

ORDINANCE NO. 803

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AUTHORIZING THE EXCHANGE OF A PARCEL(S) OF REAL PROPERTY OWNED BY THE TOWN FOR A NEARBY PARCEL(S) NEEDED BY THE TOWN FOR FUTURE EXPANSION OF VIEWPOINT DRIVE; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY MEASURE PURSUANT TO ARS §19-142(B) AND §2-05-060 OF THE PRESCOTT VALLEY TOWN CODE.

WHEREAS, the Town of Prescott Valley owns Lot 8974 in Unit Nineteen, Prescott Valley, located adjacent to Viewpoint Drive and near the intersection of Long Look Drive and Viewpoint Drive(Exhibit A attached hereto and expressly made a part hereof); and

WHEREAS, nearby Lot 8973 in Unit Nineteen is of a rectangular shape so that two triangular portions of said lot are located within what is to become Viewpoint Drive(Exhibit B attached hereto and expressly made a part hereof);

WHEREAS, the owner of Lot 8973 (Carlile) and the Town have reached agreement to exchange those parcels of Lot 8973 for a parcel from Lot 8974, subject to approval by the Mayor and Common Council of the Town of Prescott Valley;

WHEREAS, the parcels to be exchanged have been determined to be of substantially equal value; and

WHEREAS, ARS §9-407 empowers Arizona municipalities to authorize by ordinance an exchange of parcels of real property for other parcels within the municipality, provided the parcels are of substantially equal value and a notice of intent to make such an exchange has been published according to ARS §39-204 prior to such exchange; and

WHEREAS, such a notice will be published on four consecutive days in the Prescott Courier;

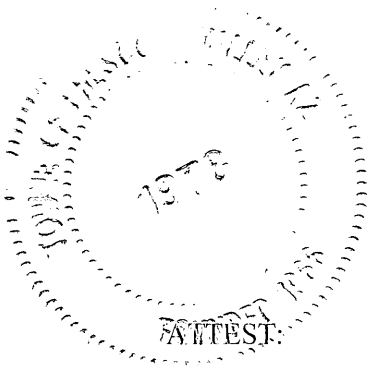
NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, as follows:

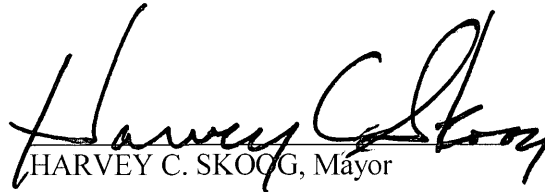
Section 1. Upon completion of the notice publication required by law, appropriate Town staff are hereby authorized to prepare instruments necessary to effect an exchange of the described parcel of Lot 8974 in Unit Nineteen, Prescott Valley (owned by the Town) for parcels of Lot 8973 in Unit Nineteen.

Section 2. The Mayor (or in his absence, the Vice Mayor) is hereby authorized to sign the instrument for conveying the Town property and to accept the deed provided by Carlile (and to sign such other documents and take such other reasonable actions as are necessary to complete said exchange of parcels).

Section 3. That, inasmuch as it is necessary for the peace, health and safety of the Town of Prescott Valley that this Ordinance be effective immediately upon its passage and approval according to ARS §19-142(B) and Town Code §2-05-060 (due to the need to move forward with the phased construction of the Viewpoint Drive extension), this Ordinance is hereby declared to be an emergency measure and effective upon its passage and approval.

PASSED AND APPROVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 12th day of February, 2015.




HARVEY C. SKOOG, Mayor


Diane Russell, Town Clerk

APPROVED AS TO FORM:


Ivan Legler, Town Attorney

EXHIBIT A

Town Property to be Exchanged

DAVA & ASSOCIATES, INC.

PLANNING • ENGINEERING • SURVEYING

310 E. Union Street, Prescott, AZ 86303

(928) 778-7587

A portion of Lot 8974 as shown on the plat of Prescott Valley Unit 19 recorded in Book 15 of Maps and Plats, Pages 45-48 in the Yavapai County Recorder's Office. Also being a portion of Section 11, Township 14 North, Range 1 West of the Gila and Salt River Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the southeasterly corner of Lot 8974 as identified by an "X" marked on an electric box;

thence, along the south line of Lot 8974, North 89°54'30" West, 95.81 feet;

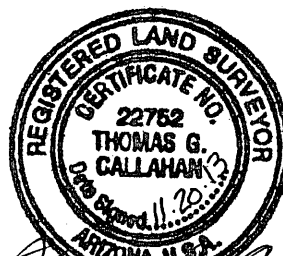
thence, departing the south line of Lot 8974, along a non-tangent curve to the right, having a chord bearing North 10°19'04" East, a chord length of 10.16 feet, a radius of 310.00 feet, a central angle of 1°52'41", and an arc length of 10.16 feet to a point on a line 10.00 feet northerly of and parallel with the south line of Lot 8974;

thence, along said parallel line, South 89°54'30" East, 92.66 feet to the east line of Lot 8974, from which point the corner common to Lots 8974 and 8975, as identified by a ½" rebar with no cap or tag, is North 07°32'42" West, 13.92 feet;

thence, along the east line of Lot 8974, South 07°32'42" East, 10.09 feet to the **POINT OF BEGINNING**.

