

at the request of Pioneer Title Agency, Inc.

When recorded mail to
City of Sierra Vista
1011 N. Coronado Drive
Sierra Vista, AZ 85635
Attn: Jeff Pregler
74304263-GUH

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CAPTION HEADING: Resolution 2020-053

DO NOT REMOVE

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(THIS FORM IS FOR RECORDER'S USE ONLY)

at the request of Pioneer Title Agency, Inc.

When recorded mail to

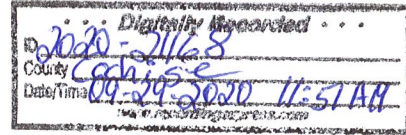
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RESOLUTION 2020-053

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; ACCEPTING COMPLETED PUBLIC IMPROVEMENTS AND PARTIALLY RELEASING LOTS 97-121 AND 179-187, FOR THE SUMMIT HEIGHTS SUBDIVISION; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, the Subdivider, Canyon Vista Land LLC., has caused certain public improvements to be constructed for public use in conjunction with the development of lots 97-121 and 179-187 of the Summit Heights subdivision, as shown in Exhibit A, 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 Subdivider's Agreement, as recorded in the Cochise County Recorder's Office, under fee #2011-24947, and an Improvement Security Guaranty Agreement under fee #2011-24947; and

WHEREAS, it is policy of the City to allow for a partial release of lots within a subdivision where the partial release is proportional to the level of completion of improvements;

WHEREAS, the City Council shall only accept maintenance responsibility for public improvements only: when they are intended for public use; upon recommendation of the City Engineer; upon the filing of required lien waiver and two-year guarantee by the Subdivider; and after formal acceptance by the City Council; and

WHEREAS, the City Inspector has inspected the completed constructed public improvements adjacent to the requested released lots 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; and

WHEREAS, the Subdivider has filed a waiver of liens, a two-year guarantee, and reproducible as-built drawings.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

That the policy, accepting completed public improvements and partially releasing lots, be, and hereby is, reaffirmed.

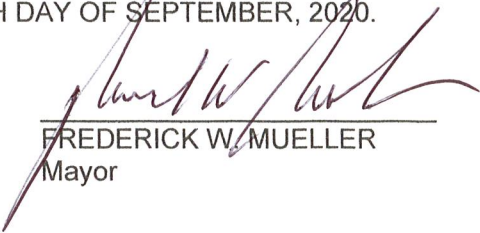
SECTION 2

That lots 97-121 and 179-187, are hereby released from the Subdivider's Agreement recorded under fee #2011-24947 and the Third Party Trust Agreement recorded under fee #2011-24947, as shown in Exhibit A, and that the constructed public improvements serving lots 97-121 and 179-187 of the Summit Heights subdivision, as shown in Exhibit A, be, and hereby are, accepted for ownership and maintenance by the City of Sierra Vista.

SECTION 3


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.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 10TH DAY OF SEPTEMBER, 2020.



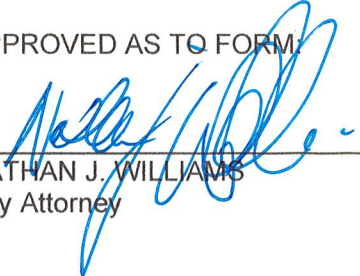
FREDERICK W. MUELLER
Mayor

ATTEST:



JILL ADAMS
City Clerk

APPROVED AS TO FORM:



NATHAN J. WILLIAMS
City Attorney

PREPARED BY:
JEFF PREGLER
Senior Planner

EXHIBIT A

