

2019-01486

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Requested By: Town Of Pinetop-lakeside

Navajo County Recorder - Doris Clark

02-04-2019 02:18 PM Recording Fee \$10.50

When recorded please mail to:

Remilie S. Miller, MMC, Town Clerk

Town of Pinetop-Lakeside

325 W. White Mountain Blvd.

Lakeside, AZ 85929

COVER PAGE FOR:**TOWN OF PINETOP-LAKESIDE****RESOLUTION NO. 19-1487****DEDICATION OF JOHNSON DRIVE FROM THE BLUE RIDGE UNIFIED
SCHOOL DISTRICT #32 IN RETURN FOR THE TOWN'S AGREEMENT
TO ASSUME RESPONSIBILITY FOR REHABILITATION,
MAINTENANCE, SNOW PLOWING, ETC. OF JOHNSON DRIVE.****DO NOT REMOVE**

This is part of the official document.

TOWN OF PINETOP- LAKESIDE

RESOLUTION NO. 19-1487

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE ARIZONA, AGREEING TO ACCEPT THE DEDICATION OF JOHNSON DRIVE FROM THE BLUE RIDGE UNIFIED SCHOOL DISTRICT #32 IN RETURN FOR THE TOWN'S AGREEMENT TO ASSUME RESPONSIBILITY FOR REHABILITATION, MAINTENANCE, SNOW PLOWING, ETC. OF JOHNSON DRIVE.

WHEREAS, the Town provides rehabilitation, maintenance, snow plowing and other services for the public roads and streets within the Town; and

WHEREAS, the School District owns real property within the Town, which property is and has been solely used for a roadway known as Johnson Drive for well over twenty-five years; and

WHEREAS, the School District proposes to quitclaim the title in fee simple to the Town of this roadway property ("Johnson Drive") provided that the Town will by resolution agree to relieve the School District of all future rehabilitation, maintenance, snow plowing and other road maintenance responsibilities for Johnson Drive, and the Town will further agree to keep Johnson Drive open and operational so that the dedication will not affect the operation of any schools within the School District; and

WHEREAS, the Town is willing to satisfy the needs and requirements of the School District, is willing to take over all responsibility for the future rehabilitation, maintenance, snow plowing and other road maintenance responsibilities for Johnson Drive, and is also willing to accept fee simple ownership of the roadway property known as Johnson Drive.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Pinetop-Lakeside, Arizona, as follows:

1. Dedication of Roadway. The Town of Pinetop-Lakeside (the "Town") agrees to accept a fee simple quitclaim transfer from Blue Ridge School District #32 (the "School District") of the real property known as Johnson Drive, as more fully described on the Legal Description and Map attached as Exhibits "A" and "B" respectively, which Exhibits are incorporated herein by this reference.

2. Town's Consideration. In consideration of the Town's acceptance of the roadway property known as Johnson Drive from the School District, and provided that no third parties claim title to Johnson Drive, the Town agrees that from and after the dedication and recording of the Quitclaim Deed, attached as Exhibit "C" and incorporated herein by this reference, that the Town will: (i) relieve the School District of all further responsibility for the rehabilitation, maintenance, snow plowing, and other maintenance responsibilities for Johnson Drive; and (ii) that the Town will take over and be responsible for the rehabilitation, maintenance, snow plowing, and other maintenance responsibilities for Johnson Drive.

3. Cooperation. The Town and the School District agree that they will cooperate to affect the transfer of ownership by Quitclaim Deed, Exhibit "C," and will further cooperate to ensure that this roadway remains open to the public and useful to the School District. The Town and the School District further agree that if speed restrictions, lane restrictions, or other use restrictions are necessary to ensure that the promises and conditions set forth in sections 2 and 3 of this ordinance remain in force, the Parties will work together and cooperate to do so.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Pinetop-Lakeside, Arizona, this 3rd day of January 2019.

TOWN OF PINETOP-LAKE SIDE

Stephanie Irwin
Stephanie Irwin, Mayor

ATTEST:

Remilie Miller
Remilie Miller, Town Clerk



APPROVED AS TO FORM:

William J. Sims III
William J. Sims III., Town Attorney

APPROVED, PASSED AND ADOPTED, by the Blue Ridge Unified School District this 22nd day of January 2019.

