



**NOTICE OF PUBLIC MEETING  
OF THE  
MUNICIPAL PROPERTY CORPORATION BOARD OF DIRECTORS  
OF THE CITY OF COTTONWOOD**

Pursuant to A.R.S. §38-431.02 notice is hereby given to the members of the Municipal Property Corporation Board of Directors of the City of Cottonwood and to the general public that the Municipal Property Corporation Board of Directors of the City of Cottonwood will hold its Annual Meeting, which is open to the public on:

Tuesday, September 15, 2020  
3:00 p.m.  
Business Assistance Center  
821 N Main St, Cottonwood, AZ 86326

The agenda for the meeting is as follows:

- I. CALL TO ORDER
- II. ROLL CALL
- III. SELECTION OF EXECUTIVE MEMBERS – Discussion and selection of President, Vice President and Secretary positions and vote to approve those positions.
- IV. OATH OF OFFICE – Review and accept Oath of Office.
- V. APPROVAL OF MINUTES – MEETING OF SEPTEMBER 22, 2015
- VI. ANNUAL FINANCIAL REPORT – There is no financial report at this time the MPC Bonds were refunded in FY2015 and FY2016 and there has been no activity since that time.
- VII. REQUEST FOR PERPETUAL EASEMENT ON PROPERTY OWNED BY THE MPC - Parcel 406-42-065 that is currently listed as Cottonwood Municipal Property Corporation needs to grant an easement– Qwest Corporation is in need of acquiring a perpetual easement across the property for the purpose of installing and maintaining a telecommunications line. The proposed easement is approximately 131 feet in length by 3 feet in width. Vote to approve or deny the easement.
- VIII. ADJOURNMENT

A copy of the agenda for the meeting will be available at the Cottonwood City Hall, 827 North Main Street, Cottonwood, Arizona, at least twenty-four (24) hours in advance of the meeting.

Dated: December 27, 2018

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CITY OF COTTONWOOD  
Kirsten L. Lennon  
Financial Services Director

MINUTES OF THE ANNUAL MEETING OF THE BOARD OF DIRECTORS OF THE MUNICIPAL PROPERTY CORPORATION OF THE CITY OF COTTONWOOD, ARIZONA, HELD SEPTEMBER 22, 2015 AT 9:03 A.M. AT THE ADMINISTRATIVE SERVICES GENERAL MANAGER'S OFFICE, 816 NORTH MAIN STREET, COTTONWOOD, ARIZONA.

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**Call to Order**

President Frank Leupold called the meeting to order at 9:03 a.m. Roll call was taken as follows:

**Introductions and Roll Call**

Board members present:

Frank Leupold, President

Mark Hobson, Vice President

Board member absent:

Jake Gonzales, Secretary/Treasurer

City staff present:

Jesus R. Rodriguez, Administrative Services General Manager (ASGM)

Visitors: None

**Approval of the Minutes of the September 18, 2014 meeting**

President Leupold asked that a date error on the minutes be corrected. Vice-President Mark Hobson motioned to approve the minutes as amended. President Leupold seconded the motion. Motion passed unanimously.

**Annual Financial Reports**

ASGM Rodriguez presented the annual un-audited MPC financial reports for the year ending June 30, 2015. The balance on the MPC debt has been reduced by \$11,040,000 to \$20,710,000 compared to last year's ending balance of \$31,750,000. By June 30, 2015, the 2004 MPC Water Bonds were called and paid. The financial resources to get this accomplished were through a refinancing mechanism provided by the Water Infrastructure Finance Authority (WIFA). The refinancing package will save the City of Cottonwood over \$1M in interest saving over the term of the original MPC financing arrangement. This debt service will continue to be paid solely by user fees with no outside assistance from the General Fund.

In January 1, 2015 the city increased its water user fees in order to comply with the 2004 & 2006 bond covenants. We are currently meeting our target covenants with our bondholders. The City also continues to have a differential rate between inside and outside the city's corporate city limits. Residents outside the city limits pay 30% more than those inside the city limits.

