

RESOLUTION 2021-074

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING VISTA 2030, THE CITY OF SIERRA VISTA GENERAL DEVELOPMENT PLAN, ACCEPTING SEWER LINE EASEMENTS FOR VERITAS CHRISTIAN COMMUNITY SCHOOL.; 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, Veritas Christian Community School desires to install a sewer line on properties as identified in Exhibit A; and

WHEREAS, the property owners identified on the deeds wish to dedicate sewer easements to the City for the sewer line extension; and

WHEREAS, the sewer easements are in conformance with Development Code requirements; and

WHEREAS, the City desires to accept the easements offered by the property owners identified on the deeds; and

WHEREAS, it is settled policy of the City Council that dedication is considered as satisfactorily assured when documents granting the required easements have been accepted for recordation by the City Council pursuant to the City of Sierra Vista Development Code.

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

SECTION 1

That the settled policy of the City Council, accepting the deeds for recordation for the dedication of sewer line easements, be, and hereby is, reaffirmed.

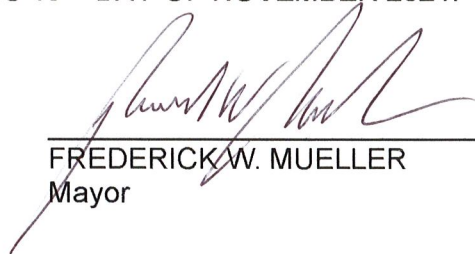
SECTION 2

That the document attached hereto and made a part hereof, requested from Veritas Christian Community School, for a sewer line easement located in Section 19, Township 22 South, Range 21 East, on parcels as identified on Exhibit A, be, and hereby is, accepted.

SECTION 3

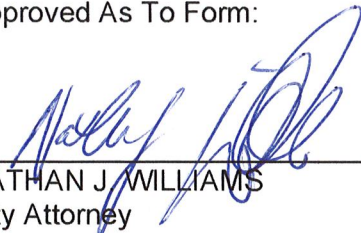
The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA THIS 18TH DAY OF NOVEMBER 2021.




FREDERICK W. MUELLER
Mayor

Approved As To Form:



NATHAN J. WILLIAMS
City Attorney

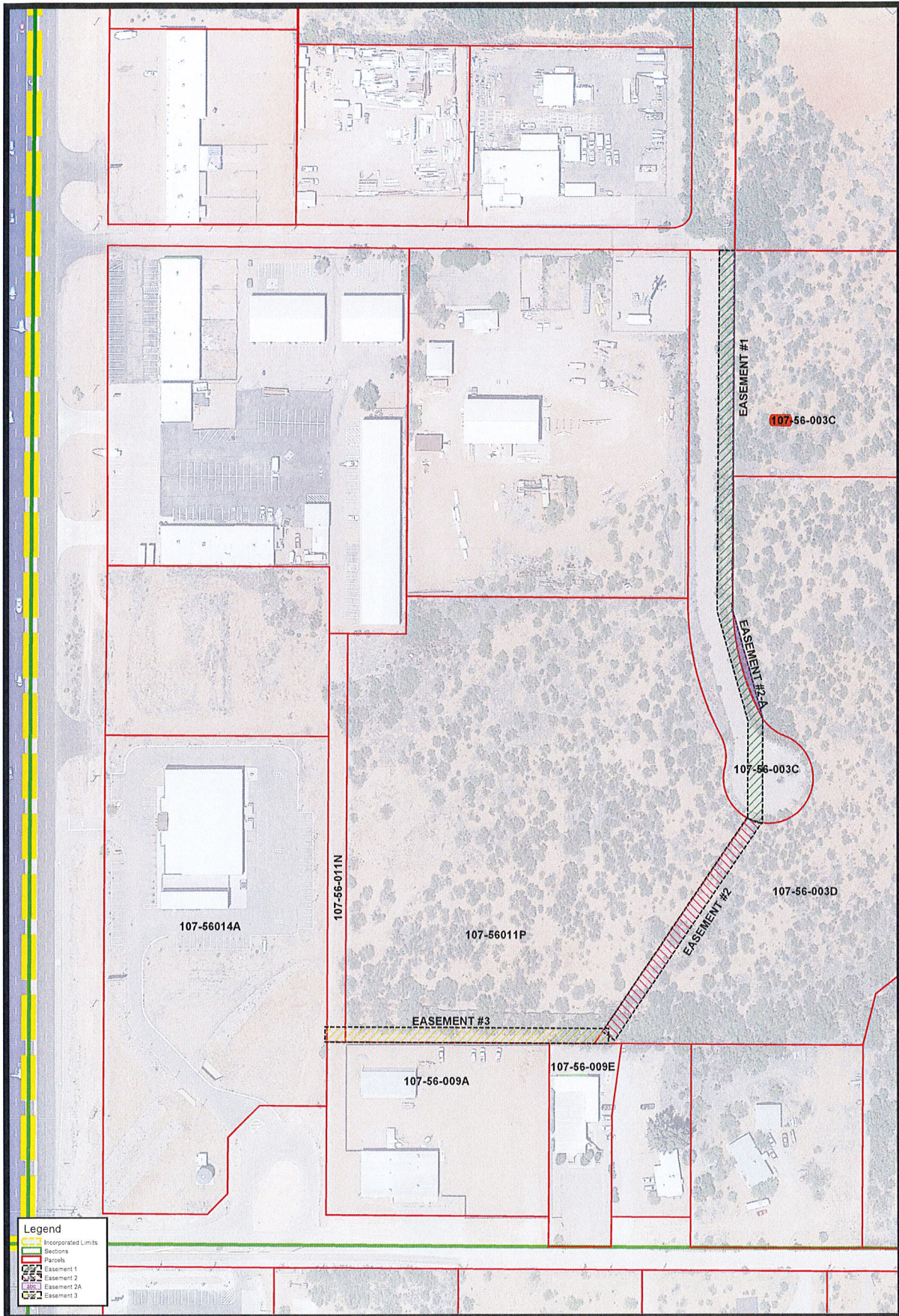
Attest:



