When recorded,
return to:
Marian Sheppard, BOS
(9/29/09 #13)

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10/02/2009 03:05:10 PM Receipt #: 09-6496
Rec Fee: $0 Bos
Gila County, Az, Sadie Tomerlin Dalton, Recorder

RESOLUTION NO. 09-09-07

A RESOLUTION APPROVING THE DISPOSAL OF AN UNNECESSARY PUBLIC ROADWAY BEING A PORTION OF NELLIE DRIVE, EAST VERDE PARK, OFFICIAL MAP NO. 144 AND MORE PARTICULARLY DESCRIBED AS SHADED AREA "A" and SHADED AREA "B" OF RECORD OF SURVEY MAP NUMBER 3759, GILA COUNTY RECORDS, GILA COUNTY, ARIZONA

WHEREAS, GERALD J. KOESSLER and NANCY M. KOESSLER, husband and wife are the owners of the land adjoining that parcel of land hereinbefore described; and

WHEREAS, it has been determined that the disposal of the unnecessary public roadway will not leave any property without access to public roads and streets of Gila County, and is no longer necessary for public use, and the same should be granted; and

WHEREAS, GERALD J. KOESSLER and NANCY M. KOESSLER, husband and wife, agree that in consideration of the disposal of the said parcel of land and the conveyance of the ground so vacated to them as the adjoining owner, to release and discharge the COUNTY OF GILA from any and all damages, claims and demands of every kind and nature arising out of the conveyance of the same to them as the adjoining property owners; and

WHEREAS, it is to the best interest of the COUNTY OF GILA to be relieved of the obligation to maintain said parcel of land;

NOW, THEREFORE, BE IT RESOLVED by the Gila County Board of Supervisors:

Section 1: That the portion of land described herein and constituting that portion of Nellie Drive, East Verde Park, Official Map No. 144 and more particularly described as Shaded Area "A" and Shaded Area "B" of Record of Survey Map Number 3759, Gila County Records, Gila County, Arizona, is hereby, vacated and abandoned, subject, however, to all existing water, gas and utility easements now existing on said parcel of land.

Section 2: That the Chairman of the said Board of Supervisors, be, and she is hereby authorized, empowered and directed to make, execute and deliver in the name and under the seal of the COUNTY OF GILA, a quit claim deed conveying GERALD J. KOESSLER and NANCY M. KOESSLER, husband and wife, as owners of the adjacent property, that parcel of land hereinbefore described, and to cause said Deed to be attested and the seal of the said COUNTY OF GILA to be affixed thereto by the Clerk of the said Supervisors.

The above described quit claim deed and legal description are attached for informational purposes only and will be recorded as a separate document

PASSED AND ADOPTED this 29th day of September 2009.

GILA COUNTY BOARD OF SUPERVISORS:

Shirley L. Dawson

Shirley L. Dawson, Chairman of the Board

ATTEST:

Marian D. Heppard Chief Deputy Clerk

for Steven L. Besich, Clerk of the Board

APPROVED AS TO FORM:

Bryan Chambers, Chief Deputy County Attorney

When recorded return to:
Gila County Engineering Services
1400 East Ash Street
Globe, Arizona 85501

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: for the consideration of Ten Dollars ($10.00), and other valuable considerations, **GILA COUNTY, a BODY POLITIC,** does hereby release, remise, and forever quitclaim unto **GERALD J. KOESSLER and NANCY M. KOESSLER**, the Releasee, with all rights, title and interest in that certain Real Property situated in Gila County, State of Arizona, and legally described as follows:

See LEGAL DESCRIPTION AREA "A" and LEGAL DESCRIPTION AREA "B" attached and made part hereof

Exempt per A. R. S. section 11-1134 A-3

Dated this 29th day of September 2009

Approved:

Shirley L. Dawson for
Shirley L. Dawson, Chairman
Gila County Board of Supervisors

Attest:

Marian Sheppard Chief Deputy Clerk
Steven L. Besich,
Clerk of the Board of Supervisors

STATE OF (ARIZONA)
) ss.
COUNTY OF (GILA)

ACKNOWLEDGMENT

On this 29th day of September, 2009, before me, the undersigned Notary Public, personally appeared Shirley L. Dawson, Chairman of the Gila County Board of Supervisors, and Steven L. Besich, Clerk of said Board, known to me to be the individuals who executed the foregoing instrument and acknowledged the same to be their free act and deed.

WITNESS my hand and official seal.

My Commission Expires:

Stacey C. Espinoza
Notary Public

STACEY C. ESPINOZA
Notary Public - Arizona
Gila County
My Comm. Expires Mar 29, 2010

LEGAL DESCRIPTION
AREA "A"

A portion of Nellie Drive adjacent to Lot 155, East Verde Park, Map No. 144, Gila County Records. Located in Indian Allotment Survey No. 656, embraced by Section 17, 18 and 19, Township 11 North, Range 10 East, of the Gila and Salt River Meridian, Gila County, Arizona, more particularly described as follows:

BEGINNING at the Northeast Corner of said Lot 155, being a ½" rebar with brass tag stamped L.S. 24516;

Thence: N 60°07'15" E Measured (N 60°00'00" E Record), 20.44 feet along the Northwesterly line of said East Verde Park to the centerline of said Nellie Drive being a ½" rebar with brass tag stamped L.S. 24516;

Thence: S 12°54'22" W Measured (S 12°47'00" W Record), leaving said Northwesterly line along said centerline, a distance of 67.92 feet to a ½" rebar with brass tag stamped L.S. 24516;

Thence: N 77°06'33" W leaving said centerline to a point on the Westerly Right-of Way line of said Nellie Drive;

Thence: N 12°55'23" E Measured (N 12°47'00" E Record) along said Westerly Right-of-Way, 54.04 feet to the **POINT OF BEGINNING**.

Encloses 915.37 SQ. FT., 0.02 Acres More or Less.

EXPIRES 12/31/2009

LEGAL DESCRIPTION
AREA "B"

A portion of Nellie Drive adjacent to Lot 78, East Verde Park, Map No. 144, Gila County Records. Located in Indian Allotment Survey No. 656, embraced by Section 17, 18 and 19, Township 11 North, Range 10 East, of the Gila and Salt River Meridian, Gila County, Arizona, more particularly described as follows:

BEGINNING at the Northwest Corner of said Lot 78, being a ½" iron pipe;

Thence: S 12°53'27" W, 81.80 feet Measured (S 12°47'00" W, 81.81 feet Record) along the Easterly Right-of-Way line of said Nellie Drive feet to the Southwest Corner of said Lot 78, being a ½" iron pipe;

Thence: N 77°06'33" W leaving said Easterly Right-of-Way line, 15.02 feet to the centerline of said Nellie Drive, being a ½" rebar with brass tag stamped L.S. 24516;

Thence: N 12°54'22" E Measured (S 12°47'00" W Record), along said centerline, a distance of 67.92 feet to a point on the Northwesterly Boundary line of said East Verde Park, being a ½" rebar with brass tag stamped L.S. 24516;

Thence: N 60°07'15" E Measured (N 60°00'00" E Record), 20.44 feet along said Northwesterly line to the **POINT OF BEGINNING**;

Encloses 1,123.64 SQ. FT., 0.03 Acres More or Less.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
23955
STEPHEN R.
PERHAM
Date Signed 4/27/09
ARIZONA U.S.A.

EXPIRES 12/31/2009

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