

**RESOLUTION 21-2005**

A Resolution of the Mayor and City Council of the City of Benson, Cochise County, Arizona, accepting the Public Improvements for Lots 2,3,4,5,6,7,8,9,10,11,12,13,22,23, and 26 of OLD HOMESTEAD, recorded in Book 14 of Maps and Plats, Pages 99 and 99A, Cochise County, Arizona, and authorizing and directing the City Manager, City Clerk, City Attorney or their fully authorized officers and agents to take all steps necessary to carry out the purposes and intent of this Resolution.

WHEREAS, the Subdivider, Old Homestead, L.L.C., an Arizona Limited Liability Company has caused certain public improvements to be constructed for public use in conjunction with the development of Lots 2,3,4,5,6,7,8,9,10,11,12,13,22,23, and 26 of OLD HOMESTEAD, recorded in Book 14 of Maps and Plats, Pages 99 and 99A, Cochise County, Arizona, and desires that the City accept maintenance responsibility thereof; and,

WHEREAS, the Subdivider has posted certain security to assure completion of the required improvements; said security being a Third Party Trust Agreement as recorded in the Cochise County Recorder's Office, under Document Number 0312-44339; and,

WHEREAS, the City Inspector has inspected the constructed public improvements and found them to be in substantial conformance with the approved plans and specifications and does hereby recommend they be accepted by the City for maintenance.

NOW, THEREFORE, be it Resolved by the Mayor and City Council of the City of Benson, Arizona as follows:

**SECTION 1**

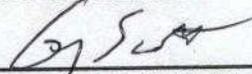
The required public improvements serving the in Lots 2,3,4,5,6,7,8,9,10,11,12,13,22,23, and 26 of OLD HOMESTEAD, recorded in Book 14 of Maps and Plats, Pages 99 and 99A, Cochise County, Arizona, be and hereby are, accepted for ownership and maintenance by the City of Benson, and that the Third Party Trust Agreement, as recorded under Document Number 0312-44339, in the office of the Cochise County Recorder, and the Third Party Trust Agreement, as recorded under Document Number 0312-44339, in the office of the Cochise County Recorder, is hereby **partially released as to Lots 2,3,4,5,6,7,8,9,10,11,12,13,22,23, and 26 of OLD HOMESTEAD, recorded in Book 14 of Maps and Plats, Pages 99 and 99A, Cochise County, Arizona.**

**SECTION 2**

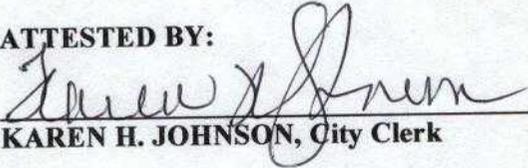
The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

PASSED AND ADOPTED by THE MAYOR AND CITY COUNCIL OF THE CITY OF BENSON, ARIZONA.

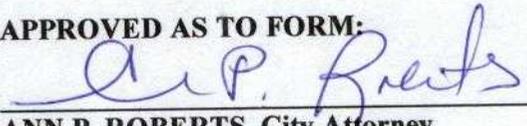
**CITY OF BENSON**

  
\_\_\_\_\_  
**GEORGE C. SCOTT, Mayor**

**ATTESTED BY:**

  
\_\_\_\_\_  
**KAREN H. JOHNSON, City Clerk**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**ANN P. ROBERTS, City Attorney**



Janet Napolitano  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007  
(602) 771-2300 • www.azdeq.gov



Stephen A. Owens  
Director

## APPROVAL OF CONSTRUCTION

Project Description: Construction to extend the City of Benson's Water System to serve the Old

Homestead Residential Subdivision

Location: Benson, AZ County: Cochise

Project Owner: Old Homestead, LLC., 217 N. Pomerene Rd., Benson, AZ 85602

Approval to operate the above-described facilities as represented in the approved plan documents on file with the Arizona Department of Environmental Quality is hereby given subject to the following provisions:

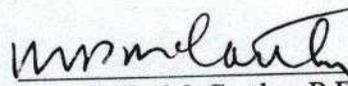
NONE

This approval is based upon the Engineer's Certificate of Completion signed by your Professional Engineer, W. Greg Lorang, dated May 9, 2005.

Arizona Revised Statutes require that the operation of the project must be in accordance with the rules of the Arizona Department of Environmental Quality.

Date Approved: June 20, 2005

JEE: mdr

  
Martin D. McCarthy, P.E., Manager  
Compliance Programs Unit  
Southern Regional Office

System Number 02-005  
LTF Number 36488  
cc: File No.: 20030246  
Engineering Review Desk  
County Health Department

ADEQ/WQD/FO-001 (REV. 09-04)

Northern Regional Office  
1515 East Cedar Avenue • Suite F • Flagstaff, AZ 86004  
(928) 779-0313

Southern Regional Office  
400 West Congress Street • Suite 433 • Tucson, AZ 85701  
(520) 628-6733