

RESOLUTION NO. 15-118

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, ADOPTING AN ADMINISTRATIVE FEE TO VACATE RIGHT-OF-WAY; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Town Council of the Town of Dewey-Humboldt finds that it is in the best interests of the Town and its residents for the Town to establish an administrative fee for processing requests to the Town to vacate right-of-way that is no longer necessary for public use; and

WHEREAS, the Town of Dewey-Humboldt is authorized pursuant to A.R.S. §9-240(3)(e) and §28-7205 to vacate right-of-way; and

WHEREAS, the Town of Dewey-Humboldt is authorized pursuant to Town Code Section 50.16 to initiate vacation of unnecessary right-of-way upon request of an adjacent property owner and to establish a fee by resolution to be paid for such a request,

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona that a fee for Abandonment of Right-of-way is hereby established and shall be paid to the Town upon application to the Town by a property owner requesting the Town vacate unnecessary right-of-way, as follows:

<u>Right-of-Way Vacation Application Fee</u>	\$750.00.
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BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions in conflict with this Resolution are hereby repealed.

BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, phrase, or portion of this Resolution or any part of this Resolution, is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona this 15 day of September, 20145.

/s/

Terry Nolan, Mayor

ATTEST:

APPROVED AS TO FORM:

/s/

Judy Morgan, Town Clerk

/s/

Susan Goodwin, Town Attorney