BLUE RIDGE UNIFIED SCHOOL DISTRICT

David Merrill
David Merrill, Governance Board President

ATTEST:

Dr. Michael Wright Ed.D.
Dr. Michael Wright, Superintendent

APPROVED AS TO FORM:

Clyde R. Dangerfield
Clyde R. Dangerfield, Esquire
Blue Ridge Unified School District Attorney

EXHIBIT "A"
LEGAL DESCRIPTION

THAT PART OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 22 EAST, AND A PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 9 NORTH, RANGE 22 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, NAVAJO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A GLO BRASS CAP FLUSH MARKING THE NORTHWEST CORNER OF SAID SECTION 25, FROM WHICH A GLO BRASS CAP FLUSH MARKING THE WEST QUARTER CORNER OF SAID SECTION 25 BEARS SOUTH 00°11'37" WEST, 2663.40 FEET;

THENCE SOUTH 00°11'37" WEST, ALONG THE WESTERLY LINE OF SAID SECTION 25, 1610.64 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WESTERLY LINE SOUTH 00°11'37" WEST, 14.78 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 175.00 FEET, FROM WHICH THE CENTER BEARS SOUTH 10°14'28" WEST;

THENCE DEPARTING SAID WESTERLY LINE, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 59°23'05", AN ARC LENGTH OF 181.38 FEET;

THENCE SOUTH 20°22'28" EAST, 390.36 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 184.66 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°26'50", AN ARC LENGTH OF 117.47 FEET;

THENCE SOUTH 18°15'37" WEST, 41.49 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 521.51 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°54'48", AN ARC LENGTH OF 8.31 FEET;



EXPIRES 03/31/21

Title: LEGAL DESCRIPTION

Project #: 09009093

Date: 11/05/18

Scale: N/A

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EXHIBIT "A"
LEGAL DESCRIPTION

THENCE SOUTH 70°45'29" EAST, 4.93 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 530.00 FEET, FROM WHICH THE CENTER BEARS NORTH 70°45'29" WEST;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°00'03", AN ARC LENGTH OF 166.51 FEET;

THENCE SOUTH 37°42'58" WEST, 44.66 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 96°31'45", AN ARC LENGTH OF 67.39 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 260 ACCORDING TO ADOT RIGHT-OF-WAY PLAN NUMBER F-044-1-701 ALSO BEING A POINT OF CUSP AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 950.00 FEET, FROM WHICH THE CENTER BEARS NORTH 31°06'55" EAST;

THENCE ALONG SAID RIGHT-OF-WAY LINE, COINCIDENT WITH SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°28'58", AN ARC LENGTH OF 140.65 FEET TO A POINT ON THE EASTERLY LINE OF THOSE CERTAIN LANDS DESCRIBED IN BOOK 20, PAGE 24, RECORDS OF NAVAJO COUNTY, BEING A POINT ON A CUSP AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET, FROM WHICH THE CENTER BEARS NORTH 39°43'12" EAST;

THENCE CONTINUING ALONG THOSE CERTAIN LANDS DESCRIBED IN BOOK 20, PAGE 24, FOR THE FOLLOWING (8) COURSES:

- (1) THENCE DEPARTING SAID RIGHT-OF-WAY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 92°31'58", AN ARC LENGTH OF 64.60 FEET;
- (2) THENCE NORTH 37°11'14" EAST, 49.77 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 475.00 FEET;



EXPIRES 03/31/21

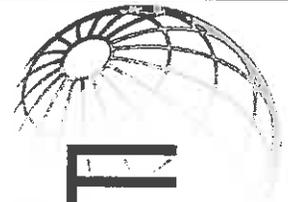
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EXHIBIT "A"
LEGAL DESCRIPTION

- (3) THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°51'36", AN ARC LENGTH OF 156.35 FEET;
- (4) THENCE NORTH 18°19'38" EAST, 40.07 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 124.99 FEET;
- (5) THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 38°47'54", AN ARC LENGTH OF 84.64 FEET;
- (6) THENCE NORTH 20°28'09" WEST, 381.93 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 125.02 FEET;
- (7) THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 57°10'52", AN ARC LENGTH OF 124.77 FEET;
- (8) THENCE SOUTH 00°11'37" WEST, 1.07 FEET;

THENCE SOUTH 89°28'31" WEST, 287.47 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 260;

THENCE NORTH 00°52'18" EAST, ALONG SAID RIGHT-OF-WAY, 91.17 FEET TO A POINT ON THE SOUTHERLY LINE OF THOSE CERTAIN LANDS DESCRIBED IN BOOK 53, PAGE 39, NAVAJO COUNTY RECORDER;

THENCE ALONG THOSE CERTAIN LANDS DESCRIBED IN BOOK 53, PAGE 39, NAVAJO COUNTY RECORDER, FOR THE FOLLOWING (2) COURSES;

- (1) THENCE DEPARTING SAID RIGHT-OF-WAY SOUTH 85°39'19" EAST, 105.63 FEET;
- (2) THENCE SOUTH 88°13'39" EAST, 181.08 FEET TO THE POINT OF BEGINNING.

CONTAINING 72,255 SQUARE FEET OR 1.659 ACRES, MORE OR LESS.



