



# Staff Report

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- Agenda Item:           **Approval of Two Utility Easements Crossing Old Jerome Highway** – Approval of utility easements for Michael and Marlene Whitaker and Randall Skelrik and Christine Schwab crossing Old Jerome Highway.
- Meeting Date:           6/22/2010
- Prepared By:           Wayne Debrosky, Utilities Director
- Background:           As part of the Sewer Line Extension Project between 89A and Valley View Road, a new phone line conduit will be run from the arsenic removal system at Route 89A to a point on Old Jerome Highway where it will cross Old Jerome Highway to a phone drop box located between the properties of Randall Skelrik and Christine Schwab at 1090 Old Jerome Highway and Michael and Marlene Whitaker at 1100 Old Jerome Highway. This will provide phone service to the 89A reservoir site and the arsenic removal system.
- Recommendation:      Council approval and authorization for Mayor Von Gausig to sign the two Utility Easements crossing Old Jerome Highway.

WHEN RECORDED, RETURN TO:  
Town of Clarkdale  
Clarkdale Municipal Utilities Records  
Post Office Box 308  
Clarkdale, Arizona  
86324-0308



## TOWN OF CLARKDALE UTILITY EASEMENT

PROJECT ADDRESS: 1090 Old Jerome Highway

Grantor(s) does (do) hereby grant to the **TOWN OF CLARKDALE**, Arizona, a municipal corporation, Grantee, its successors and assigns, a perpetual easement to construct, operate, and maintain an underground utility under and across the real property situated in the Town of Clarkdale, State of Arizona, and described as follows:

### A UTILITY EASEMENT AS DESCRIBED IN THE LEGAL DESCRIPTION AND AS DEPICTED ON THE DIAGRAM ATTACHED HERETO AND MADE PART THEREOF

The Grantor(s) hereby covenants that s/he (they) is (are) lawfully seized and possessed of this aforementioned tract or parcel of land; that s/he (they) has (have) a good and lawful right to sell and convey it; and that s/he (they) will warrant the title and quiet possession thereto against the lawful claim of all persons.

DATED this 14 day of April, 2010.

[Signature]  
Property Owner or Trustee  
( Trustee must include Power of Attorney to act on behalf of Owner )

Christine M. Schwab  
Property Owner #2 or Trustee #2

State of Arizona )  
County of Yavapai ) ss

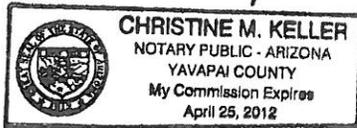
This instrument was acknowledged before me this 14 day of April, 2010,

by Randall Skerik Christine M Schwab  
NAME OF SIGNEE (S) ABOVE

In witness whereof I hereunto set my hand and official seal.

Christine M Keller  
NOTARY PUBLIC SIGNATURE

My Commission Expires April 25, 2012



Town of Clarkdale

By: \_\_\_\_\_

\_\_\_\_\_, Mayor

State of Arizona        )  
                                  ) ss  
County of Yavapai     )

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

by \_\_\_\_\_.

NAME OF SIGNEE (S) ABOVE

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE

My Commission Expires \_\_\_\_\_



### LEGAL DESCRIPTION

Utility Easement (406-27-005S)  
"Town of Clarkdale"  
SWI No. 09263  
11/07/09

of land located in Section 30, Township 16 North, Range 3 East of the Gila and Salt River Meridian, Yavapai County, Arizona, described as follows:

Commencing at a found 1/2 rebar with cap stamped "PE 4335" accepted as the Northeast corner of the said Southeast one-quarter of the Northeast one-quarter of Section 30, from which, a found 1967 Dr. Morgan Johnson Brass Cap Monument accepted as the West Quarter Corner of said Section 29 bears South 00°03'17" West (Basis of Bearings per adjusted GPS observations), a distance of 1269.54 feet;