Currently, the City's utility rate committee is reviewing its rates for the 2016 fiscal year. Rate increases are necessary to ensure compliance with covenants as well as meeting all operation and future capital improvements needs.

President Leupold motioned to approve the Annual Financial Reports as presented, and was seconded by Vice President Mark Hobson. It was approved unanimously.

**Statutory Agent Change**

ASGM Rodriguez discuss that a change was needed to replace Attorney Dean Pickett as the Statutory Agent for the MPC. Mr. Pickett has retired and has requested to be removed as the Statutory Agent for the MPC. The Cottonwood City attorney has volunteered to be the replacement Statutory Agent for the MPC.

President Leupold motioned to approve the replacement of Dean Pickett as the Statutory Agent for the MPC and replace him with attorney Steve Horton presented, and was seconded by Vice President Mark Hobson. It was approved unanimously.

**ACC Reporting**

Jesus Rodriguez, ASGM reported that the ACC report would be filed shortly after the meeting, however, the on-line reporting system notes October 2<sup>nd</sup> as the file date. Vice-President Mark Hobson motioned to move forward with the submission of the ACC report; President Leupold the motion. It was approved unanimously.

**Open Discussion**

There was an open discussion about several issues, including the differential rates, bonds rating changes, and the ongoing rate increase and other city topics.

**Adjournment**

There not being any further business, Vice-President Hobson motioned to adjourn the meeting, Board Vice-President seconded, motion passed unanimously.

Attest:

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**After recording please return to:**

Kathy May  
1601 Wisteria Lane  
Belton, Texas 76513

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**Prepared by:**

City of Cottonwood Municipal Property Corporation

**RECORDING INFORMATION ABOVE**

Return to Folder  
For City of Cottonwood

## TELECOMMUNICATIONS EASEMENT

For consideration of \$1.00, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **City of Cottonwood Municipal Property Corporation**, an Arizona Non – Profit Corporation, (“Grantor”), as owner of that certain real property located in Yavapai County, Arizona, designated as APN **406-06-248F**, and as more particularly described in **Book 4358, Page 42** of the Official Records of Yavapai County and Exhibit A hereto (hereinafter referred to as “Grantor’s property”), does hereby grant and convey to **Qwest Corporation, DBA CenturyLink QC**, its successors and assigns, as Grantee, the following easements across, over and upon said property:

1. A perpetual easement upon that portion of Grantor’s property more particularly described in Exhibit B hereto for the purpose installing and maintaining a telecommunication line as Grantee reasonably determines are necessary to accomplish this purpose.

Following the initial installation work by Grantee, Grantee shall, at its sole cost and expense, restore Grantor’s premises as shown on the project plans. Following any installation, excavation, maintenance, repair or other work by Grantee, Grantee shall, at its sole cost and expense, restore Grantor’s premises to as close to original condition as is reasonably practicable under the circumstances.

Grantor reserves the right use/occupy its property for any and all such other lawful purposes as will not impede any of Grantee’s rights as set forth herein.

The covenants and agreements set forth herein shall extend and insure in favor and to the benefit of, and shall be binding on the heirs, administrators, executors, successors, assigns and lessees of both Grantors and Grantee.

Effective this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**GRANTOR:**

**CITY OF COTTONWOOD MUNICIPAL PROPERTY CORPORATION**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020 the undersigned officer personally appeared \_\_\_\_\_, who acknowledged himself/herself to be the \_\_\_\_\_ of City of Cottonwood and the owner of property known as APN 406-06-248F, and that he/she as such being authorized to do, executed the foregoing instrument for the purposes therein contained.

In witness whereof, I hereby set my hand and official seal.

\_\_\_\_\_  
My commission expires

\_\_\_\_\_  
Notary Public

**ACCEPTANCE BY GRANTEE:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Les Gutierrez, ROW AGENT

**ATTEST:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name, Title

**Exhibit A**

As described in **Book 4358, Page 42** of Yavapai County Records.

**Exhibit B**

For Exhibit B please see next sheet.