JILL ADAMS
City Clerk

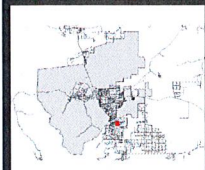
Prepared By: Jeff Pregler

Attachments
Exhibit A – Easement and Deeds



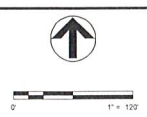
Legend

- Incorporated Limits
- Parcels
- Easement 1
- Easement 2
- Easement 2A
- Easement 3



Veritas Sewer Easements
Updated
10-19-2021

This map is a product of the
City of Sierra Vista GIS



SEWER EASEMENT

WITNESSETH: That WHEREAS for the convenience of the undersigned parties it is necessary for the City of Sierra Vista, a municipal corporation of Cochise County, Arizona, to allow construction and maintenance of a sanitary sewer line across certain property of the undersigned parties, which portion of said property herein granted is more particularly described as follows:

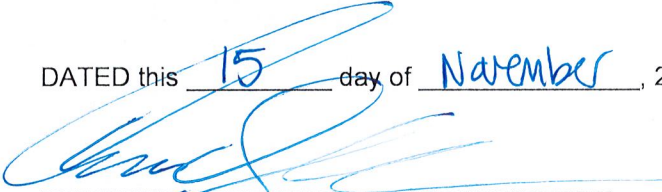
SEE ATTACHED EXHIBIT "A"

NOW, THEREFORE, WE, THE UNDERSIGNED PARTIES, AS GRANTOR, FOR AND IN CONSIDERATION of One Dollar (\$1.00) to us in hand paid by the City of Sierra Vista, receipt of which is hereby acknowledged, do hereby grant and convey unto the City of Sierra Vista an easement in perpetuity over and across the above-described property for the purpose of constructing, maintaining, operating, inspecting, and repairing necessary sewer line facilities and the necessary adjuncts thereto, laid thereon and therein, and it is distinctly understood and agreed that the City of Sierra Vista shall at all times have the right to enter upon said premises when necessary for the purposes above mentioned.

Grantor reserves the right to use the easement for purposes which will not interfere with the City of Sierra Vista's full enjoyment of the right hereby granted; provided, that the Grantor shall not erect or construct any building or other structure upon or in said easement which will in any manner interfere with the use of or access to said easement by the City of Sierra Vista.

In exercising its right of entry for construction, maintenance, or repair of said Sanitary Sewer Line, the City of Sierra Vista shall restore the surface of the ground to its former state.

