

## **EXHIBIT “C”**

### **RESOLUTION 17-**

#### **AUTHORIZING THE ABANDONMENT OF THE RICHARDS ADDITION SUBDIVISION AND PUBLIC RIGHTS-OF-WAY**

**WHEREAS**, there has been presented to the Board of Supervisors of Cochise County Arizona, a formal request seeking the abandonment of the Richards Addition Subdivision (Docket FPA-17-01) and those certain public rights-of-way within the Subdivision, more particularly described as follows:

SEE EXHIBIT “A” being the Abandonment Plat for Richards Addition Subdivision according to Book 2 of Maps and Plats at page 107 with the Cochise County Recorder Office, Cochise County, Arizona

**WHEREAS**, A.R.S. § 11-806.01 grants the Board of Supervisors the authority to regulate subdivisions; and

**WHEREAS**, Section 308 of the Cochise County Subdivision Regulations provides for the abandonment of recorded final plats if a formal request to abandon the subdivision has been provided in writing by the owners of the Richards Addition Subdivision; and

**WHEREAS**, the Richards Addition Subdivision, platted in 1914 has not been developed with any improvements, and is currently owned by National Pecan, who submitted the request for abandonment; and

**WHEREAS**, the Board of Supervisors, having considered all comments regarding this request at their meeting held August 8, 2017, have determined that the public right-of-way (Excepting South Apache Pass Road and East Anderson Street), described in Exhibit A is not necessary for public use as a roadway pursuant to A.R.S. § 28-7202; and

**WHEREAS**, a Quit Claim Deed for the vacated rights-of-way will be issued to the adjacent property owner upon receipt of monies, in accordance with A.R.S. § 28-7208; and

**WHEREAS**, the applicant has paid the Land Purchase Fee for the rights-of-way within the subdivision; and

**WHEREAS**, unknown public utilities may exist within said right-of-way,

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**NOW, THEREFORE, IT IS HEREBY RESOLVED** that the petition for the abandonment, as described in Exhibit A and requested herein, is hereby granted, and said subdivision and public rights-of-way (Excepting South Apache Pass Road and East Anderson Street) are hereby vacated and abandoned, in accordance with A.R.S. § 11-806.01 and § 28-7201, *et seq.*, and Cochise County Subdivision Regulation 308.

**IT IS FURTHER RESOLVED** that the interest of Cochise County in lands described above are hereby vacated and the issuance of Quit Claim Deeds vesting title in the adjacent property owners is hereby authorized pursuant to A.R.S. § 28-7205.4. The Chairman of the Board is hereby authorized to execute the Quit Claim Deed(s) and all other documents necessary to completion of this transaction.

**IT IS FINALLY RESOLVED** that any and all rights-of-way or easements of 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 disposals or abandonment thereof, pursuant to A.R.S. § 28-7210.

**PASSED AND ADOPTED** by the Board of Supervisors of Cochise County, Arizona, this 8<sup>th</sup> day of August, 2017.

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Ann English, Chairman  
Cochise County Board of Supervisors

**ATTEST:**

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Arlthe G. Rios,  
Clerk of the Board

**APPROVED AS TO FORM:**

  
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Britt W. Hanson,  
Chief Civil Deputy