THENCE North 89°49'29" West, a distance of 1087.23 feet, from which a found 1/2" rebar with brass tag stamped "RLS 13015" bears North 89°49'29" West, a distance of 112.99 feet; (North 89°52'13" West, 1200.21 feet per deed recorded in Book 1331 of Official Records, pages 952-954 in the County Recorder's Office);

THENCE North 89°49'29" West, a distance of 15.00 feet;

THENCE South 00°08'49" East, a distance of 26.98 feet to the True Point of Beginning also the beginning of a curve concave to the south, from which the radius point bears South 16°21'26" West 272.84 feet;

THENCE easterly a distance of 19.61 feet along the curve concave to the south, having a radius of 272.84 feet and a central angle of 4°07'02" to a 1/2 inch rebar with cap stamped "JJ&A LS 4491";

THENCE South 35°15'07" West, a distance of 25.95 feet to a point on a curve concave to the south having a radial bearing of South 18°56'40" West, radius of 247.84 feet and a central angle of 0°52'00" and being subtended by a chord which bears North 71°29'20" West 3.75 feet and a 1/2 inch rebar with brass tag stamped "RLS13015";

THENCE westerly along said curve, a distance of 3.75 feet;

THENCE North 00°08'49" West, a distance of 26.19 feet to the True Point of Beginning.

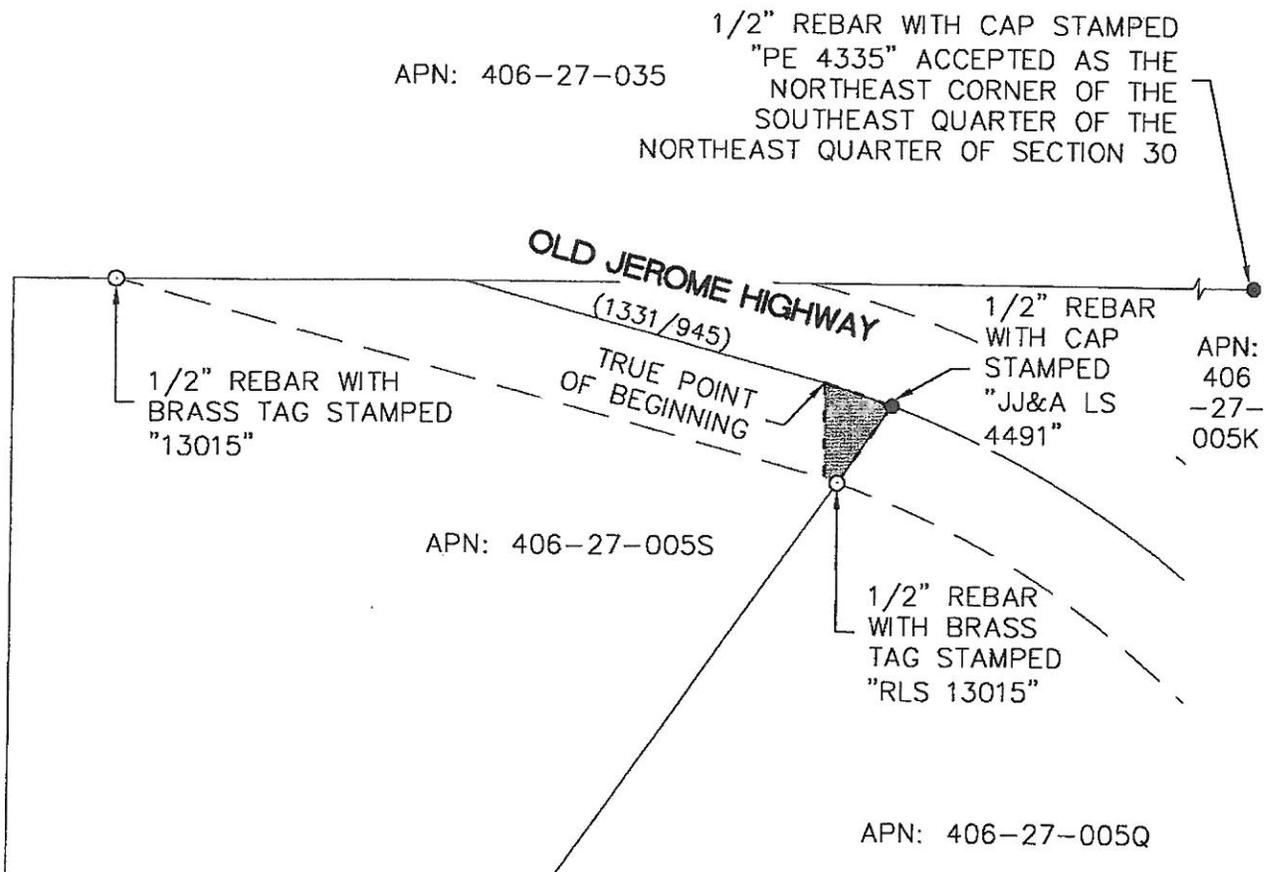
Containing 292 square feet, more or less.