EXPIRES 03/31/21

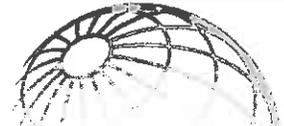
Title: LEGAL DESCRIPTION

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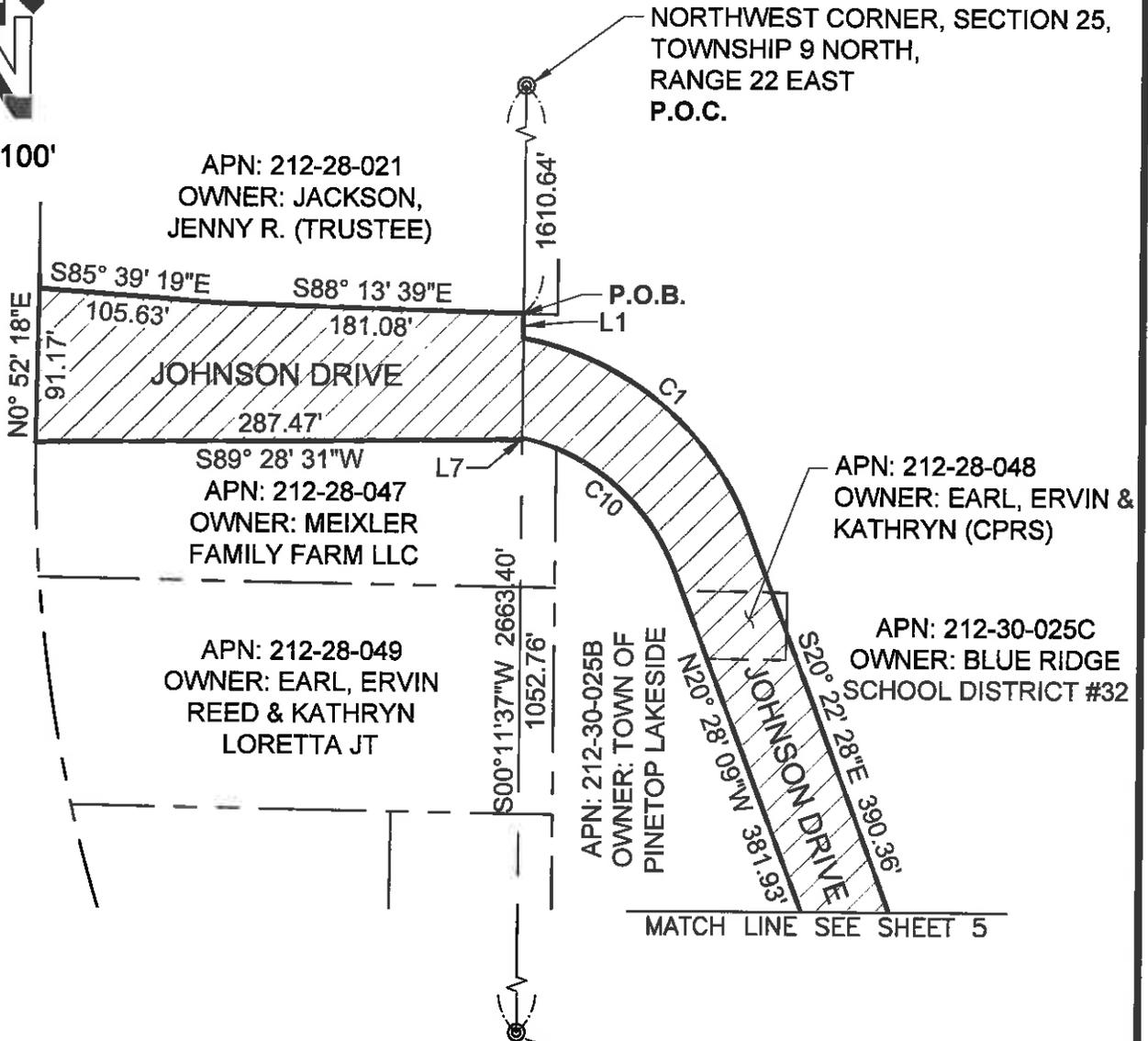
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EXHIBIT "B"
JOHNSON DRIVE



1" = 100'

S.R. 260



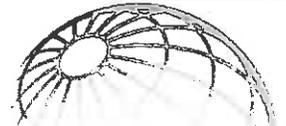
THIS EXHIBIT IS FOR GRAPHICAL REPRESENTATION ONLY TO BE USED IN CONJUNCTION WITH THE ATTACHED LEGAL DESCRIPTION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY.

