

RESOLUTION 31-2019

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, TO FORMALLY ESTABLISH AND MAINTAIN “VETERANS MEMORIAL PARK” WITHIN AN AREA THAT RESOLUTION 29-2019 PREVIOUSLY ESTABLISHED AS “BENSON RAILROAD HERITAGE PARK”

WHEREAS, Chapter 11 of the Benson City Code is entitled “Parks and Recreation” and contains sections about park use regulations; and,

WHEREAS, a “Park” is defined at current Benson City Code Section 11-1-1.E. as “any public park or recreation or playground area within or outside the corporate limits of the city, owned and maintained by the City as a public park, or recreation or playground area, including rodeo grounds and sports fields”; and,

WHEREAS, public parks benefit citizens of and visitors to the City of Benson; and,

WHEREAS, A.R.S. §9-954(A) states, in relevant part, that “[a] City...may establish and maintain public parks, and acquire, hold, and improve real property for that purpose”; and,

WHEREAS, Benson City Council promotes the establishment and maintenance of public parks in locations and under circumstances that it believes are appropriate; and,

WHEREAS, the City of Benson General Development Plan describes the general area at issue in Resolution 29-2019 as the “*Benson Railroad Heritage Park*”; and

WHEREAS, Resolution 29-2019 formally established and maintained property described at Exhibit “A” thereto as a public park called “*Benson Railroad Heritage Park*.”

WHEREAS, in 2004, the Mayor and Council directed Staff to install a Veterans memorial and change the name of that designated area – which happens to be an area within what is now “*Benson Railroad Heritage Park*” – to “*Veterans Memorial Park*”; and

WHEREAS, the Benson City Council believes that it is in the best interests of the City of Benson to formally carve out a part of the “*Benson Railroad Heritage Park*” in order to establish, and maintain its property described herein at Exhibit “1” as a separate public park called “*Veterans Memorial Park*.”

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Benson, as follows:

1. The City of Benson owned property described at Exhibit “1” is formally declared to be a separate public park called “*Veterans Memorial Park*.”
2. The Park formally created by this Resolution will be operated and maintained by the

City of Benson Parks and Recreation Department.

3. The City Manager and her designees are authorized to take all steps to effectuate this Resolution and to maintain this property as a public park.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, this 9th day of December, 2019.

TONEY D. KING, SR. Mayor

ATTEST:

VICKI L. VIVIAN, CMC, City Clerk

APPROVED AS TO FORM:

MESCH CLARK AND ROTHSCHILD
By Gary J. Cohen
City's Attorney

26S2618

**Exhibit A
Veterans Memorial
Park**

163'

12323403

12323406

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO/USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community