

When Recorded, Mail To:

Town of Prescott Valley  
7501 E. Civic Circle  
Prescott Valley, AZ 86314

## **RESOLUTION NO. 1700**

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, VACATING A PORTION OF A PLANNED PUBLIC RIGHT-OF-WAY NO LONGER NECESSARY FOR PUBLIC USE, IDENTIFIED GENERALLY AS A FORMER ALIGNMENT OF LONG LOOK DRIVE AT THE INTERSECTION OF GLASSFORD HILL RD IN SECTION 14, T.14 N., R.1W. G&SRM, YAVAPAI COUNTY; PROVIDING, THAT THE TOWN WILL RECEIVE FUTURE RIGHT-OF-WAY FROM THE GRANTEE AS CONDITIONED IN ORDINANCE NO. 741; AND DECLARING THIS RESOLUTION TO BE AN EMERGENCY MEASURE PURSUANT TO ARS §19-142(B) AND §2-05-060 OF THE PRESCOTT VALLEY TOWN CODE.

WHEREAS, Prescott Valley Town staff has determined that it would be desirable to vacate a previously identified alignment of a portion of Long Look Drive at the intersection of Glassford Hill Rd that will no longer be needed, pursuant to ARS §28-7202; and

WHEREAS, the identified property was first granted to the Town for minimal consideration for future right-of-way purposes by the Fain Land and Cattle Company by deed recorded April 26, 1991 in Book 2350, Page 772 of recorded documents; and

WHEREAS, this property for a road alignment is no longer needed and additional property will be needed for the widening of Long Look Drive at a nearby location to be developed in accordance with the approved Master Circulation Plan for the Prescott Valley Town Center (Section 14); and

WHEREAS, This Resolution will approve the abandonment of the subject property to the adjacent property owner being the Fain Signature Group; and

WHEREAS, the Fain Signature Group is required to convey additional property, at the time of development, for widening of portions of nearby Long Look Drive as a condition of rezoning as set out in Section 2, Condition (3)(b)(iii) of Ordinance No. 741; and

WHEREAS, since property for the previous alignment of Long Look Drive which is no longer needed was given to the Town for minor consideration and, future property will

be deeded for widening other portions of Long Look Drive, it is recommended that no payment is necessary for the abandonment of this property; and

WHEREAS, vacation of such right-of-way not needed for public use may be accomplished by resolution of the Mayor and Council without additional hearing, so long as necessary easements and accesses are preserved, pursuant to ARS §§28-7205, 28-7210, 28-7211 and 28-7213; and

WHEREAS, upon vacation of such right-of-way, owners of abutting property take title to the center of the right-of-way, subject to the same encumbrances, liens, limitations, restrictions and estates as exist on the land to which it accrues, pursuant to ARS §28-7205(3).

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, ARIZONA, THAT:

1. The public right-of-way described generally as a former alignment for Long Look Drive at the intersection of Glassford Hill Road in Section 14, T.14 N., R. 1 W. be hereby **VACATED**, said portion of vacated public right-of-way being more particularly described as follows:

(See Exhibit "A" attached hereto and expressly made a part hereof.)

2. That actual vesting of title in the immediately adjacent and contiguous portions of vacated former alignment of Long Look Drive at the intersection of Glassford Hill Road to the owner of the adjacent real property shall not occur until a quit-claim deed is executed and delivered to said owners from the Town of Prescott Valley, describing that said portion of planned Long Look Drive being vacated.

2. The Mayor, or in his absence the Vice-Mayor, is hereby authorized to sign such deeds and other documents as may be necessary to accomplish vesting of title in the appropriate portions of vacated right-of-way, as provided herein.

3. Inasmuch as it is necessary for the peace, health, and safety of the Town of Prescott Valley that this Resolution be effective immediately upon its passage and approval according to ARS §19-142(B) and §2-05-060 of the Town Code, this Resolution is hereby declared to be an emergency measure and effective upon its passage and approval.

RESOLVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 27<sup>th</sup> day of May, 2010.

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HARVEY C. SKOOG, Mayor

ATTEST:

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Diane Russell, Town Clerk

APPROVED AS TO FORM:

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Ivan Legler, Town Attorney

EXHIBIT "A"

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Town Clerk  
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**QUIT-CLAIM DEED**  
[ARS §33-402(1)]

FOR THE CONSIDERATION of Ten Dollars (\$10.00) and other good and valuable consideration (the receipt of which is hereby acknowledged), the Town of Prescott Valley, a municipal corporation of Arizona, GRANTOR, hereby quit-claims to

FAIN SIGNATURE GROUP LLC

GRANTEE, all of its interest in real property located in Yavapai County, Arizona, said property being more specifically described as follows:

**See EXHIBIT "A", attached hereto and made a part hereof.**  
(Former alignment of Long Look Drive in Prescott Valley, AZ)

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

GRANTOR:

Town of Prescott Valley a municipal corporation of Arizona

\_\_\_\_\_  
Harvey C. Skoog, Mayor

ATTEST:

\_\_\_\_\_  
Diane Russell, Town Clerk

NO AFFIDAVIT OF LEGAL VALUE OR FEE REQUIRED, per ARS §11-1134(A)(3)

STATE OF ARIZONA            )  
  ) ss:  
County of Yavapai            )

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by HARVEY C. SKOOG, Mayor, and DIANE RUSSELL, Town Clerk, respectively, of the Town of Prescott Valley, a municipal corporation of Arizona.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_