

RESOLUTION 16-2005

A Resolution of the Mayor and City Council of the City of Benson, Cochise County, Arizona; accepting the Public Improvements for Lot 1 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 Lot 1 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 Lot 1 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 Lot 1 of OLD HOMESTEAD, recorded in Book 14 of Maps and Plats, Pages 99 and 99A, Cochise County, Arizona.**

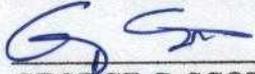
SECTION 2

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.

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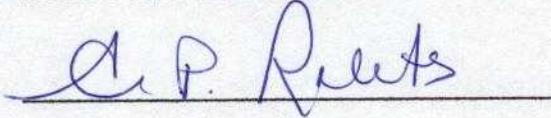
PASSED AND ADOPTED by THE MAYOR AND CITY COUNCIL OF THE CITY OF
BENSON, ARIZONA.

CITY OF BENSON



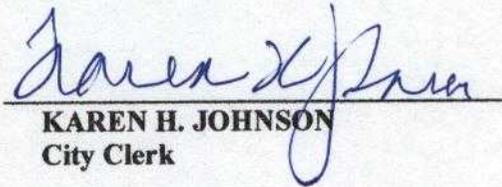
GEORGE C. SCOTT, Mayor

APPROVAL AS TO FORM:



ANN ROBERTS
City Attorney

ATTESTED BY:



KAREN H. JOHNSON
City Clerk