

RESOLUTION NO. 07-2025

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF TOMBSTONE, COCHISE COUNTY, ARIZONA, DECLARING A CERTAIN PORTION OF THE ALLEY INTERSECTING N. VIA SERENA, TO BE AN UNNECESSARY ROADWAY AND UTILITY EASEMENT, AND ABANDONING THE SAME.

WHEREAS, the Mayor and City Council have received a request from Stephen J. Phillips, for the abandonment of a portion of the Alley intersecting N. Via Serena, more particularly described as that portion of the Alley intersecting N. Via Serena adjacent to Lot Nos. 659 and 658, and any Utility Easement lying thereon, within the Tombstone Territory Estates, Unit No. 3, City of Tombstone, Arizona; and,

WHEREAS, that certain portion of the Alley intersecting N. Via Serena adjacent to Lot Nos. 658 and 659 subject to the request for abandonment presently serves as an unimproved Alley and Utility Easement;

WHEREAS, that portion of the Alley intersecting N. Via Serena adjacent to Lot Nos. 659 and 658 to be abandoned is adjacent to the exterior boundary of Lot Nos. 658 and 659, parcels of real property owned by Stephen J. Phillips and Bonnie M. Phillips;

WHEREAS the Mayor and City Council have determined that the portion of the Alley intersecting N. Via Serena adjacent to Lot Nos. 659 and 658, requested to be abandoned is not necessary for public use because the real property is an undeveloped Alley that would only serve properties owned by Stephen J. Phillips and Bonnie M. Phillips.

THEREFORE, BE IT NOW HEREBY RESOLVED

SECTION 1: The Mayor and City Council of the City of Tombstone, hereby abandon in accordance with the provisions of A.R.S. §28-7205, and the title to said lands shall, upon recording of this Resolution and a Deed of Abandonment, vest in the owner of the abutting property, Stephen J. Phillips and Bonnie M. Phillips. The lands affected by this Resolution are more specifically described as follows:

See attached Exhibits "A" and "B", attached hereto in incorporated herein by reference.

SECTION 2: The appropriate officers and officials of the City are hereby authorized to act and directed to take all actions necessary or reasonably required to carry out the intent of this Resolution.

SECTION 3: The Mayor is authorized and empowered to execute this Resolution and the Deed of Abandonment, all other documents necessary to close the transaction to reflect that the real property is conveyed from the name of the corporation.

Adopted this 8th day of July, 2025, by the Mayor and City Council of Tombstone, Arizona.


DUSTIN ESCAPULE, Mayor

ATTEST:


Charissa Presti, Interim City Clerk

APPROVED AS TO FORM:


Ann Roberts, City Attorney

PROJECT NO. 2025-072

DATE: JUNE 9, 2025

LEGAL DESCRIPTION

ALLEY ABANDONMENT

A TRACT OF LAND BEING A PORTION OF TOMBSTONE TERRITORY ESTATES UNIT NUMBER THREE, RECORDED IN BOOK 09 OF MAPS OF PLATS, PAGE 41B, COCHISE COUNTY RECORDS, LOCATED IN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 22 EAST, GILA AND SALT RIVER BASE AND MERIDIAN, COCHISE COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHERLY MOST CORNER OF LOT 659 OF SAID TOMBSTONE TERRITORY ESTATES UNIT NUMBER THREE;

THENCE, FOLLOWING ALONG THE SOUTHEAST LINE OF SAID LOT 659, NORTH $31^{\circ}12'39''$ EAST A DISTANCE OF 134.13 FEET TO A POINT;

THENCE, LEAVING SAID SOUTHEAST LINE, SOUTH $51^{\circ}27'32''$ EAST A DISTANCE OF 16.15 FEET TO THE NORTHERLY MOST CORNER OF LOT 658 OF SAID TOMBSTONE TERRITORY ESTATES UNIT NUMBER THREE;

THENCE, SOUTH $31^{\circ}12'39''$ WEST A DISTANCE OF 133.13 FEET TO THE WESTERLY MOST CORNER OF SAID LOT 658;

THENCE, NORTH $54^{\circ}59'45''$ WEST A DISTANCE OF 16.05 FEET TO THE **POINT OF BEGINNING**.


CONTAINING 2,140 SQUARE FEET, MORE OR LESS.



EXHIBT MAP

TOMBSTONE TERRITORY ESTATES,
UNIT NO. THREE. SECTION 1,
T.20S., R.22E., G.&S.R.M.,
COCHISE COUNTY, ARIZONA.
~PROJECT NO. 2025-072~

LEGEND:

- (R1) RECORD DATA PER BOOK 09
OF MAPS OF PLATS, PAGE 41B
- NO. NUMBER
- SQ.FT. SQUARE FEET
- ROADWAY CENTERLINE
- LOT LINES
- CROSS TIE
-  AREA OF ABANDONMENT

CURVE TABLE:

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'(R1)	37.62'(R1)	34.17'(R1)	N 11°53'33" W	86°12'24"
C2	25.00'(R1)	40.02'(R1)	35.88'(R1)	S 79°08'29" W	91°43'32"
C3	1055.69'(R1)	283.24'(R1)	282.39'(R1)	N 40°51'25" E	15°22'21"



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