

RESOLUTION NO. 07-49

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, ADOPTING A POLICY AND PROCEDURE FOR THE IDENTIFICATION, TRANSFER AND MAINTENANCE OF PRIVATE RIGHT OF WAY FOR PURPOSES OF DEVELOPING THE TOWN ROAD SYSTEM.

WHEREAS, within the Town limits there are significant sections of roadway that are privately owned and maintained, and,

WHEREAS, circulation and transportation within the Town would benefit in some instances if portions of private roads became owned by the Town, and,

WHEREAS, a policy and procedure for incorporating private roads into the Town's system would assist property owners and the Town in considering requests for transfer of ownership maintenance responsibility:

NOW THEREFORE BE IT RESOLVED that the Town of Dewey-Humboldt hereby adopts the Private Road Transition Policy as follows,

Private Road Transition Policy

1. Any neighborhood or group of property owners wishing to transfer ownership and maintenance of a private road to the Town will provide a written request to the Town identifying the portion of roadway to be transferred, the names and parcel numbers of property owners adjacent to the roadway and signatures of those property owners that are indicating support of the transfer.
2. Upon receipt of the request, Town Staff will review the request and prepare a report identifying the condition, the required width, drainage considerations, connection of the proposed roadway to existing Town owned roads and other factors that may be deemed relevant to the maintenance and ownership of the roadway by the Town. The report will also identify any improvements to the roadway that may require resolution prior to being accepted for transfer of ownership.
3. Upon recommendation of the Town Staff for transition to Town ownership of the proposed roadway, each property owner will provide a survey of the proposed roadway by a registered surveyor for their parcel.
4. The proposed transfer will be placed on the next available Town Council Agenda for Public Hearing and consideration for acceptance of ownership and maintenance by the Town.

5. Upon approval by the Town Council, property owners will transfer ownership of the designated right of way to the Town and the Town will arrange for recording of modifications to each portion of parcels and property and designation of the transferred right of way as Town owned property.

6. As of the effective date of the creation of the right of way, the Town will add the right of way to its assets and begin providing standard maintenance of the roadway.

7. Future paving of the roadway may be proposed by the Town or the property owners and may be financed by formation of a Local Improvement District and/or Town resources.

EFFECTIVE DATE: This Resolution shall be effective upon passage.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Yavapai County, Arizona, this 20th day of November, 2007.

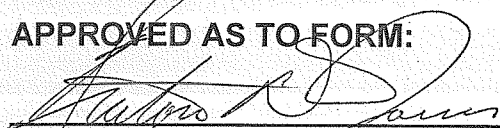


Earl Goodwin, Mayor

ATTEST:

Debbie Gifford, MMC, Town Clerk

APPROVED AS TO FORM:



Kenton Jones, Town Attorney