WEST QUARTER CORNER, SECTION 25, TOWNSHIP 9 NORTH, RANGE 22 EAST



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EXHIBIT "B"
JOHNSON DRIVE



1" = 100'

APN: 212-28-050
OWNER: MONTOYA
KAREN L

NORTHWEST CORNER, SECTION 25,
TOWNSHIP 9 NORTH,
RANGE 22 EAST
P.O.C.

MATCH LINE SEE SHEET 4

APN: 212-30-025C
OWNER: BLUE RIDGE
SCHOOL DISTRICT #32

APN: 212-30-025B
OWNER: TOWN OF
PINETOP LAKESIDE

APN: 212-92-006T
OWNER: WINGED FOOT
INVESTMENT
SERVICES LIMITED
PARTNERSHIP LLLP

WEST QUARTER CORNER,
SECTION 25, TOWNSHIP 9 NORTH,
RANGE 22 EAST

S.R. 260

APN: 212-30-025D
OWNER: TOWN OF
PINETOP LAKESIDE

THIS EXHIBIT IS FOR GRAPHICAL REPRESENTATION ONLY
TO BE USED IN CONJUNCTION WITH THE ATTACHED LEGAL
DESCRIPTION AND DOES NOT CONSTITUTE A BOUNDARY
SURVEY.



EXPIRES 03/31/21

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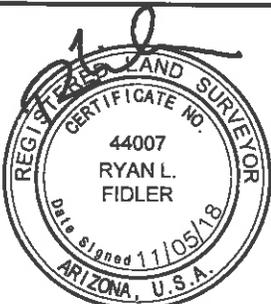
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EXHIBIT "B"
JOHNSON DRIVE

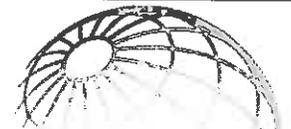
LINE TABLE		
LINE	LENGTH	BEARING
L1	14.78	S0° 11' 37"W
L2	41.49	S18° 15' 37"W
L3	4.93	S70° 45' 29"E
L4	44.66	S37° 42' 58"W
L5	49.77	N37° 11' 14"E
L6	40.07	N18° 19' 38"E
L7	1.07	S0° 11' 37"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BRG.	CHORD LENGTH
C1	181.38	175.00	59°23'05"	S50° 04' 00"E	173.37
C2	117.47	184.66	36°26'50"	S2° 09' 02"E	115.50
C3	8.31	521.51	0°54'48"	S18° 43' 01"W	8.31
C4	166.51	530.00	18°00'03"	S28° 14' 32"W	165.83
C5	67.39	40.00	96°31'45"	S10° 32' 59"E	59.70
C6	140.65	950.00	8°28'58"	N54° 38' 36"W	140.52
C7	64.60	40.00	92°31'58"	N83° 27' 13"E	57.80
C8	156.35	475.00	18°51'36"	N27° 45' 26"E	155.65
C9	84.64	124.99	38°47'54"	N1° 04' 15"W	83.03
C10	124.77	125.02	57°10'52"	N49° 03' 47"W	119.66



EXPIRES 03/31/21

Title: EXHIBIT
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EXHIBIT "C"

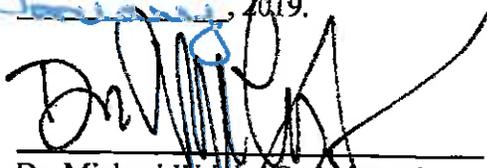
When Recorded Mail To:
Remilie Miller, Town Clerk
325 W. White Mountain Blvd.
Lakeside, AZ. 85929

QUITCLAIM DEED

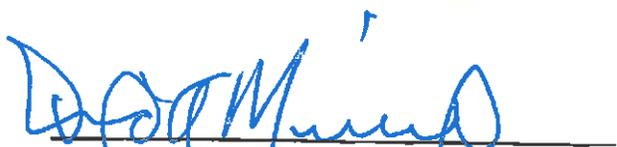
KNOW ALL MEN BY THESE PRESENTS:

That the Blue Ridge Unified School District #32, an Arizona political subdivision, for the consideration of Ten Dollars (\$10.00), and other valuable consideration, do hereby release, remise, and forever quitclaim unto the Town of Pinetop-Lakeside, an Arizona municipal corporation, all right, title and interest in that certain Property which is a public right-of-way known as Johnson Drive situated in Pinetop-Lakeside, Navajo County, State of Arizona, and more fully described as set forth on Exhibits "A" and "B," attached and incorporated herein by this reference.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 22nd day of January, 2019.



Dr. Michael Wright, Superintendent



David Merrill, Governance, Board President

STATE OF ARIZONA)
) ss.
County of Navajo)

SUBSCRIBED AND SWORN to before me this 22nd day of January, 2019, by Dr. Michael Wright and David Merrill acting on behalf of the Blue Ridge Unified School District.



Notary Public

My Commission Expires:
April 2, 2021

