

RESOLUTION NO. 50-2006

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BENSON, DECLARING A CERTAIN PORTION OF ALLEN STREET TO BE AN UNNECESSARY ROADWAY AND ABANDONING THE SAME.

WHEREAS the Mayor and City Council have received a request from LaHabra 2004 Limited Partnership, for the abandonment of a portion of Allen Street; and,

WHEREAS, Allen Street presently serves as an unimproved, unmaintained access from Silverwood Lane to U.S. Highway 80;

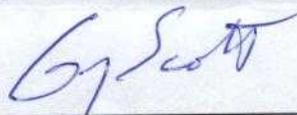
WHEREAS, that portion of Allen street to be abandoned is a portion of the exterior boundary of a parcel of real property owned by LaHabra 2004 Limited Partnership, which is a successor in interest to Southern Pacific Railroad who was the owner of said parcel at the time the roadway was acquired for public use;

WHEREAS the Mayor and City Council have determined that the portion of the roadway requested to be abandoned is no longer necessary for public use because such entrance has now been abandoned as due to building expansion on the campus.

BE IT NOW HEREBY RESOLVED that the following described area shall be abandoned in accordance with the provisions of A.R.S. 28-7205(1) and the title to said lands shall, upon recording of this Resolution, vest in the owner of the abutting property, La Habra 2004 Limited Partnership. The lands affected by this Resolution are more specifically described as follows:

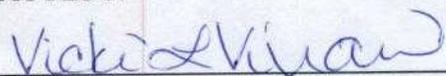
See attached Exhibit "A", attached hereto in incorporated herein by reference.

Resolved and adopted this 23rd day of October, 2006 by the Mayor and City Council of Benson, Arizona.



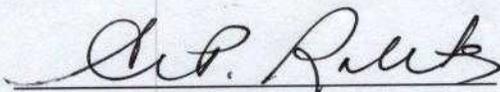
GEORGE SCOTT, Mayor

ATTEST:



VICKI L. VIVIAN, City Clerk

Approved as to form:



ANN P. ROBERTS, City Attorney

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EXHIBIT C

**The
WLB
Group**
Inc.

July 27, 2006
WLB No. 105064-A001-1003
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**LEGAL DESCRIPTION
ABANDONMENT OF A PORTION OF
ALLEN STREET**

That portion of the Northeast Quarter (NE 1/4) of Section 15, Township 17 South, Range 20 East, Gila and Salt River Meridian, Cochise County, Arizona, described as follows:

COMMENCING at the Northwest corner of said Northeast Quarter (NE 1/4);

THENCE S 00°01'57" W, along the West line of said Northeast Quarter (NE 1/4) a distance of 480.31 feet to a point at the beginning of a non-tangent curve concave to the North, a radial line through said point bears S 00°01'57" W, said point being the **POINT OF BEGINNING**;

THENCE in an Easterly direction along said non-tangent curve to the left having a radius of 125.49 feet, a central angle of 35°32'02", for an arc distance of 77.83 feet to a point of reverse curvature of a curve concave to the South;

THENCE continuing in an Easterly direction along said reverse curve to the right having a radius of 258.32 feet, a central angle of 10°14'33", for an arc distance of 46.18 feet to a point on the North property line of said La Habra Parcel;

THENCE S 89°53'37" E, a distance of 284.34 feet along said north line to a point on the Westerly right-of-way line of US Highway 80;

THENCE S 16°55'48" E, a distance of 26.25 feet along the Westerly right-of-way line of US Highway 80 to a point;

THENCE N 89°53'37" W, a distance of 181.38 feet to a point of curvature of a tangent curve concave to the South;

THENCE in a Westerly direction along said tangent curve to the left having a radius of 208.32 feet, a central angle of 35°36'27", for an arc distance of 129.46 feet to a point of reverse curvature of a curve concave to the North;

THENCE continuing in a Westerly direction along said reverse curve to the right having a radius of 175.49 feet, a central angle of 35°32'02", for an arc distance of 108.84 feet to a point on the West line of the Northeast Quarter of Section 15;

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THENCE N 00°01'57" E, a distance of 50.00 feet along said West line to the POINT OF BEGINNING.

CONTAINING 0.33 acres of land, more or less.

INTENDING to abandon that portion of highway described in an instrument recorded in Docket 426, Page 310 of the Cochise County Recorder's Office.

Prepared by:
THE WLB GROUP, INC.



Jack A. Buchanan, RLS
JAB: jlk

EXHIBIT C

U.S. HIGHWAY 80
PUBLIC RIGHT OF WAY

FOUND 1 1/2" METAL STAKE
NORTHEAST CORNER SECTION 15

10 11
15 14

FOUND 2" POST
NORTH 1/4 CORNER
SECTION 15

10
15

500'01'57" W

480.31'

PROPERTY LINE

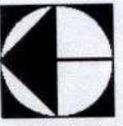
P.O.B.

PROPERTY LINE

10' TELEPHONE EASEMENT
DOC# 9112-24686

EXHIBIT TO ACCOMPANY DESCRIPTION OF
ABANDONMENT OF A PORTION OF
ALLEN STREET
SECTION 15, T. 17 S., R. 20 E., G.S.R.M.,
COCHISE COUNTY, ARIZONA

1" = 60'



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WLB# Project No. 105064-A001-1003X
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