

When recorded please mail to:
Kristi Salskov, CMC, Town Clerk
Town of Pinetop-Lakeside
325 W. White Mountain Blvd.
Lakeside, AZ 85929

TOWN OF PINETOP-LAKESIDE

RESOLUTION NO. 23-1689

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, NAVAJO COUNTY, ARIZONA, APPROVING TO ENTER INTO A GENERAL EASEMENT AGREEMENT BETWEEN JEFFREY AND JANET PHILLIPS REVOCABLE TRUST AND THE TOWN OF PINETOP-LAKESIDE FOR CONSTRUCTION AND MAINTENANCE OF A TOWN STORM WATER DRAINAGE SYSTEM.

WHEREAS, the storm water system for the Top of the Woods Unit One drainage area is currently not suitable to accommodate a one-hundred-year storm event.

WHEREAS, the Town of Pinetop-Lakeside wishes to improve the storm water drainage system for the Top of the Woods drainage area to accommodate a potential one-hundred-year storm event; and

WHEREAS, portions of the proposed storm water drainage system will be constructed on private property; and

WHEREAS, the Town of Pinetop-Lakeside will enter into a General Easement Agreement with Jeffrey and Janet Phillips Revocable Trust to construct and maintain the storm water drainage system over their real property.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Pinetop-Lakeside, Navajo County, Arizona, hereby approve to enter into a general easement agreement between Jeffrey and Janet Phillips Revocable Trust and the Town of Pinetop-Lakeside; and authorize the Town Manager to execute all documents necessary in connection with this agreement.

PASSED AND ADOPTED by the Town Council of the Town of Pinetop-Lakeside, Navajo County, Arizona this 21st day of September 2023.



ATTEST:

Mackenzie Valichnac
Mackenzie Valichnac
Deputy Town Clerk

TOWN OF PINETOP-LAKESIDE

Sterling Beus 9/21/2023
Sterling Beus, Vice Mayor

APPROVED AS TO FORM:

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

When recorded mail to:
Kristi Salskov, CMC, Town Clerk
Town of Pinetop-Lakeside
325 W White Mountain Blvd.
Lakeside, AZ 85929

GENERAL EASEMENT AGREEMENT

For consideration of Ten Dollars and other valuable considerations, I or we,

JEFFREY and JANET PHILLIPS REVOCABLE TRUST (“Grantor”)

Do hereby convey to:

TOWN OF PINETOP-LAKESIDE, a municipal corporation (“Grantee”)

A perpetual easement for the following purposes only: Construction and maintenance of storm water drainage system to go through, over and across the following real property situated in Navajo County, Arizona.

See Exhibits ‘A’ and ‘B’ attached hereto and made a part hereof.

Subject to: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

The grantor warrants the title against all persons whomsoever.

The grantee agrees to maintain such public improvements which may be placed within said easement for the stated purpose.

Dated: _____
Jeffrey D. Phillips, Trustee of Jeffrey and Janet Phillips Revocable Trust

Dated: _____
Janet M. Phillips, Trustee of Jeffrey and Janet Phillips Revocable Trust

STATE OF ARIZONA)
)SS
COUNTY OF NAVAJO)

On this _____ day of _____, 2023 before me, a Notary Public in and for the State of Arizona, duly commissioned and sworn, personally appeared Jeffrey and Janet Phillips personally known to me and proved to me on the basis of satisfactory evidence to be the persons who executed the foregoing instrument and acknowledged said instrument to be their free and voluntary act and deed for the uses and purposes therein mentioned.

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

Notary Public
Signature

My commission
expires: _____

Exhibit 'A'
LEGAL DESCRIPTION
APN: 212-42-077B & 077D

A portion of that parcel of land as described in Instrument Number 2022-19657 and 2022-19658, Official Records of Navajo County, lying within the southeast quarter of Section 1, Township 8 North, Range 22 East, of the Gila and Salt River Meridian, Navajo County, Arizona, described as follows:

Commencing at the east quarter corner of said Section 1, said point being in common with the northeast corner of said parcel, and from which a point on the east line of said Section 1, said point being in common with the southwest corner of The Woods at Pinetop, Unit 1 according to Book 17 of Plats, Page 19, Official Records of Navajo County (herein referred to as R1) bears, South 00°02'46" West, 1321.82 feet (Basis of Bearing) (South 00°03'08" West, 1321.82 feet per R1) and the **POINT OF BEGINNING**;

Thence along the east line of said Section 1, and the east line of said parcel, South 00°02'46" West, 165.29 feet;

Thence continuing along said east line, South 00°02'46" West, 72.39 feet,

Thence leaving said east line, South 89°51'50" West, 30.00 feet,

Thence North 00°02'46" East, 72.39 feet;

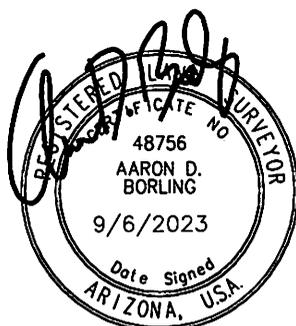
Thence North 00°02'46" East, 165.29 feet to a point on the north line of said parcel;

Thence along said north line, North 89°51'57" East 30.00 feet to the **POINT OF BEGINNING**.

Containing 7,130 square feet, or 0.164 acres, more or less.

See Exhibit 'B' attached hereto and made a part hereof.

This legal description was prepared by Aaron D. Borling, RLS 48756, on behalf of and at the request of Shephard-Wesnitzer, Inc., Flagstaff, Az.