DATED this 15 day of November, 2021



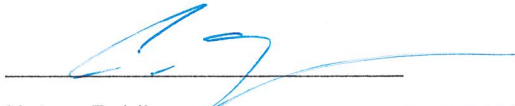
Title Cameron Quilliam, Director
ALTALAND DEVELOPMENT CORPORATION

Title _____
ALTALAND DEVELOPMENT CORPORATION

STATE OF ARIZONA
COUNTY OF PIMA

Before me Christie Olydam, ^{Commissioner for Oaths in and for the Province of Alberta} a Notary Public in and for the County of _____, and State of ~~Arizona~~, on this day personally appeared Cameron Quilliam, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 15 day of November, 2021



Notary Public
CHRISTIE OLYDAM
A Commissioner for Oaths
in and for Alberta
My Commission Expires June 27, 2025

EXHIBIT A
GTS/Gilbert Technical Services, Inc.

ERROR: undefined
OFFENDING COMMAND:
STACK:

1501 Paseo San Luis ~ Suite 203 ~ Sierra Vista, Arizona 85635
Phone (520) 458-5730 ~ Fax (520) 458-5739 ~ Email: gts@theriver.com

Sewer Easement Description
(Easement No. 1)
(Tax ID # 107-56-003C)

A 20.00 ft. wide permanent easement for the construction, operation, and maintenance of a sanitary sewer line, over a portion of the Southwest ¼ of Section 19, Township 22 South, Range 21 East of the Gila and Salt River meridian, Cochise County, Arizona, and the centerline of said easement being more particularly described as follows;

Commencing at the Southwest corner of Section 19;

Thence North 00° 02' 24" East coincident with the West line of said Section 19;
a distance of 1323.97 feet;

Thence South 89° 48' 49" East a distance of 932.11 feet to the **Point of Beginning** of the centerline of the 20.00 ft. wide sewer easement;

Thence South 00° 02' 20" West a distance of 477.74 feet;

Thence South 16° 04' 02" East a distance of 151.10 feet;

Thence South 00° 06' 42" East a distance of 132.01 feet to the **Point of Terminus** of the centerline of the 20.00 ft. wide easement.

The sidelines of said easement to be 10.00 feet on each side of the above described centerline and to be lengthened or shortened to meet at angle points and property lines.

Subject to any and all prior easements, rights-of-way, covenants, restrictions and encumbrances of record or not of record that may otherwise legally exist.



Veritas School / RDI 2021-071
20 ft. wide sewer easement
In a portion of the SW ¼ of Section 19
(Easement No. 1)
Sierra Vista, Arizona
09/23/2021

STACK:
OFFENDING COMMAND:
ERROR: undefined

SEWER EASEMENT

WITNESSETH: That WHEREAS for the convenience of the undersigned parties it is necessary for the City of Sierra Vista, a municipal corporation of Cochise County, Arizona, to allow construction and maintenance of a sanitary sewer line across certain property of the undersigned parties, which portion of said property herein granted is more particularly described as follows:

SEE ATTACHED EXHIBIT "A"

NOW, THEREFORE, WE, THE UNDERSIGNED PARTIES, AS GRANTOR, FOR AND IN CONSIDERATION of One Dollar (\$1.00) to us in hand paid by the City of Sierra Vista, receipt of which is hereby acknowledged, do hereby grant and convey unto the City of Sierra Vista an easement in perpetuity over and across the above-described property for the purpose of constructing, maintaining, operating, inspecting, and repairing necessary sewer line facilities and the necessary adjuncts thereto, laid thereon and therein, and it is distinctly understood and agreed that the City of Sierra Vista shall at all times have the right to enter upon said premises when necessary for the purposes above mentioned.

Grantor reserves the right to use the easement for purposes which will not interfere with the City of Sierra Vista's full enjoyment of the right hereby granted; provided, that the Grantor shall not erect or construct any building or other structure upon or in said easement which will in any manner interfere with the use of or access to said easement by the City of Sierra Vista.

In exercising its right of entry for construction, maintenance, or repair of said Sanitary Sewer Line, the City of Sierra Vista shall restore the surface of the ground to its former state.

DATED this 10 day of 11, 2021

Evangeline Nieuwenhuis E.N.
SAM-NIEUWENHUIS Evangeline Nieuwenhuis E.N.

Title:

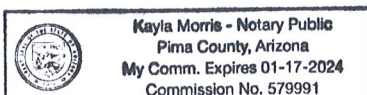
NIEUWENHUIS PROPERTIES LLC

STATE OF ARIZONA

COUNTY OF COCHISE

Before me Kayla Morris, a Notary Public in and for the County of Pima, and State of Arizona, on this day personally appeared Evangeline Nieuwenhuis known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that ~~X~~ executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 10 day of November, 2021



[Signature]
Notary Public

GTS/Gilbert Technical Services, Inc.

