

RESOLUTION 15-__

**ALTER THE ESTABLISHMENT OF A COUNTY HIGHWAY AND EXTINGUISH ANY
INTEREST IN A PORTION OF JEFFERSON ROAD IN ELFRIDA**

WHEREAS, pursuant to A.R.S. § 28-6701, the Board of Supervisors of Cochise County, Arizona may alter or abandon a County highway, and pursuant to A.R.S. § 28-7201 through 28-7215 may dispose of or extinguish interest in a portion of a roadway that is not necessary for public road use; and

WHEREAS, Jefferson Road was previously established as a County Highway, in 1912 at a width of 66 feet, as depicted on Maps and Plats Book 0 Page 115, and subsequently widened in 1988 to 75 feet, as depicted on Maps and Plats Book 12 Pages 79-79A; and

WHEREAS, on August 25, 2015, a petition was presented to the Board of Supervisors, signed by more than ten resident taxpayers, including the owners of the abutting land, requesting the reduction of width for a County highway establishment and to extinguish any interest the County may have in that area released by the reduced width of Jefferson Road, more particularly described as follows:

LEGAL DESCRIPTION

REDUCED WIDTH OF COUNTY HIGHWAY ESTABLISHMENT

A portion of Jefferson Road, located in Section 15, Township 20 South, Range 26 East of the Gila and Salt River Meridian, Cochise County, Arizona and more particularly described as follows:

Alter the established width of that portion of Jefferson Road, from 35.00 feet to 25.00 feet, across the South boundary of those properties described in Instrument Number 2013-07592 and 0510-41018, records of Cochise County, Arizona.

LEGAL DESCRIPTION

EXTINGUISH ANY INTEREST

A portion of the former County highway established alignment of Jefferson Road, located in Section 15, Township 20 South, Range 26 East of the Gila and Salt River Meridian, Cochise County, Arizona and more particularly described as follows:

The North 10.00 feet of the South 35.00 feet adjoining the South boundary of those properties described in Instrument

**Number 2013-07592 and 0510-41018, records of Cochise
County, Arizona.**

WHEREAS, the owners of the land abutting the portion of the County highway to be altered and vacated approve of the action; and

WHEREAS, on September 15, 2015, the Board of Supervisors held a public hearing on said petition, and notice having been given by publication thereof once a week for two (2) weeks in the Arizona Range News/San Pedro Valley News-Sun, the designated official newspaper for Cochise County notices, and said notice having directed all persons wishing to object to the action prayed for in the petition to file with Clerk of the Board of Supervisors, a statement in writing setting forth any objections or opposition and to show cause why said petition should not be granted; and

WHEREAS, having considered all comments regarding this request at said hearing, and having determined the alteration of the County highway described hereinabove is in the public interest, and having determined that any interest that the County may have in that portion to be extinguished described hereinabove is not necessary for public use as a roadway pursuant to A.R.S. § 28-7202; and

WHEREAS, unknown public utilities may exist within said described portion.

NOW THEREFORE, IT IS RESOLVED that the petition for the alteration of the establishment of the County highway and extinguishing of any interest that the County may have as above described is hereby approved pursuant to ARS 28-7214.

IT IS FURTHER RESOLVED that the Clerk of the Board of Supervisors is authorized and directed to file in the office of the County Recorder of Cochise County, Arizona, a certified copy of this resolution and order, together with a map of said highway.

IT IS FINALLY RESOLVED that any and all rights-of-way or easements for existing sewer, gas, water or similar pipelines and appurtenances and for canals, laterals or ditches and appurtenances and for electric, telephone, and similar lines and appurtenances shall continue as they existed prior to the disposals or abandonment thereof, pursuant to A.R.S. § 28-7210.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this ____ day of _____, 2015.

Patrick Call, Chairperson
Board of Supervisors
Cochise County, State of Arizona

ATTEST:

Arlethe Rios,
Clerk of the Board

APPROVED AS TO FORM:

Britt W. Hanson,
Chief Civil Deputy County Attorney