This description yields 943 square feet.

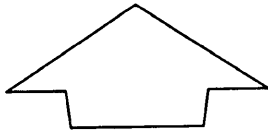
I certify that, I, Thomas G. Callahan, am a Registered Land Surveyor in the State of Arizona, that this description was prepared under my direction and contains adequate information to allow retracement thereof.



Exp. 6/30/2014

EXHIBIT

A PORTION OF LOT 8974, P.V. UNIT 19,
SECTION 11, T. 14 N., R. 1 W.,
G. & S. R. M.



NORTH
1"=30'

TOWN OF P.V.
~~8976~~
BK. 2556 O.R.,
PG. 865

TOWN OF P.V.
~~8975~~
BK. 2742 O.R.,
PG. 329

TOWN OF P.V.
~~8974~~
BK. 3181 O.R.,
PG. 658

TRACT A

NEW R.O.W.
LINE

NEW R.O.W. LINE
N07°26'52"W 91.43'

40.00'

40.00'

10.00'
WIDE PARCEL
DESCRIBED

S07°32'42"E
10.09'

R=310.00'
 $\Delta=1^{\circ}52'41''$
L=10.16'

S89°54'30"E 92.66'

9077

N89°54'30"W 95.81'

P.O.B.

TOWN OF P.V.
~~8972~~
BK. 2881 O.R.,
PG. 248

8973

DAVA & ASSOCIATES, INC.
310 EAST UNION STREET
PRESCOTT, ARIZONA 86303
928-778-7587

374VPCXN\C3D\SURVEY\EXH-DESC-LOT8974.DWG B.K. 11/06/2013
SEE 374VPCXN\WP\DESC-LOT8974.DSC

EXHIBIT B

Carlile Property to be Exchanged

DAVA & ASSOCIATES, INC.

PLANNING • ENGINEERING • SURVEYING

310 E. Union Street, Prescott, AZ 86303

(928) 778-7587

Portions of Lot 8973 as shown on the plat of Prescott Valley Unit 19 recorded in Book 15 of Maps and Plats, Pages 45-48 in the Yavapai County Recorder's Office. Also being portions of Section 11, Township 14 North, Range 1 West of the Gila and Salt River Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the southeast corner of said Lot 8973 as identified by a ½" rebar with a cap stamped "LS 15331";

thence, along the south line of Lot 8973, also being the northerly right-of-way line of Long Look Drive as shown on said plat, South 89°59'15" West, 69.97 feet to the **POINT OF BEGINNING**.

Thence, continuing along the south line of Lot 8973, South 89°59'15" West, 30.00 feet to the southwest corner of Lot 8973 as identified by a ½" rebar with a cap stamped "LS 22752";

thence, along the west line of Lot 8973, North 00°02'03" West, 30.00 feet, to a point herein after referred to as Point "A";

thence, departing the west line of Lot 8973, South 45°01'24" East, 42.43 feet to the **POINT OF BEGINNING**.

TOGETHER WITH

COMMENCING at said Point "A";

thence, along the west line of Lot 8973, North 00°02'03" West, 29.47 feet to a ½" rebar with a cap stamped "LS 22752" and to the **POINT OF BEGINNING**.

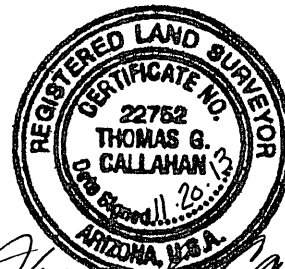
Thence, continuing along the west line of Lot 8973, North 00°02'03" West, 50.71 feet to the northwest corner of Lot 8973 as identified by a ½" rebar with a cap stamped "LS 22752";

thence, along the north line of Lot 8973, South 89°54'30" East, 4.17 feet, from which point the northeast corner of Lot 8973, as identified by an "X" etched in an electric box, is North 89°54'30" West, 95.81 feet;

thence, departing the north line of Lot 8973, along a non-tangent curve to the left, having a chord bearing South 04°40'20" West, a chord length of 50.87 feet, a radius of 310.00 feet, a central angle of 9°24'46", and an arc length of 50.93 feet to the **POINT OF BEGINNING**.

This description yields an aggregate of 520 square feet.