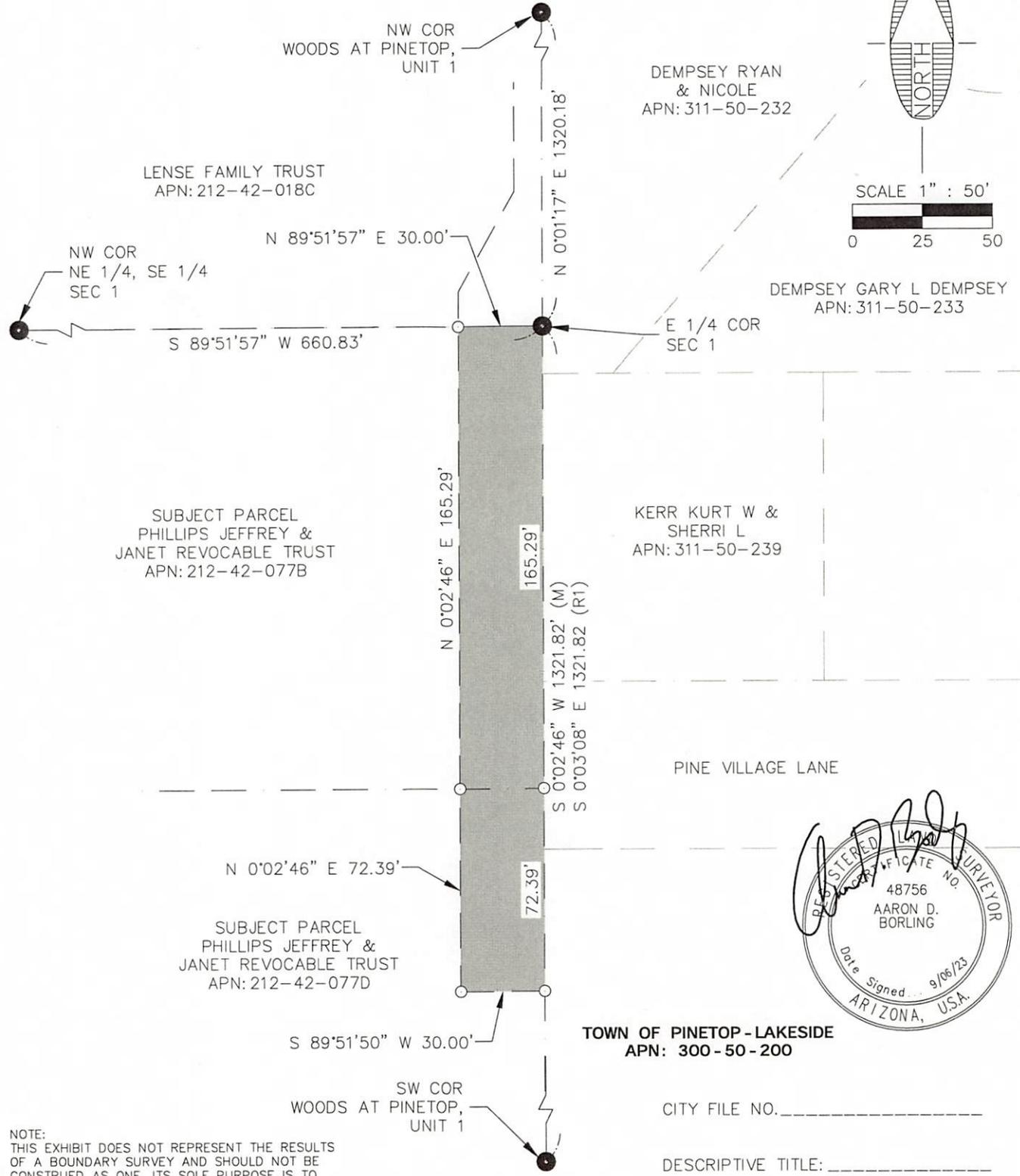
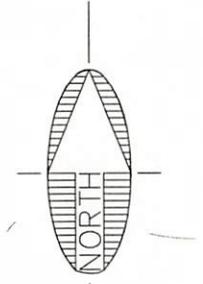
City File No. _____

Descriptive Title: _____

PLOTTED: Sep 06, 2023-3:45pm

EXHIBIT 'B' TO ACCOMPANY LEGAL DESCRIPTION

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 1,
TOWNSHIP 8 NORTH, RANGE 22 EAST,
GILA AND SALT RIVER MERIDIAN,
NAVAJO COUNTY, ARIZONA



NOTE:
THIS EXHIBIT DOES NOT REPRESENT THE RESULTS
OF A BOUNDARY SURVEY AND SHOULD NOT BE
CONSTRUED AS ONE. ITS SOLE PURPOSE IS TO
DEPICT THE LOCATION OF THE AREA DESCRIBED.



TOWN OF PINETOP-LAKESIDE
APN: 300-50-200

CITY FILE NO. _____
DESCRIPTIVE TITLE: _____

FILE: P:\2023\118530\LEGAL DESCRIPTIONS\PHILLIPS - DRAINAGE EASEMENT.DWG ABORLING



110 W. Dale Avenue
Flagstaff, AZ 86001
928.773.0354
928.774.8934 fax
www.ardurra.com

JOB NO.	222250
DATE	SEP 23
SCALE	AS SHOWN
DRAWN	HAS
DESIGN	
CHECKED	ADB

PHILLIPS	NAVAJO COUNTY, ARIZONA	SHEET 2 OF 2
LEGAL EXHIBIT		