

RESOLUTION NO. 2024-004

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER UTILITIES COMMUNITY FACILITIES DISTRICT (CITY OF APACHE JUNCTION, ARIZONA) DECLARING PORTIONS OF THE PUBLIC UTILITY EASEMENT LOCATED AT PARCEL NUMBER 103-21-024J, APACHE JUNCTION, ARIZONA, ARE NO LONGER NECESSARY FOR PUBLIC USE AND ARE HEREBY EXTINGUISHED.

WHEREAS, on April 9, 1956, the Water Utilities Community Facilities District ("WUCFD"), a special purpose district and Arizona municipal corporation, as a successor grantee, was granted a public utility easement ("PUE") at Parcel Number 103-21-024J, Apache Junction, Arizona, as more fully described in Exhibit A and depicted in Exhibit B, pursuant to the Small Tract Act of 1938 (52 Stat. 609, as amended, 43 U.S.C. 682a-682e), to allow for the installation and maintenance of public utility facilities on private property; and

WHEREAS, when a WUCFD PUE is no longer needed or conflicts with new development, the WUCFD board of directors (the "Board") may extinguish the PUE to provide underlying owners the ability to fully utilize their property; and

WHEREAS, in addition, the owner of the property on which the PUE exists may apply to WUCFD for an extinguishment; and

WHEREAS, the property owner filed a PUE extinguishment application on February 16, 2024, with WUCFD and paid the applicable processing fee; and

WHEREAS, the WUCFD director has determined that the PUE in question, because of its location, topography, or encroachments therein, has no or *de minimis* public value.

NOW, THEREFORE, BE IT RESOLVED BY THE WUCFD CHAIRPERSON AND BOARD OF DIRECTORS AS FOLLOWS:

- 1) The PUE, as described in Exhibit A and depicted in Exhibit B, is no longer necessary for public purposes, has no or *de minimis* public value, and is hereby extinguished.

- 2) Nothing in this approval extinguishes any other public utility entities' PUE interests.

PASSED AND ADOPTED BY THE WATER UTILITIES COMMUNITY FACILITIES DISTRICT CHAIRPERSON AND BOARD OF DIRECTORS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
WALTER "CHIP" WILSON  
Chairperson

ATTEST:

\_\_\_\_\_  
JENNIFER PENA  
Deputy District Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
RICHARD J. STERN  
District Attorney

**EXHIBIT A**

**PATENT EASEMENT EXTINGUISHMENT  
LEGAL DESCRIPTION**

**APN 103-21-024J**

THAT PART OF THE PATENT ROADWAY AND UTILITY EASEMENT FOUND IN  
GOVERNMENT PATENT NO. 1158731 WITHIN PINAL COUNTY, ARIZONA,  
DESCRIBED AS FOLLOWS:

THE EAST 33.00 FEET OF THE NORTH 280.15 FEET OF THE SOUTH 330.15 FEET OF  
THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER  
OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 8  
EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA; AND

THAT PART OF THE PATENT ROADWAY AND UTILITY EASEMENT FOUND IN  
GOVERNMENT PATENT NO. 1158723 WITHIN PINAL COUNTY, ARIZONA,  
DESCRIBED AS FOLLOWS:

THE WEST 33.00 FEET OF THE NORTH 280.15 FEET OF THE SOUTH 330.15 FEET OF  
THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF  
THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 8 EAST  
OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA.

