

RESOLUTION 2015-07

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA [“CITY”] DECLARING A CERTAIN PORTION OF COCHISE AVENUE AND TWO UNNAMED DEDICATED ROADWAYS AS UNNECESSARY ROADWAYS, APPROVING AND AUTHORIZING THE ABANDONMENT OF THAT CERTAIN PORTION OF COCHISE AVENUE AND THE TWO UNNAMED DEDICATED ROADWAYS AND FURTHER ABANDONING THE CITY SEWER LINE LYING WITHIN THOSE AREAS OF ABANDONMENT.

WHEREAS, Community Food Bank, Inc., operating under the trade name of the Community Food Bank of Southern Arizona has recently purchased property in the CITY for the purpose of locating a distribution center; and

WHEREAS, the Community Food Bank of Southern Arizona has requested the abandonment of certain dedicated roadways, which are presently not being used, to provide for the “greater ability to develop the site in a thoughtful and holistic manner;” and

WHEREAS, the CITY is empowered pursuant to A.R.S. Section 9-240(B)(3) to exercise exclusive control over the streets and avenues and to abandon same; and

WHEREAS, the Mayor and Council of the City of Willcox have determined that it is in the best interest of the City, its residents and the property owner to grant the requested abandonment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, as follows:

SECTION 1: That the following described areas shall be abandoned and in accordance with the provisions of A.R.S. Section 28-7205 the title to said lands shall, upon recording of this Resolution, vest in the owner of the abutting property, Community Food Bank, Inc.:

See attached Exhibit “A”, attached hereto incorporated herein by reference.

SECTION 2: That the City sewer line presently lying within those areas of abandonment shall also be abandoned beginning at that certain point lying North of the intersection of Scott Street and Cochise Avenue at the property line of Community Food Bank, Inc., and said sewer line from that point shall be the property of Community Food Bank, Inc., and the City of Willcox shall not be responsible for any maintenance and/or care of said abandoned sewer line.

SECTION 3: The City Manager and City Attorney are authorized and directed to perform all acts necessary or desirable to give effect and to carry out all the acts authorized under this Resolution.

SECTION 4: The City Clerk is authorized and directed to arrange for the recording of this Resolution with the County Recorder of Cochise County, State of Arizona.

**PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE
CITY OF WILLCOX, ARIZONA, this 15th day of January, 2015.**

APPROVED/EXECUTED:

Robert A. Irvin
ROBERT A. IRVIN, Mayor

ATTEST:

Virginia A. Mefford
VIRGINIA A. MEFFORD, City Clerk

APPROVED AS TO FORM:

Ann P. Roberts
ANN P. ROBERTS, City Attorney

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