

RESOLUTION NO. 2010-68

**A RESOLUTION OF THE CITY OF WILLCOX,
COCHISE COUNTY, ARIZONA APPROVING AND
ADOPTING THE PATTE ROAD DEDICATION
ADDENDUM TO CLARIFY PROPOSED
DEDICATION FOR PROPERTY OWNERS IN
ORDER TO CONTINUE WITH DEDICATION
PROCESS AND AUTHORIZING THE MAYOR TO
EXECUTE THIS RESOLUTION AND THE
ADDENDUM AND DECLARING AN EMERGENCY
TO EXIST**

WHEREAS, the Common Council shall have control of the finances and property of the corporation pursuant to A.R.S. § 9-240(A); and

WHEREAS, the Common Council shall also have the power within the limits of the town to exercise exclusive control over the streets, alleys, avenues and sidewalks of the town pursuant to A.R.S. § 9-240(B); and

WHEREAS, the City of Willcox is vested with the power to regulate the use, open, alter, widen, extend, grade or otherwise improve streets of the city pursuant to A.R.S. § 9-276(A) (1); and

WHEREAS, the City of Willcox is vested with the power to regulate partition fences, party walls and the construction of fences on the line of a street, way or alley pursuant to A.R.S. § 9-276(A) (13); and

WHEREAS, the CITY desires to have this Resolution presented at its June 21st, 2010 Council Meeting and has determined that approval of this Resolution is in the best interest of the City of Willcox and its residents; and

WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist to assure dedication process continues for Patte Road, and that this Resolution shall be effective immediately upon its passage and adoption.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF WILLCOX,
COCHISE COUNTY, ARIZONA, AS FOLLOWS:**

Section 1: The CITY formally approves and adopts Resolution No. 2010-68.

Section 2: That the CITY formally approves and adopts the Patte Road Dedication Addendum as presented to Mayor and Council and City Staff is directed to take necessary action to carryout the intent of this Resolution.

Section 3: That the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by Mayor and Council of the City of Willcox, Cochise County, Arizona.

Section 4: The Mayor is authorized and empowered to execute this Resolution and the Patte Road Dedication Addendum.

PASSED AND ADOPTED by the Council of the City of Willcox, Cochise County, Arizona, this 21st day of June, 2010.

APPROVED/EXECUTED:

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: June 22, 2010

ATTEST:

/s/ Cristina G. Whelan, CMC
City Clerk, Cristina G. Whelan, CMC

APPROVED AS TO FORM:

/s/ Hector M. Figueroa
City Attorney, Hector M. Figueroa, Esq.

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