

RESOLUTION 20-___

**AUTHORIZING THE ABANDONMENT OF ANY INTEREST
IN NO-ACCESS EASEMENT**

WHEREAS, there has been presented to the Board of Supervisors of Cochise County Arizona, a formal request praying for the abandonment of that certain “no-access” easement, more particularly described as follows:

A one (1.00) foot no vehicular access easement over the North and West boundaries of the following described parcel of land located in the Southeast quarter of Section 1, Township 22 South, Range 20 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona being more particularly described as follows:

The East 335.00 feet excluding the North 100.00 feet of the North 531.00 feet of the West half of the Northeast quarter of the Southeast quarter of said Section 1, said “No Vehicular Access Easement” along the West line will not affect the private, non-commercial access by the current owners of the afore described parcel and the current owners of the parcel adjacent on the west.

WHEREAS, in Instrument No. 8611-24098 a “no access” easement was created pursuant to Rezoning Docket Z-84-10 to limit commercial development access within residential zoning, and

WHEREAS, Zoning Ordinance 19-04, amending certain zoning district boundaries in Sierra Vista, AZ from GB & SR-12 to MR-1, in conjunction with County’s right-of-way permitting process negates the need for the “no access” easement, and

WHEREAS, the Board of Supervisors having considered all comments regarding this request at their meeting held November 17th, 2020, and having determined that the “no-access” easement described hereinabove is not necessary for public pursuant to A.R.S. § 28-7202; and

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

NOW THEREFORE, IT IS HEREBY RESOLVED, that the request for the abandonment as described and requested herein is hereby granted, and the “no-access” easement is hereby vacated, in accordance with A.R.S. § 28-7214.

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 _____, 2020.

Thomas E. Borer, Chairman
Cochise County Board of Supervisors

ATTEST:

Kim Lemons, CPCC
Clerk of the Board

APPROVED AS TO FORM:

Britt Hanson

Britt Hanson, Of Counsel
Cochise County Attorney

Exhibit "A"

A one (1.00) foot no vehicular access easement over the North and West boundaries of the following described parcel of land located in the Southeast quarter of Section 1, Township 22 South, Range 20 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona being more particularly described as follows:

The East 335.00 feet excluding the North 100.00 feet of the North 531.00 feet of the West half of the Northeast quarter of the Southeast quarter of said Section 1, said "No Vehicular Access Easement" along the West line will not affect the private, non-commercial access by the current owners of the afore described parcel and the current owners of the parcel adjacent on the west.