1601 Paseo San Luis ~ Suite 203 ~ Sierra Vista, Arizona 85635
Phone (520) 458-5730 ~ Fax (520) 458-5739 ~ Email: gts@theriver.com

Sewer Easement Description (Easement No. 2) (Tax ID # 107-56-003D)

A 20.00 ft. wide permanent easement for the construction, operation, and maintenance of a sanitary sewer line, over a portion of the Southwest ¼ of Section 19, Township 22 South, Range 21 East of the Gila and Salt River meridian, Cochise County, Arizona, and the centerline of said easement being more particularly described as follows;

Commencing at the Southwest corner of Section 19;

Thence North 00° 02' 24" East coincident with the West line of said Section 19;
a distance of 1323.97 feet;

Thence South 89° 48' 49" East a distance of 932.11 feet;

Thence South 00° 02' 20" West a distance of 477.74 feet;

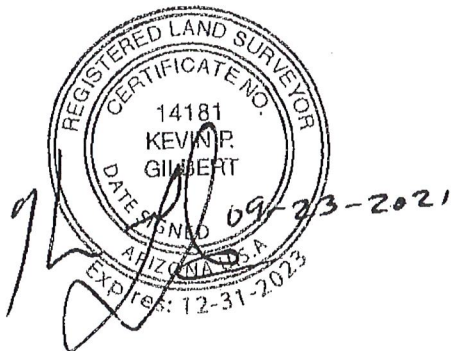
Thence South 16° 04' 02" East a distance of 151.10 feet;

Thence South 00° 06' 42" East a distance of 132.01 feet to the **Point of Beginning**
of the centerline of the 20.00 ft. wide easement;

Thence South 34° 11' 01" West a distance of 348.24 feet to the **Point of terminus** of the
centerline of the easement.

The sidelines of said easement to be 10.00 feet on each side of the above described centerline
and to be lengthened or shortened to meet at angle points and property lines.

Subject to any and all prior easements, rights-of-way, covenants, restrictions and encumbrances
of record or not of record that may otherwise legally exist.



Veritas School / RDI 2021-071
20 ft. wide sewer easement
In a portion of the SW ¼ of Section 19
(Easement No. 2)
Sierra Vista, Arizona
09/23/2021 **(REVISED)**

GTS/Gilbert Technical Services, Inc.

1601 Paseo San Luis ~ Suite 203 ~ Sierra Vista, Arizona 85635
Phone (520) 458-5730 ~ Fax (520) 458-5739 ~ Email: gts@theriver.com

Sewer Easement Description (Easement No. 2-A) (Tax ID # 107-56-003D)

A portion of a 20.00 ft. wide permanent easement for the construction, operation, and maintenance of a sanitary sewer line, over a portion of the Southwest ¼ of Section 19, Township 22 South, Range 21 East of the Gila and Salt River meridian, Cochise County, Arizona, and the centerline of said easement being more particularly described as follows;

Commencing at the Southwest corner of Section 19;

Thence North 00° 02' 24" East coincident with the West line of said Section 19;
a distance of 1323.97 feet;

Thence South 89° 48' 49" East a distance of 942.11 feet;

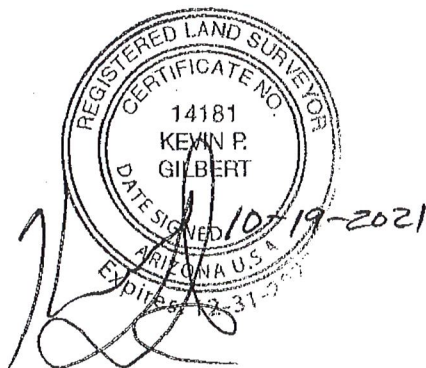
Thence South 00° 02' 20" West a distance of 462.03 feet to a point of beginning of a curve to the left from which point the radius bears South 89° 57' 40" East, 320.00 feet;

Thence Southerly and to the left an arc length of 15.60 feet, having a radius of 320.00 feet, from which point the radius bears of North 87° 14' 43" East, 320.00 feet,
to the **Point of Beginning** of Easement No. 2-A;

Thence South 16° 04' 02" East a distance of 147.36 feet to a point on a curve, having a radius of 320.00 feet;

Thence Northerly and to the right along the arc of said curve an arc length of 148.70 feet to the **Point of Beginning** of the easement;

Subject to any and all prior easements, rights-of-way, covenants, restrictions and encumbrances of record or not of record that may otherwise legally exist.



