

TOWN OF MIAMI

ORDINANCE NO. 395

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF MIAMI, GILA COUNTY, ARIZONA, DEDICATING A PARKING EASEMENT ALONG ROSE ROAD ADJACENT TO GILA COUNTY ASSESSOR PARCEL NO. 206-22-034A; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY FOR THE CONSUMMATION OF THE TRANSACTION CONTEMPLATED BY THIS ORDINANCE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Town of Miami (the "Town") owns and maintains certain real property, including public roadways and rights-of-way, within the jurisdictional limits of the Town, including Rose Road, and has the right and authority to issue easements within its property; and,

WHEREAS, the School District is selling the old historic Inspiration High School located along Rose Rd., Gila County Assessor Parcel No. 206-22-034A (the "Property") for the development of low income, tax credit housing; and,

WHEREAS, the District and desires to establish a formal parking easement to recognize the decades long historical use of parking spaces for the Property that are located along Rose Rd.; and,

WHEREAS, Rose Rd. is a one-way road adjacent to the Property and has sufficient width to establish the requested 6-foot parking easement, which parking easement is more fully described as provided for in the legal description of the easement, attached hereto as Exhibit "A," and incorporated herein; and,

WHEREAS, with the dedication of a 6-foot parking easement along Rose Rd., the District will be able to incorporate 12 improved parking spaces, which shall be used exclusively for the Property.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Miami, Arizona, as follows:

Section 1. The Town does hereby authorize and dedicate a 6-foot parking easement along W. Rose Rd. as more fully described and provided for in the legal description of the parking easement attached hereto as Exhibit "A," which parking easement is adjacent to and for the exclusive benefit of Gila County Assessor Parcel No. 206-22-034A (the "Property"), and which the Property owner shall be responsible for maintaining and improving in accordance with Town approved site plans for the Property.

Section 2. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Ordinance.

Section 3. All actions of the officers and agents of the City which conform to the purposes and intent of this Ordinance and which further the transfer of the property as contemplated by this Ordinance, whether heretofore or hereafter taken, are ratified, confirmed and approved.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Common Council of the Town of Miami, Arizona, this 12th day of August, 2024, by the following vote:

AYES: 5 1-Vacancy
NAYES: 0 ABSENT: 0
EXCUSED: 1 ABSTAINED: 0

APPROVED this 12th day of August, 2024.




Jose "Angel" Medina Sr., Mayor

ATTEST:



Karen M. Norris, Town Clerk

APPROVED AS TO FORM:



Joe Estes, Town Attorney
Pierce Coleman, PLLC

I, KAREN M. NORRIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 395 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF MIAMI, ARIZONA, ON THE 12th DAY OF AUGUST, 2024, WAS POSTED IN THREE PLACES AND ON THE TOWN WEBSITE ON THE 3rd DAY OF Sept, 2024.



Karen M. Norris, Town Clerk

**Legal Description
For
Parking Easement**

Located in the Southwest Quarter of Section 30, Township 1 North, Range 15 East, Gila and Salt River Meridian, Gila County, Arizona.

Being a portion of Rose Rd. Right of Way as shown on Inspiration Addition to the original Townsite of Miami, Map number 28, Gila County records. Described as follows:

Commencing at the Northwest corner of Lot 400, Inspiration Addition to the original Townsite of Miami, Map number 28.

Thence North 44°37'30" East, along the South Right of Way line of said Rose Rd. a distance of 21.51 feet to the Point of Beginning;

Thence departing said line, North 45°22'30" West, a distance of 6.00 feet;

Thence North 44°37'30" East, parallel with and 6.00 feet Northwesterly of the southeasterly Right of Way line of Rose. Rd, a distance of 233.49 feet;

