



Town of Huachuca City

The Sunset City

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RESOLUTION NO. 2019-13

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO AN AMENDED INTERGOVERNMENTAL AGREEMENT WITH TOMBSTONE UNIFIED SCHOOL DISTRICT # 1 TO RESOLVE AN EASEMENT DISPUTE.

WHEREAS, the Town and the School District wish to resolve amicably a dispute between them concerning the location of an easement known as, "School Drive," appurtenant to School District's Huachuca City School; and

WHEREAS, the Town and the School District have negotiated an amicable resolution of their dispute and have memorialized the terms in the agreement attached hereto as Exhibit "A" and incorporated herein by this reference; and

WHEREAS, on February 14, 2019, the Town adopted an agreement to resolve the dispute, however, the Town now wishes to adopt an amended agreement; and

WHEREAS, A.R.S. 11-952 authorizes agreements between public entities for cooperative actions, and the Town and School District desire to jointly exercise their powers and enter into the Intergovernmental Agreement attached hereto as Exhibit "A"; and

WHEREAS, the Mayor and Council have determined that approval of the Intergovernmental Agreement is in the best interest of Huachuca City and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Huachuca City, Arizona, as follows:

- Section 1.** The Town hereby approves the Intergovernmental Agreement, attached hereto as Exhibit "A".
- Section 2.** The Town's officers are hereby authorized and directed to execute said Intergovernmental Agreement on behalf of the Town of Huachuca City.
- Section 3.** The Town's officers and staff are hereby authorized to take all steps necessary and proper to implement said Intergovernmental Agreement and give it effect.
- Section 4.** The version of the agreement adopted on February 14, 2019, is void.

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 11th DAY OF APRIL, 2019.


Johann Wallace, Mayor

ATTEST:


Matthew Williams, Interim Town Clerk

Approved as to Form:


Thomas Benavidez, Town Attorney



EXHIBIT A

[Agreement with Tombstone Unified School District must be attached.]