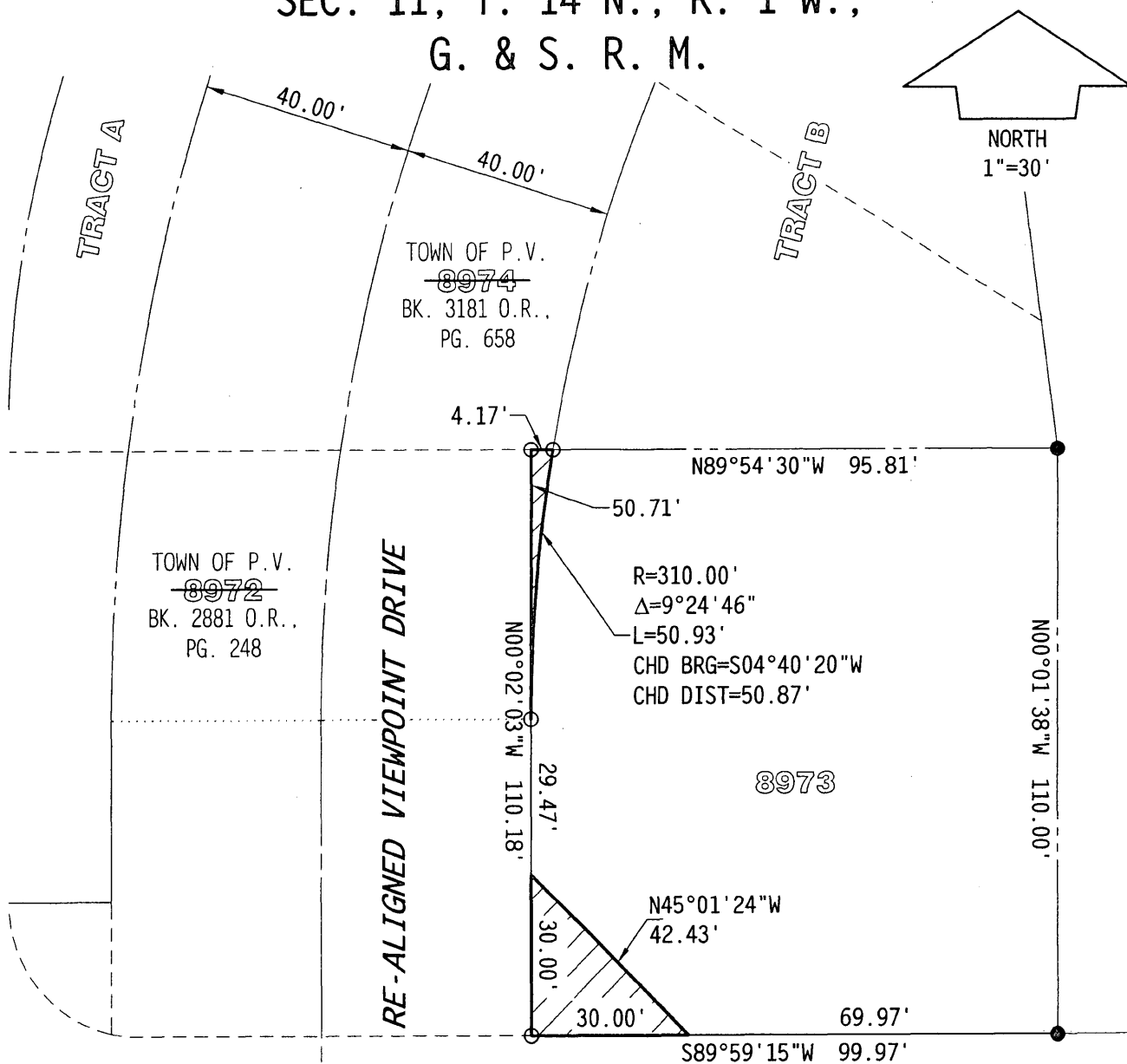
I certify that, I, Thomas G. Callahan, am a Registered Land Surveyor in the State of Arizona, that this description was prepared under my direction and contains adequate information to allow retracement thereof.



EXPIRES 6/30/2014

EXHIBIT

PORTIONS OF LOT 8973, P.V. UNIT 19,
SEC. 11, T. 14 N., R. 1 W.,
G. & S. R. M.



BK. 15 M.P., PGS. 45-48

LONG LOOK DRIVE

BK. 2243 O.R., PG. 899

DAY & ASSOCIATES, INC.
310 EAST UNION STREET
PRESCOTT, ARIZONA 86303
928-778-7587

374VPCXN\C3D\SURVEY\EXH-DESC-LOT8973.DWG B.K. 08/28/2013
SEE 374VPCXN\WP\DESC-LOT8973.DSC