Veritas School / RDI 2021-071

A portion of a 20 ft. wide sewer easement
In a portion of the SW ¼ of Section 19
(Easement No. 2-A) Containing 0.019 ac.
Sierra Vista, Arizona
10/19/2021

SEWER EASEMENT

WITNESSETH: That WHEREAS for the convenience of the undersigned parties it is necessary for the City of Sierra Vista, a municipal corporation of Cochise County, Arizona, to allow construction and maintenance of a sanitary sewer line across certain property of the undersigned parties, which portion of said property herein granted is more particularly described as follows:

SEE ATTACHED EXHIBIT "A"

NOW, THEREFORE, WE, THE UNDERSIGNED PARTIES, AS GRANTOR, FOR AND IN CONSIDERATION of One Dollar (\$1.00) to us in hand paid by the City of Sierra Vista, receipt of which is hereby acknowledged, do hereby grant and convey unto the City of Sierra Vista an easement in perpetuity over and across the above-described property for the purpose of constructing, maintaining, operating, inspecting, and repairing necessary sewer line facilities and the necessary adjuncts thereto, laid thereon and therein, and it is distinctly understood and agreed that the City of Sierra Vista shall at all times have the right to enter upon said premises when necessary for the purposes above mentioned.

Grantor reserves the right to use the easement for purposes which will not interfere with the City of Sierra Vista's full enjoyment of the right hereby granted; provided, that the Grantor shall not erect or construct any building or other structure upon or in said easement which will in any manner interfere with the use of or access to said easement by the City of Sierra Vista.

In exercising its right of entry for construction, maintenance, or repair of said Sanitary Sewer Line, the City of Sierra Vista shall restore the surface of the ground to its former state.

DATED this 12 day of November, 2021

John Jeffery Stokes Jr. Trustee
JOHN JEFFERY STOKES JR. TRUST

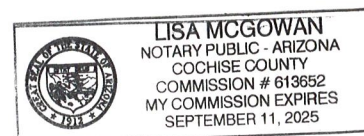
STATE OF ARIZONA

COUNTY OF COCHISE

Before me Lisa McGowan, a Notary Public in and for the County of Cochise, and State of Arizona, on this day personally appeared John J. Stokes, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 12 day of November, 2021

Lisa McGowan
Notary Public



GTS/Gilbert Technical Services, Inc.

1601 Paseo San Luis ~ Suite 203 ~ Sierra Vista, Arizona 85635
Phone (520) 458-5730 ~ Fax (520) 458-5739 ~ Email: gts@theriver.com

Sewer Easement Description (Easement No. 3) (The South 20 ft. of Tax ID # 107-56-011P & 11N)

A 20.00 ft. wide permanent easement for the construction, operation, and maintenance of a sanitary sewer line, over a portion of the Southwest ¼ of Section 19, Township 22 South, Range 21 East of the Gila and Salt River meridian, Cochise County, Arizona, and the centerline of said easement being more particularly described as follows;

Commencing at the Southwest corner of Section 19;

Thence North 00° 02' 24" East coincident with the West line of said Section 19;
a distance of 1323.97 feet;

Thence South 89° 48' 49" East a distance of 932.11 feet;

Thence South 00° 02' 20" West a distance of 477.74 feet;

Thence South 16° 04' 02" East a distance of 151.10 feet;

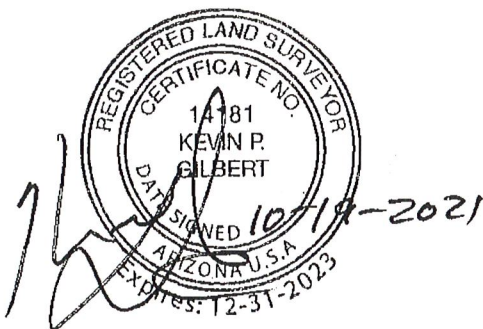
Thence South 00° 06' 42" East a distance of 132.01 feet;

Thence South 34° 11' 01" West a distance of 360.30 feet to the **Point of Beginning** of the centerline of the easement;

Thence North 89° 50' 46" West a distance of 380.75 feet to the **Point of Terminus** of the centerline of the easement.

The sidelines of said easement to be 10.00 feet on each side of the above described centerline and to be lengthened or shortened to meet at angle points and property lines.

Subject to any and all prior easements, rights-of-way, covenants, restrictions and encumbrances of record or not of record that may otherwise legally exist.



Veritas School / RDI 2021-071
20 ft. wide sewer easement
In a portion of the SW ¼ of Section 19
(Easement No. 3)
Sierra Vista, Arizona
10/19/2021 (revised)