# EXHIBIT B

## LEGAL DESCRIPTION

### 3.00 FEET WIDE TELECOMMUNICATION EASEMENT

A PORTION OF PARCEL ONE DESCRIBED IN SPECIAL WARRANTY DEED RECORDED IN BOOK 4358, PAGE 42 OF THE OFFICIAL RECORDS OF YAVAPAI COUNTY BEING A PORTION OF SECTION 4, TOWNSHIP 15 NORTH, RANGE 3 EAST, GILA & SALT RIVER MERIDIAN, YAVAPAI COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 4 FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 4 BEARS NORTH 89°50'50" WEST, A DISTANCE OF 5293.90 FEET;

THENCE SOUTH 00°18'15" WEST, A DISTANCE OF 733.32 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN BOOK 187, PAGE 506 OF THE OFFICIAL RECORDS OF YAVAPAI COUNTY;

THENCE ALONG THE WEST LINE OF THE AFOREMENTIONED PARCEL OF LAND SOUTH 00°19'16" WEST, A DISTANCE OF 36.70 FEET TO THE NORTHEAST CORNER OF SAID PARCEL ONE;

THENCE ALONG THE EAST LINE OF SAID PARCEL ONE SOUTH 00°14'59" WEST, A DISTANCE OF 63.40 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN BOOK 187, PAGE 506 OF THE OFFICIAL RECORDS OF YAVAPAI COUNTY;

THENCE CONTINUING ALONG THE EAST LINE OF SAID PARCEL ONE SOUTH 00°23'16" WEST, A DISTANCE OF 67.80 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL ONE;

THENCE ALONG THE SOUTH LINE OF PARCEL ONE NORTH 89°47'10" WEST, A DISTANCE OF 1.50 FEET TO THE POINT OF BEGINNING OF AND EASEMENT 3.00 FEET IN WIDTH, THE CENTER OF WHICH IS DESCRIBED AS FOLLOWS;

THENCE ALONG A LINE 1.50 FT WEST OF AND PARALLEL WITH THE EAST LINE OF SAID PARCEL ONE NORTH 00°23'16" EAST, A DISTANCE OF 47.36 FEET;

THENCE DEPARTING SAID PARALLEL LINE NORTH 44°47'10" WEST, A DISTANCE OF 23.16 FEET;

THENCE NORTH 00°17'47" EAST, A DISTANCE OF 60.56 FEET TO THE POINT OF ENDING.

CONTAINS 394 SQUARE FEET OR 0.009 ACRES, MORE OR LESS.

SEE ATTACHED EXHIBIT "B" BY REFERENCE MADE APART HERETO.



2045 SOUTH VINEYARD, SUITE 101  
MESA, ARIZONA 85210  
TEL 480.768.8600  
www.sunrise-eng.com

# EXHIBIT B

## TELECOMMUNICATION EASEMENT



NOT TO SCALE

NW COR SEC 4  
T15N, R3E, G&SRM

S89°50'50"E  
5293.90'

NE COR SEC 4  
T15N, R3E, G&SRM  
POINT OF COMMENCEMENT

APN 406-06-248L  
CANYON RV RESORT LLC

APN 406-06-248F  
CITY OF COTTONWOOD  
BOOK 4358, PG 42 YCR

TELCOMM EASEMENT

3'  
1.5'

733.32'  
S0°18'15"W

36.70'

100.10'

63.40'

67.80'

S0°23'16"W

APN 406-06-002  
MJ LAWRENCE  
MEMORIAL HOSPITAL  
BK 187, PG 506 YCR

APN 406-06-248S  
RIVER COMMUNITY  
FELLOWSHIP

Line Table		
Line #	Direction	Length
L1	N89°47'10"W	1.50'
L2	N0°23'16"E	47.36'
L3	N44°47'10"W	23.16'
L4	N0°17'47"E	60.56'

POINT OF BEGINNING



### LINE LEGEND

- SUBJECT BOUNDARY LINE
- OTHER PROPERTY LINE
- - - - - EASEMENT LINE
- SECTION LINE
- SUB-SECTION LINE
- - - - - RIGHT OF WAY LINE
- CENTERLINE



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www.sunrise-eng.com

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Google Earth

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