

RESOLUTION NUMBER 1338

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA, AUTHORIZING AND DIRECTING THAT FEE TITLE AND/OR OTHER INTERESTS IN CERTAIN REAL PROPERTY BE ACQUIRED BY THE TOWN OF PARADISE VALLEY BY DEDICATION, DONATION, PURCHASE, EXCHANGE OR UNDER THE POWER OF EMINENT DOMAIN AS A MATTER OF PUBLIC NECESSITY

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA THAT:

Section 1. It is deemed necessary and essential as a matter of public welfare that certain real property interests hereinafter described be acquired by the Town of Paradise Valley for the public purpose of constructing a new public safety radio communications system, including a new radio antenna, a building to contain radio communications equipment, and the laying of conduit and communications lines between the antenna and the building, on the lot located at 6824 North Highlands Drive, said real property interests to include acquiring fee title to all or a portion (or portions) of the parcel noted in Exhibit "A" attached hereto and made part hereof by this reference (or any other estate in land, if recommended by the Town Engineer, as appropriate).

Section 2. The acquisition by purchase, donation, exchange, or dedication of fee title to all or a portion of the parcel of real property described in Exhibit "A," and/or such other interests as may be recommended or useful in the judgment of the Town Engineer or his designee, for the purposes described herein, is hereby authorized. In the event that all or a portion of the parcel identified in Exhibit "A" (and such other interests as may be recommended or useful in the judgment of the Town Engineer or his designee) cannot be

readily acquired by dedication, donation, purchase or exchange, the use of eminent domain is hereby authorized.

Section 3. The Town Engineer or his designee is expressly authorized to approve revised legal descriptions and to specify additional property interests to be acquired for this project; provided, however, that the Town Engineer may not increase the total area of all property taken as authorized by this resolution by more than forty percent (40%) without further authority from this Council.

Section 4. That the appropriate Town officials are authorized and directed to take all legal action necessary to acquire fee title to all or a portion of the parcel of real property described in Exhibit "A," and/or such other interests as may be recommended or useful in the judgment of the Town Engineer or his designee, either voluntarily or under the power of eminent domain for the fair market value of the property interests so acquired.

Section 5. That the duly authorized disbursing agents of the Town of Paradise Valley be, and they are hereby, authorized and directed to pay all sums that may be necessary to acquire the appropriate interests in all or a portion of the above-described parcel, as well as title reports, appraisal and review appraisal services, environmental assessments, title insurance, escrow fees and all closing costs necessary for the acquisition of said parcel of real property.

PASSED AND ADOPTED by the Town Council this 11th day of June, 2015.



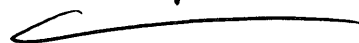
Michael Collins, Mayor

ATTEST:



Duncan Miller, Town Clerk

APPROVED AS TO FORM



Andrew Miller, Town Attorney

EXHIBIT "A"
TO RESOLUTION NO. 1338

Lot 12, PARADISE HIGHLANDS, according to Book 84 of Maps, page 36, records of Maricopa County, Arizona.

STATE OF ARIZONA)
 :SS.
COUNTY OF MARICOPA)

CERTIFICATION

I, Duncan Miller, Town Clerk of the Town of Paradise Valley, Arizona hereby certify that the foregoing is a full, true, and correct copy of Resolution Number 1338 duly passed and adopted by a majority vote of the Town Council called and held on the 11th day of June, 2015. Said Resolution appears in the minutes of said meeting, and the same has not been rescinded or modified and is now in full force and effect.

I further certify that said municipal corporation is duly organized and existing, and has the power to take the action called for by the Resolution.


Duncan Miller, Town Clerk

