROJECT
TEMPORARY CONSTRUCTION EASEMENT

A portion of the Parcel described in Instrument No. 2017-0393100, Maricopa County Records, located in the Northwest Quarter of Section 25, Township 6 North, Range 4 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the Northwest Corner of said Parcel;

Thence South $00^{\circ}21'20''$ West, a distance of 20.00, along the West line of said Parcel, a distance of 20.00 feet to the True Point of Beginning being a point on a line that is 20.00 feet South, as measured at right angles, from the North line of said Parcel;

Thence South $89^{\circ}38'40''$ East, along said parallel line, a distance of 21.68 feet to the intersection of said parallel line and the Westerly line of the 20.00 foot Easement for Ingress, Egress and Public Utilities recorded in Instrument No. 2005-0049665, Maricopa County Records;

Thence South $07^{\circ}31'01''$ East, along said Westerly line, a distance of 12.73 feet to a point in the Southerly line of said Easement;

The following six (6) courses and distances are along said Southerly line:

Thence South $59^{\circ}11'56''$ East, a distance of 76.90 feet;
Thence South $77^{\circ}29'39''$ East, a distance of 64.75 feet;
Thence South $33^{\circ}23'11''$ East, a distance of 58.41 feet;
Thence South $76^{\circ}40'19''$ East, a distance of 56.18 feet;
Thence North $55^{\circ}14'20''$ East, a distance of 107.00 feet;
Thence North $71^{\circ}20'12''$ East, a distance of 352.81 feet to a point on the East line of said Parcel;

Thence South $00^{\circ}09'12''$ West, along said East line, a distance of 10.56 feet to a point on a line parallel with and 10.00 feet Southerly, as measured at right angles, from said Southerly line;

The following six (6) courses and distances are along said parallel line:

Thence South $71^{\circ}20'12''$ West, a distance of 347.99 feet;
Thence South $55^{\circ}14'20''$ West, a distance of 110.05 feet;
Thence North $76^{\circ}40'19''$ West, a distance of 64.61 feet;
Thence North $33^{\circ}23'11''$ West, a distance of 58.32 feet;
Thence North $77^{\circ}29'39''$ West, a distance of 62.31 feet;

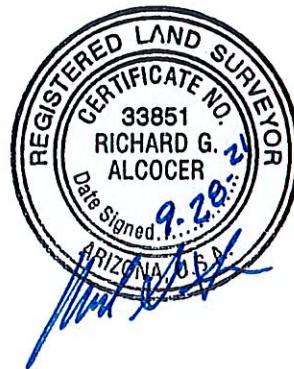
Thence North $59^{\circ}11'56''$ West, a distance of 83.36 feet to a point on a line parallel with and 10.00 feet Westerly of said Westerly line;

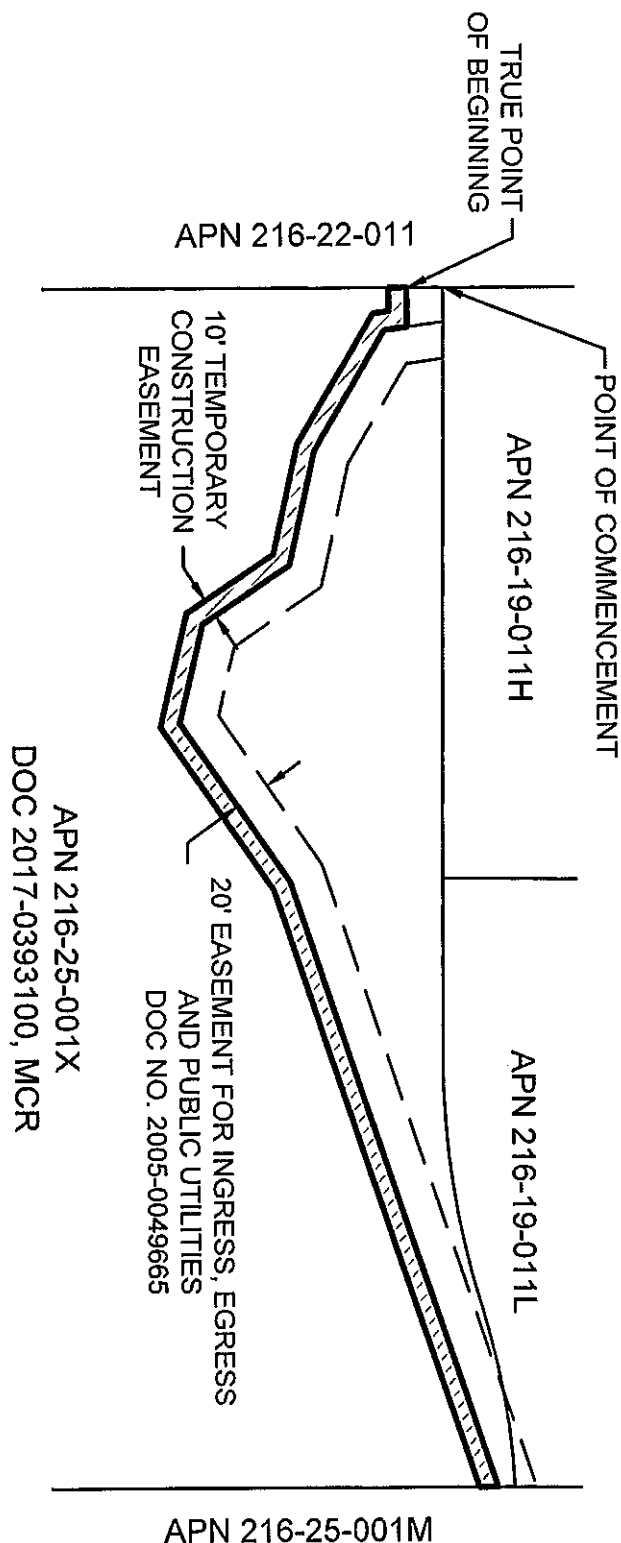
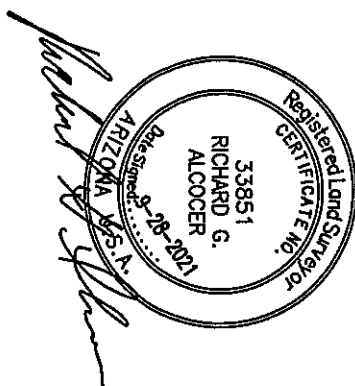
Thence North 07°31'01" West, along said parallel line, a distance of 8.86 feet to a point on a line parallel with and 30.00 feet South of said North line;

Thence North 89°38'40" West, along said parallel line, a distance of 12.97 feet to a point on said West line;

Thence North 00°21'20" East, along said West line, a distance of 10.00 feet to the True Point of Beginning.

Containing 0.172 Acres, more or less.





SCALE 1" = 80'
EXHIBIT B
4550 North 12th Street
Phoenix, Arizona 85014
Phone 602-264-6831
<http://www.cvlci.com>

CAREFREE WATER CONSOLIDATION PROJECT TEMPORARY CONSTRUCTION EASEMENT



1 OF 1