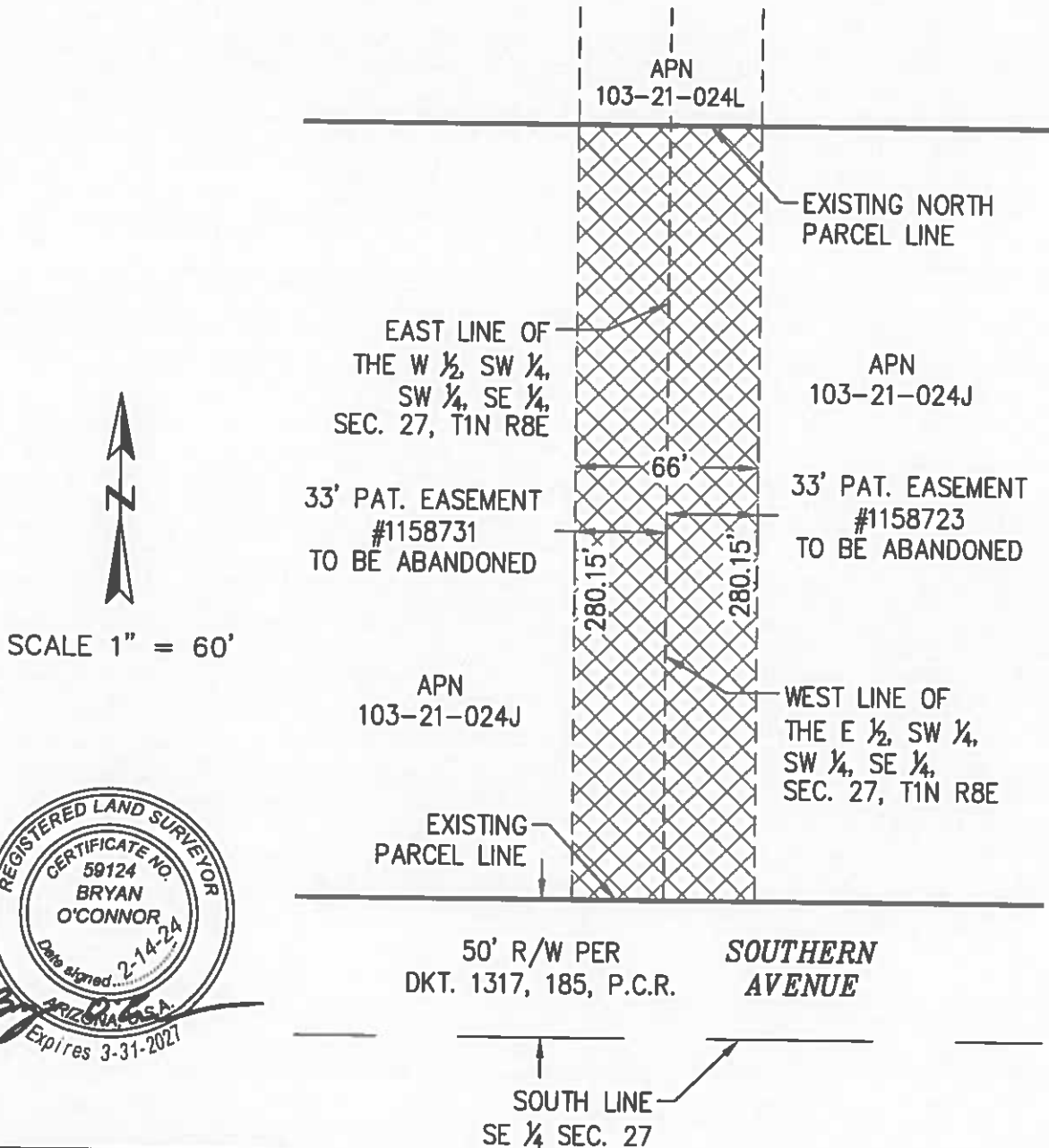
THE ABOVE EASEMENT EXTINGUISHMENT AREA LEGAL DESCRIPTION CONTAINS  
A COMPUTED AREA OF 18,490 SQ. FT. MORE OR LESS AND BEING SUBJECT TO ANY  
EXISTING EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY OF RECORD OR  
OTHERWISE.

PREPARED BY: GLOBAL LAND SURVEYING LLC  
P.O. BOX 2132  
PEORIA, AZ 85380  
PROJECT NO. 2303028A



## EXHIBIT B

### PATENT ROADWAY & UTILITY EASEMENT EXTINGUISHMENT AREA



Global Land Surveying LLC  
P.O. BOX 2132  
PEORIA, ARIZONA 85380  
623 328-9424  
JOB# 2303028A  
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PATENT EASEMENT EXTINGUISHMENT AREA