See Exhibit Drawing attached hereto and made a part hereof.

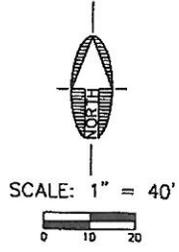
This legal description was prepared by James Crowley, RLS 41502 on behalf and at the request of Shephard-Wesnitzer, Inc., Sedona, Arizona.

Modification in any way of the foregoing description terminates liability of the surveyor.

**EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION**  
**A PORTION OF SECTION 30, TOWNSHIP 16 NORTH,**  
**RANGE 3 EAST, GILA AND SALT RIVER MERIDIAN,**  
**YAVAPAI COUNTY, ARIZONA**



NOTES;  
 THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY AND SHOULD NOT BE CONSTRUED AS ONE. ITS PURPOSE IS SOLELY TO GRAPHICALLY DEPICT THE LOCATION OF THE EASEMENT DESCRIBED.



75 Kalliof Place  
 Sedona, AZ 86336  
 928.282.1061  
 928.282.2058 fax

Shephard & Wesnitzer, Inc. www.swioz.com

JOB NO:	09263
DATE:	NOV. 2009
SCALE:	AS SHOWN
DRAWN:	JMK
DESIGN:	N/A
CHECKED:	JC

TOWN OF CLARKDALE YAVAPAI COUNTY  
 APN: 406-27-005S ARIZONA

**EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION**

SHEET
<b>2</b>
OF
2

WHEN RECORDED, RETURN TO:  
Town of Clarkdale  
Clarkdale Municipal Utilities Records  
Post Office Box 308  
Clarkdale, Arizona  
86324-0308



## TOWN OF CLARKDALE UTILITY EASEMENT

PROJECT ADDRESS: 1100 Old Jerome Highway

Grantor(s) does (do) hereby grant to the TOWN OF CLARKDALE, Arizona, a municipal corporation, Grantee, its successors and assigns, a perpetual easement to construct, operate, and maintain an underground utility under and across the real property situated in the Town of Clarkdale, State of Arizona, and described as follows:

### A UTILITY EASEMENT AS DESCRIBED IN THE LEGAL DESCRIPTION AND AS DEPICTED ON THE DIAGRAM ATTACHED HERETO AND MADE PART THEREOF

The Grantor(s) hereby covenants that s/he (they) is (are) lawfully seized and possessed of this aforementioned tract or parcel of land; that s/he (they) has (have) a good and lawful right to sell and convey it; and that s/he (they) will warrant the title and quiet possession thereto against the lawful claim of all persons.

