

**RESOLUTION 15-2013**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, AUTHORIZING THE RELEASE OF ASSURANCES FOR THE SUBDIVISION KNOWN AS HOUSE RIDGE ESTATES LOTS 1 THROUGH 18, BLOCKS 1 AND 2**

WHEREAS, the subdivision known as House Ridge Estates, located within the City of Benson, has been recorded in the Office of the Cochise County Recorder at Book 15 of Maps and Plats, page 54 (hereinafter "Subdivision"); and

WHEREAS, due to the transfer of title of the Subdivision from the previous owner to Benson House, L.L.C. ("Owner"), a new trust assurance agreement under Trust No. 961782 between Owner, City and Pioneer Title Agency, Inc., which provides assurances required by A.R.S. § 9-463.01 for the completion of Subdivision improvements, has been executed and approved by City; and

WHEREAS, the City desires to release the previous third party trust that had provided assurances of subdivision improvements under Trust No. 959630 as no longer necessary or useful.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Benson, Arizona, that the third party trust under Trust No. 959630 that provided assurances of subdivision improvements for House Ridge Estates Lots 1 through 18, Blocks 1 and 2 is hereby released and the City Manager is authorized to execute all necessary documents to effect this release.

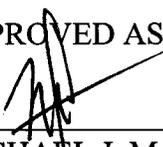
PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, this 13th day of May, 2013.

  
TONEY D. KING, SR., Mayor

ATTEST:

  
VICKI L. VIVIAN, CMC, City Clerk

APPROVED AS TO FORM:

  
MICHAEL J. MASSEE, City Attorney

at the request of the City of Benson

When recorded, mail to:  
CITY OF BENSON  
120 W. 6<sup>th</sup> St.  
BENSON, AZ 85602

**CAPTION HEADING: House Ridge Estates**  
**Full Release of Trust Assurance**

DO NOT REMOVE  
THIS IS PART OF THE OFFICIAL DOCUMENT

(THIS FORM IS FOR RECORDER'S USE ONLY)

CITY OF BENSON  
BENSON, ARIZONA

FULL RELEASE OF SUBDIVISION ASSURANCES

Subdivision Name: HOUSE RIDGE ESTATES

Lot Numbers: LOTS 1- 18

Block Number: BLOCK S 1 AND 2

Trustee: PIONEER TITLE COMPANY

Trust Number: 959630 Agreement Date: 05/19/2010

Maps & Plats Book: 15 Page: 54 Document Number: 2010-02410

Whereas, as referenced above, the City of Benson and Trustee have entered into an Agreement which provides that Trustee shall not transfer, lease, sell or convey the property contained in the Subdivision without first obtaining the written approval of the City of Benson; and

Whereas, a new trust assurance agreement under Trust No. 961782 has been approved and executed by the parties that completely replaces Trust No. 959630.

It is certified hereby, that Trustee has the Approval of the City of Benson to Transfer or convey the above references lot in the Subdivision to Trust No. 961782 for the purpose of effecting a new assurance agreement.

CERTIFICATION OF COMPLETION:

Bruce J. Hamilton 5/21/13  
Bruce Hamilton, P.E. Date  
City of Benson Public Works Director

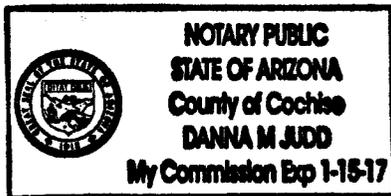
Jim Cox 5/20/13  
Jim Cox Date  
Interim City Manager

STATE OF ARIZONA )  
) ss.  
Cochise County )

This instrument was acknowledged and executed before me this 20 day of May, 2013, by Jim Cox who acknowledged to be the Interim City Manager and that as such officer, being authorized so to do, signed the name of the City as such officer.

My Commission Expires: 1-15-17

Danna M Judd  
Notary Public



ATTEST:

Vicki L Vivian  
Vicki L. Vivian, City Clerk

Toney D. King, Sr.  
Toney D. King, Sr., Mayor

APPROVED AS TO FORM:

Michael M Massee  
Michael Massee City Attorney