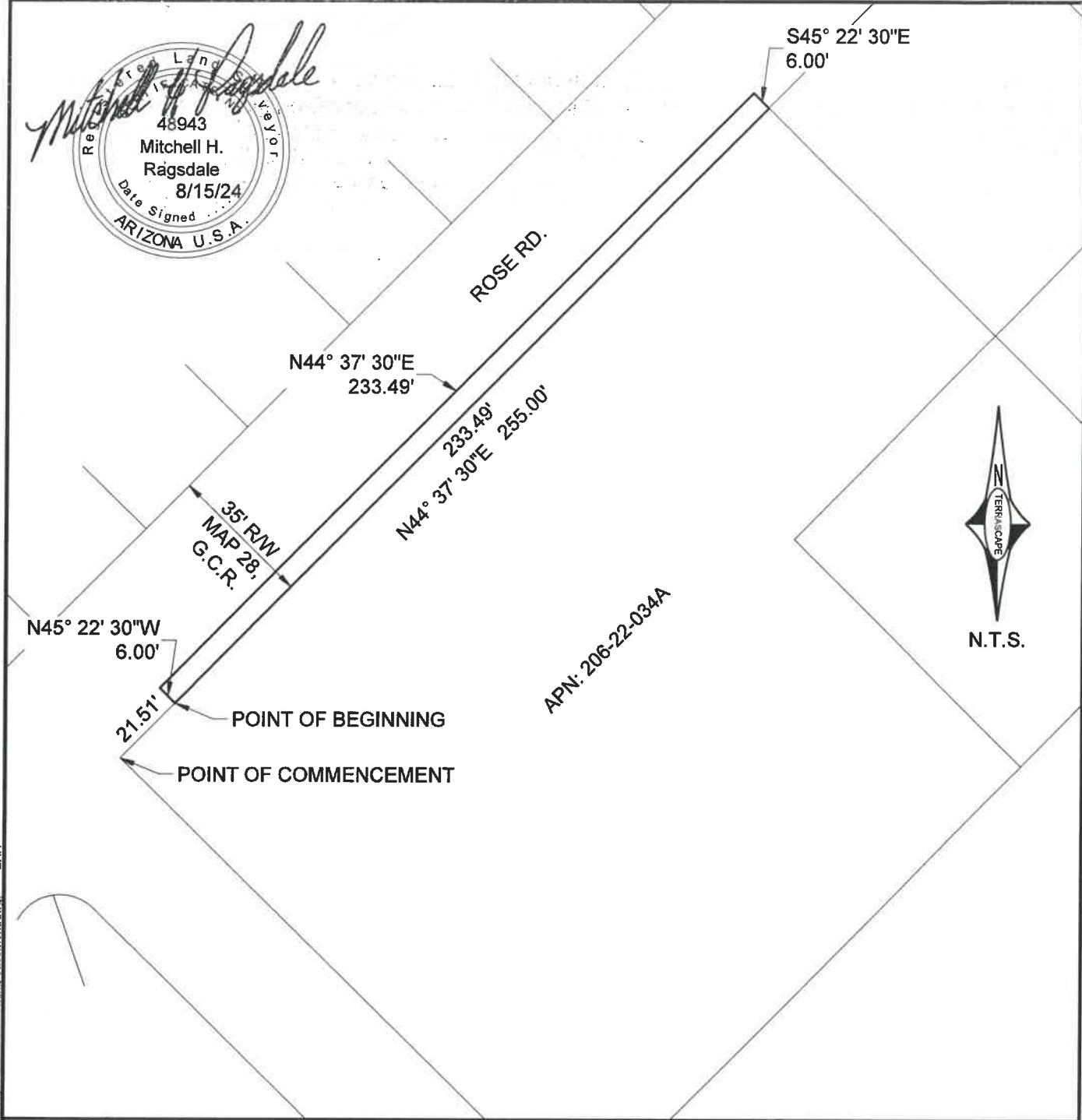
Thence departing said parallel line, South 45°22'30" East, a distance of 6.00 feet to said Southeasterly Right of Way line and the Northeast corner of Lot 921 of said Map 28;

Thence South 44°37'30" West, along said Southeasterly Right of Way line, a distance of 233.49 feet to the Point of Beginning.

Containing 1,400.96 square feet or 0.03 acres, more or less.



Mitchell H. Ragsdale
 Registered Professional Land Surveyor
 48943
 Mitchell H. Ragsdale
 8/15/24
 Date Signed
 ARIZONA U.S.A.



Plotted: 08/15/24 - 11:57 AM By: mragdale
 File: M:1622_Chicanos Por La Causa Inspiration_MiamiSurvey\1622_EXH_Parking easement.dwg -> EXH



645 E. MISSOURI AVE., STE. 420
 PHOENIX, ARIZONA 85012

P: 602.297.8732 • F: 602.230.8458

EXHIBIT

PARKING EASEMENT
 MIAMI INSPIRATION HOUSING
 MIAMI

Project No. 1622
 Sheet 1 of 1

Date : 08/15/24