DATED this 14 day of April, 2010.  
Michael E. Whitaker or Martene K. Whitaker  
Property Owner or Trustee Property Owner #2 or Trustee #2  
(Trustee must include Power of Attorney to act on behalf of Owner)

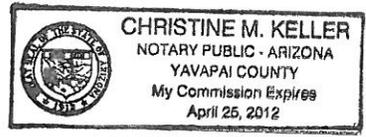
State of Arizona )  
) ss  
County of Yavapai )

This instrument was acknowledged before me this 14 day of April, 2010,  
by Michael E. Whitaker Martene K. Whitaker  
NAME OF SIGNEE (S) ABOVE

In witness whereof I hereunto set my hand and official seal.

Christine M. Keller  
NOTARY PUBLIC SIGNATURE

My Commission Expires April 25, 2012



Town of Clarkdale

By: \_\_\_\_\_

\_\_\_\_\_, Mayor

State of Arizona        )  
                                  ) ss  
County of Yavapai     )

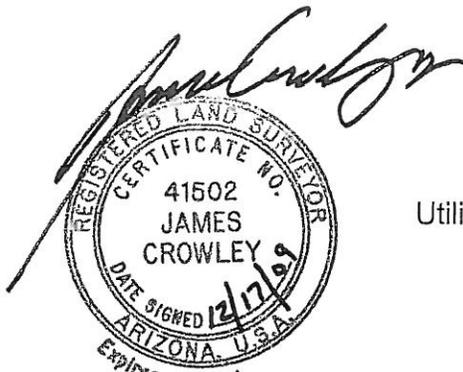
This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

by \_\_\_\_\_.  
          NAME OF SIGNEE (S) ABOVE

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE

My Commission Expires \_\_\_\_\_



### LEGAL DESCRIPTION

Utility Easement (APN # 406-27-005Q)  
Town of Clarkdale  
SWI No. 09263  
10/08/09

A parcel of land located in Section 30, Township 16 North, Range 3 East of the Gila and Salt River Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing at the Northwest Corner of that parcel as shown on a Results of Survey map recorded in Book 105 of Land Surveys, Page 70 in the County Recorder's Office (hereafter referred to as "R1");

Thence South 89°55'58" East (Basis of Bearings per R1), 121.84 feet to a found ½" rebar with brass tag stamped "RLS 13015";

Thence South 74°33'24" East, 97.87 feet to a found ½" rebar with cap "JJ&A LS 4491" at a point of curvature on R1, the central point of said curve lies South 15°26'36" West 272.84 feet;

Thence through a central angle of 04°56'59" on a curve to the right an arc length of 23.57 feet to a found ½" rebar with cap "JJ&A LS 4491" being the TRUE POINT OF BEGINNING;

Thence continuing through the same curve through a central angle of 00°33'19" on a curve to the right an arc length of 2.64 feet to a point;

Thence South 20°56'56" West, 25.00 feet to a non-tangent point of curvature, the central point of said curve lies South 20°56'56" West 247.84 feet;

Thence through a central angle of 02°05'59" on a curve to the left in a northwesterly direction an arc length of 9.08 feet to a found 1/2" rebar with brass tag stamped "RLS 13015";

