

RESOLUTION NO. 2010-82

A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA (“CITY”) APPROVING AND ACCEPTING THE PATTE ROAD DEEDS OF DEDICATION FROM PROPERTY OWNERS FOR PORTIONS OF LAND AS DESIGNATED IN EACH DEED TO THE CITY OF WILLCOX AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION FOR THE PURPOSE OF ACCEPTING THE DEEDS OF DEDICATION AND DECLARING AN EMERGENCY TO EXIST

WHEREAS, the Mayor and Council of the City of Willcox are empowered to exercise exclusive control over the streets, alleys and avenues and to regulate and control the laying and repairing of city utilities and other appurtenances pursuant to A.R.S. Section 9-240 et seq.: and

WHEREAS, the Mayor and Council of the City of Willcox are empowered to engage in business of a public nature and may acquire and own real property for sites and rights-of-way for public utility pursuant to A.R.S. Section 9-511; and

WHEREAS, the City of Willcox and the Property Owners have negotiated formal Deeds of Dedication of certain portions of land along Patte Road to assure city utilities will be within the city’s right-of-way and to allow the city to maintain and improve Patte Road; and

WHEREAS, the Parties desire to formally approve and accept the “**DEEDS OF DEDICATION**” which will be recorded with the Cochise County Recorder pursuant to A.R.S. § 33-416 for the purpose of officially providing constructive notice of the grant and acceptance of said Deeds of Dedication; and

WHEREAS, Mayor and Council desire to have this Resolution presented at its July 19th, 2010 Council Meeting and have determined that approval of this Resolution and Acceptance of the “**DEEDS OF DEDICATION**” is in the best interest of the City of Willcox, the Property Owners 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 timely recording of the Deeds of Dedication, 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. 2010-82.

Section 2: The **CITY** formally approves and accepts the “DEEDS OF DEDICATION” as presented to Mayor and Council and City Staff are directed to take necessary action to carryout the intent of this Resolution.

Section 3: 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.

PASSED AND ADOPTED by the Council of the City of Willcox, Cochise County, Arizona, this 19th day of July, 2010.

APPROVED/EXECUTED:

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: July 20, 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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