

RESOLUTION NO. 2016-009

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER UTILITIES COMMUNITY FACILITIES DISTRICT (CITY OF APACHE JUNCTION, ARIZONA) DECLARING THAT PORTIONS OF PUBLIC UTILITY EASEMENTS LOCATED ON 6TH AVENUE BETWEEN VISTA ROAD AND RAINDANCE ROAD, AND RAINDANCE ROAD BETWEEN 6TH AVENUE AND 7TH AVENUE, ARE NO LONGER NECESSARY FOR PUBLIC USE AS PUBLIC UTILITY EASEMENTS AND ARE HEREBY EXTINGUISHED.

WHEREAS, the Water Utilities Community Facilities District ("WUCFD" or the "District"), became the holder of several utility easements ("PUEs") for public utility purposes over certain parcels of real property and more particularly described in Exhibit A and depicted in Exhibit B; and

WHEREAS, when a District easement is no longer needed or conflicts with new development, the District Board of Directors may extinguish the easement to provide underlying owners the ability to fully utilize their property; and

WHEREAS, the owner of the property on which the easement exists has applied to the District for extinguishment and has paid the required non-refundable application and filing fee for the extinguishment request; and

WHEREAS, the District Engineer has determined that the PUEs in question, because of their location, topography, and encroachments, have no or *de minimis* public value.

NOW, THEREFORE, BE IT RESOLVED BY THE WUCFD BOARD OF DIRECTORS THAT:

1. The PUEs described in Exhibit A and depicted in Exhibit B, are no longer necessary for utility purposes, have no or *de minimis* public value, and are hereby extinguished for public utility purposes.
2. Nothing in this approval extinguishes any other public utility entities' interest on these PUEs.

PASSED AND ADOPTED BY THE WUCFD BOARD OF DIRECTORS THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2016.

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
JOHN S. INSALACO  
Chairman

ATTEST:

\_\_\_\_\_  
KATHLEEN CONNELLY  
District Clerk

APPROVED AS TO FORM:

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

## **EXHIBIT A**

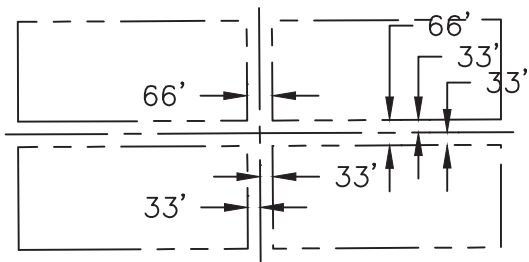
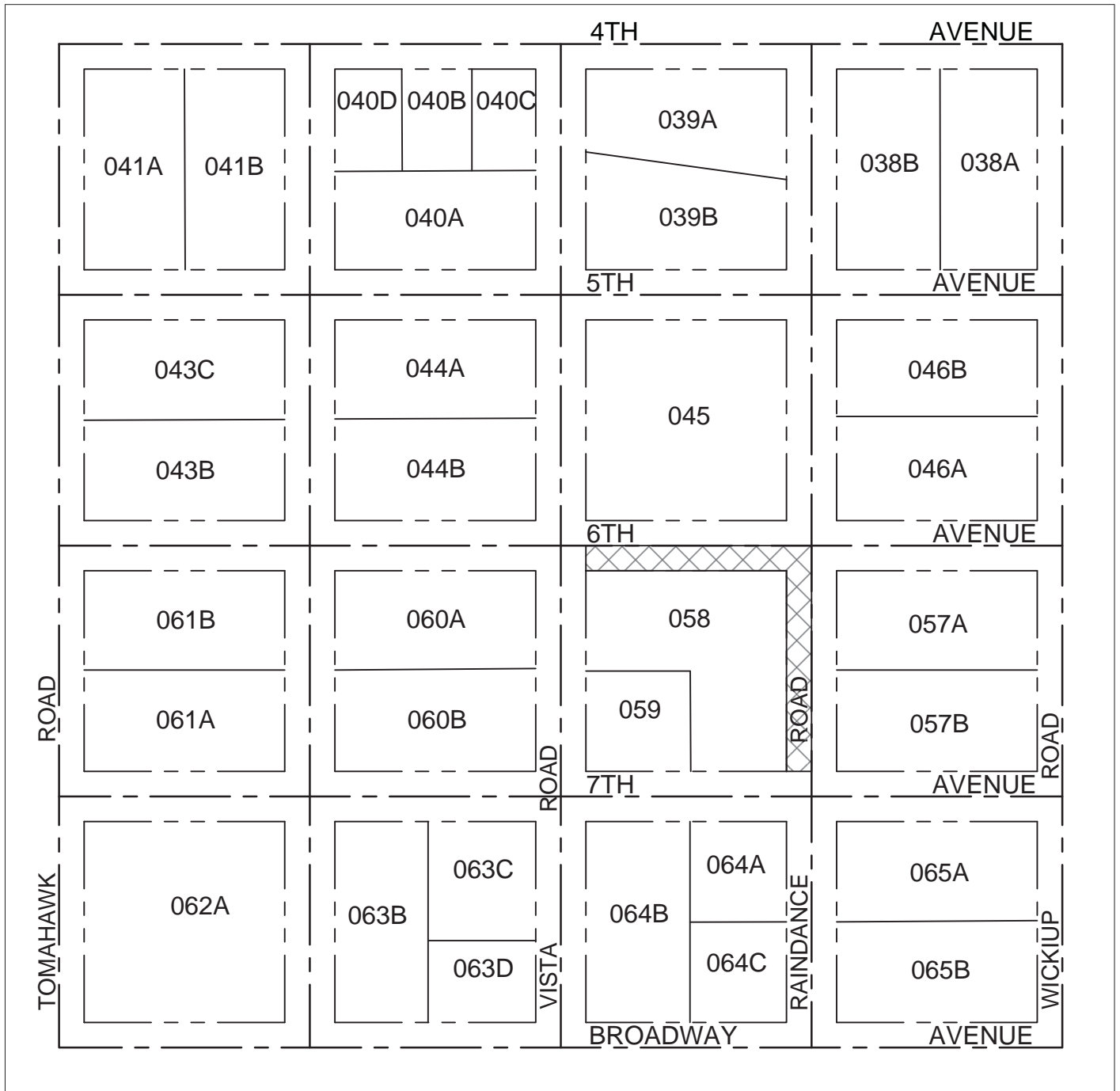
### **LEGAL DESCRIPTION**

APN 103-04-058

The East 33 feet and the North 33 feet of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 22, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.





EXCEPT the South 33 feet and West 33 feet THEREOF.

# EXHIBIT B



TYPICAL EASEMENT DIMENSION  
(UNLESS OTHERWISE NOTED)

## LEGEND

-  PROPOSED EXTINGUISHMENT
-  ROAD CENTERLINE
-  UTILITY EASEMENT
-  PROPERTY LINE