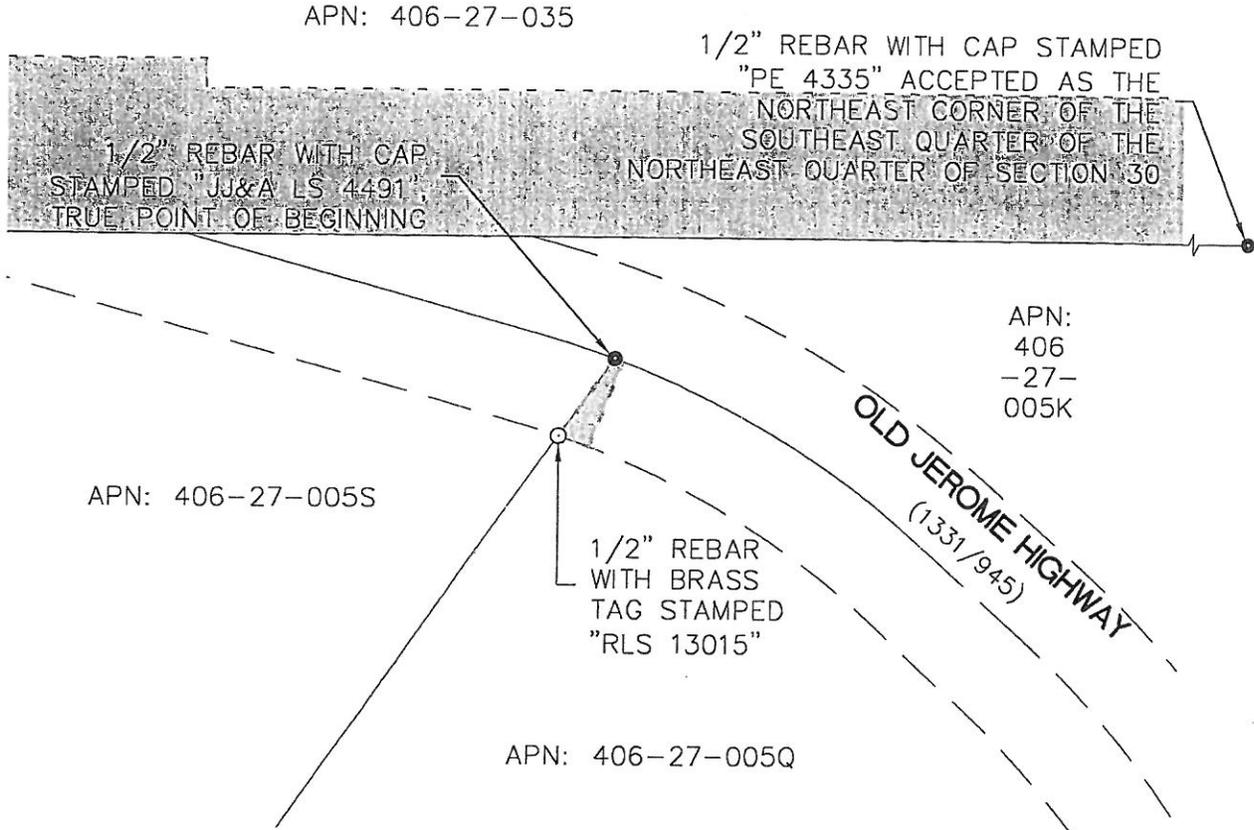
Thence North 35°10'16" East, 25.94 feet to the TRUE POINT OF BEGINNING

See Exhibit Drawing attached hereto and made a part hereof.

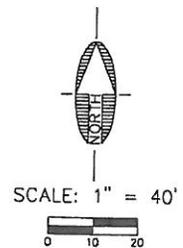
Modification in any way of the foregoing description terminates liability of the surveyor.

Monument calls were taken from the survey referenced as "R1". No independent survey was conducted.

**EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION**  
**A PORTION OF SECTION 30, TOWNSHIP 16 NORTH,**  
**RANGE 3 EAST, GILA AND SALT RIVER MERIDIAN,**  
**YAVAPAI COUNTY, ARIZONA**



NOTES;  
 THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY AND SHOULD NOT BE CONSTRUED AS ONE. ITS PURPOSE IS SOLELY TO GRAPHICALLY DEPICT THE LOCATION OF THE EASEMENT DESCRIBED.



 Shephard & Wesnitzer, Inc. www.swioz.com	75 Kallaf Place Sedona, AZ 86336 928.282.1061 928.282.2058 fax	JOB NO: 09263 DATE: DEC. 2009 SCALE: AS SHOWN DRAWN: JMK DESIGN: N/A CHECKED: PWN	TOWN OF CLARKDALE YAVAPAI COUNTY APN: 406-27-005Q ARIZONA	SHEET <b>2</b> OF 2
	<b>EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION</b>			