

RESOLUTION 69-2010

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA AUTHORIZING THE RELEASE OF ASSURANCES FOR THE SUBDIVISION KNOWN AS TURQUOISE HILLS LOTS 1 THROUGH 31, AND COMMON AREA "A" (DRAINAGE AND UTILITIES)

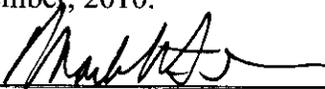
WHEREAS, the subdivision known as Turquoise Hills, located within the City of Benson, has been recorded in the Office of the Cochise County Recorder at Book 15 of Maps and Plats, page 62 (hereinafter "Subdivision"); and

WHEREAS, the City of Benson entered into a Third Trust Agreement, entered into on September 13, 2005, and recorded on August 9, 2006, at Fee No. 060829958, with Pioneer Title Agency, Inc., an Arizona corporation, acting as Trustee under Trust No. 00954640, whereby said Agreement provided means of assuring the completion of the Turquoise Hills subdivision improvements as required by the Subdivision Plat approved September 9, 2005; and

WHEREAS, the City desires to release the previous third party trust that had provided assurances of subdivision improvements under Trust No. 954640 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. 00954640 that provided assurances of subdivision improvements for Turquoise Hills Lots 1 through 31, and common area "A" is hereby released and the City Engineer 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 December, 2010.



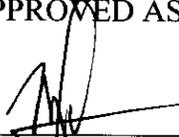
MARK M. FENN, Mayor

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
CITY CLERK
120 W. 6th St.
BENSON, AZ 85602

CAPTION HEADING: _____

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: TURQUOISE HILLS

Lot Numbers: 1-31, INCLUSIVE AND COMMON AREA "A"

Block Number: N/A

Trustee: PIONEER TITLE Trust Number: 00954640

Agreement Date: 9/13/2005 Recorded in Book 15 of Maps and Plats, Pages 62

Document Number 060829958

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, the Agreement was made pursuant to A.R.S. Section 9-463.01 and Chapter 14 of the City of Benson Code in order to provide for improvements to be made upon the real property subject to the Subdivision plat; and

Whereas, such improvements have been completed in accordance with the City of Benson specifications for the lots listed above;

It is certified hereby, that Trustee has the Approval of the City of Benson to Transfer, lease, sell, or convey the above referenced lots in the Subdivision.

CERTIFICATION OF COMPLETION:

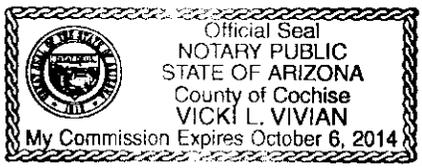
Brad J. Hamilton 12/19/10
Brad Hamilton, P.E. Date
City of Benson Public Works Director

Glenn Nichols 12-14-10
Glenn Nichols Date
City Manager

STATE OF ARIZONA)
) ss.
Cochise County)

This instrument was acknowledged and executed before me this 14th day of December 2010, by Brad Hamilton and Glenn Nichols who acknowledged to be the Public Works Director and City Mgr. and that as such officer, being authorized so to do, signed the name of the City as such officer.

My Commission Expires: 10-6-14



Vicki Vivian
Notary Public

Mark M. Fenn
Mark M. Fenn, Mayor

ATTEST:
Vicki Vivian
Vicki L. Vivian, City Clerk

APPROVED AS TO FORM:
Michael Masee
Michael Masee City Attorney