



RESOLUTION 2020-07

A RESOLUTION OF THE COCONINO COUNTY, ARIZONA, BOARD OF SUPERVISORS, ACKNOWLEDGING AND ACCEPTING THE GRANT REQUIREMENTS OF THE COMMUNITY FOREST AND OPEN SPACE CONSERVATION PROGRAM, WHICH WILL APPLY TO CERTAIN REAL PROPERTY OF APPROXIMATELY 40 ACRES ADJACENT TO ROGERS LAKE COUNTY NATURAL AREA, PARCEL NUMBER 116-05-051F.

WHEREAS, Coconino County is the fee simple owner of certain real property in Coconino County, Arizona, consisting of 40 acres, more or less (the "Property"); and

WHEREAS, the Property is located on approximately 10 miles south on Woody Mountain Road and the northeast corner of Rogers Lake County Natural Area, a regional natural resource, parks and recreation asset; and

WHEREAS, the Property is a substantially undisturbed, natural state and has significant conservation value as defined in the Arizona Revised Statutes §§ 33-271, et seq.; and

WHEREAS, the County has received a grant from the U.S. Department of Agriculture (USDA) Forest Service's *Community Forest and Open Space Conservation Program* (Community Forest Program or CFP); and

WHEREAS, the purposes of this grant are to provide public benefits to communities including economic benefits through sustainable forest management, environmental benefits including clean air, water, and wildlife habitat; benefits from forest-based educational programs; benefits from serving as models of effective forest stewardship; and recreational benefits secured with public access; and to acquire private forest lands that are threatened by conversion to non-forest uses; and

WHEREAS, the purpose of the grant aligns with the County's open space mission and values and funding received through the grant assisted in the purchase of the Property; and

WHEREAS, the requirements of this grant, described in the Notice of Grant Requirements, attached and incorporated herein, are reasonable in light of the purposes of the grant and the County's goals with respect to the Property.

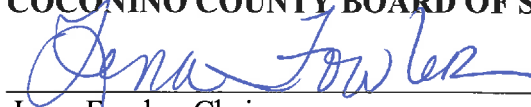
NOW THEREFORE BE IT RESOLVED, in consideration of the mutual benefits enjoyed by the award and receipt of this grant, Coconino County hereby acknowledges and accepts the requirements of the Community Forest and Open Space Conservation Program, as they apply to the property described herein.

PASSED AND ADOPTED this 14th day of January 2020.

AYES: 4
NOS: 0
ABSENT: 1

(SEAL)

COCONINO COUNTY BOARD OF SUPERVISORS



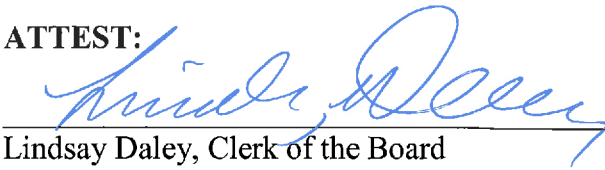
Lena Fowler, Chairman

APPROVED AS TO FORM:



Rose Winkeler, Deputy County Attorney

ATTEST:



Lindsay Daley, Clerk of the Board



NOTICE OF GRANT REQUIREMENT

The property described herein (Property) was acquired pursuant to a monetary grant awarded to Coconino County, (Grant Recipient). The purpose of this acquisition is to affect the goals of the U.S. Department of Agriculture (USDA) Forest Service's *Community Forest and Open Space Conservation Program* (Community Forest Program or CFP) in accordance with the provisions of Section 7A of the *Cooperative Forestry Assistance Act* (CFAA) of 1978 as amended. Such purposes are to provide public benefits to communities including economic benefits through sustainable forest management, environmental benefits including clean air, water, and wildlife habitat; benefits from forest-based educational programs; benefits from serving as models of effective forest stewardship; and recreational benefits secured with public access; and to acquire private forest lands that are threatened by conversion to non-forest uses. Program delivery is guided by the Community Forest Program regulations (36 CFR Part 230 Subpart A) (published 10/20/2011; 76 FR 65121). In accordance with these regulations the Grant Recipient acknowledges that:

1. The purchase of this Property was funded in part with Federal funds in accordance with the Community Forest Program (36 CFR Part 230 Subpart A) (published 10/20/2011; 76 FR 65121);
2. The legal description for the Property is as set forth below in Exhibit 'A';
3. The address of the Grant Recipient and authorized title holder listed above is 219 E. Cherry Avenue, Flagstaff, AZ 86001.
4. This Property is designated as a 'Community Forest' pursuant to the requirements of the Community Forest Program (CFP);
5. The Grant Agreement with the USDA Forest Service is agreement number 19-DG-110316000-042 and it is kept on file at the Clerk of the Board's Office (219 E. Cherry Avenue, Flagstaff, AZ 86001) and the Parks and Recreation Office (2446 Fort Tuthill Loop, Flagstaff, AZ 86005);
6. The Grant Recipient shall ensure that for all land(s) acquired pursuant to this grant is held in perpetuity by an eligible entity as defined by 36 CFR Part 230 (published 10/20/2011; 76 FR 65121) and that the Community Forest will be (i) managed pursuant to the grant, the Community Forest Plan, and the purpose of the CFP; (ii) will not be conveyed or encumbered, in whole or in part, to another party without written permission and instructions from the awarding agency; (iii) will be managed consistent with the purpose of the CFP;
7. In the event that the Community Forest is sold or converted to non-forest uses or a use inconsistent with the purpose of the CFP, the Grant Recipient or subsequent Community Forest landowner shall: (1) pay the United States an amount equal to the current sale price or the current appraised value of the parcel, whichever is greater; and (2) not be eligible for additional grants under the CFP.
8. This Notice of Grant Requirement shall only become effective upon the receipt of Federal funds by the Grant Recipient. In the event that Federal Funds are not received by Grant Recipient, this Notice of Grant Requirement shall not burden the Property.

IN WITNESS WHEREOF, Coconino County, has caused this NOTICE OF GRANT REQUIREMENT to be recorded on its behalf by its duly authorized representative:

GRANT RECIPIENT: County Board of Supervisors
Lena Fowler, Chair

By: Lena Fowler

ATTEST:

Approves as to form:

Lindsay Daley
Lindsay Daley, Clerk of the Board

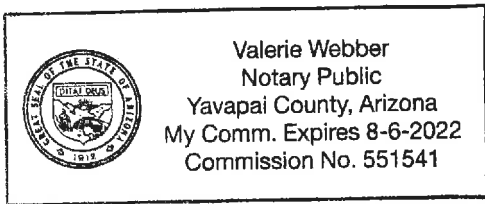
Rose Winkeler
Rose Winkeler, Deputy County Attorney

STATE OF ARIZONA

COUNTY OF COCONINO, to wit:

The foregoing Notice of Grant Requirement was acknowledged before me this 14th day of January 2020, by Lena Fowler, acting in his capacity as Chair, Board of Supervisors of Coconino County.

My commission expires: 8-6-2022



Valerie Webber
Notary Public
Notary Registration No. 551541

EXHIBIT A
APN: 11605021F

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 3 INCH FOREST SERVICE ALUMINUM CAP IN 3 FOOT STONE DIAMETER STONE MOUND STAMPED "T21NR6E, SC S33/S34/S3", FROM WHICH A FOUND 3 INCH BRASS CAP IN STONE MOUND STAMPED "US DEPT OF THE INTERIOR, T21N, R6E, S28/S27/S33/S34, 1968" BEARS NORTH 00°19'51" WEST, A DISTANCE OF 5389.28 FEET;

THENCE SOUTH 89°12'08" WEST, A DISTANCE OF 2643.31 FEET TO A FOUND 3 INCH BRASS CAP STAMPED "US DEPARTMENT OF AGRICULTURE FOREST SERVICE, T21N R6E, ¼ S33, LS 9431, 1975" AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°55'39" WEST, A DISTANCE OF 2654.56 FEET (MEASURED AND BASIS OF BEARINGS FOR THIS DESCRIPTION) (SOUTH 89°54'44" WEST, 2654.96 FEET PER RECORD OF SURVEY RECORDED IN BOOK 2 OF LAND SURVEYS, PAGE 11, RECORDS OF COCONINO COUNTY, ARIZONA, HEREIN REFERRED TO AS R1), (SOUTH 89°44'42" WEST, 2654.04 FEET PER RECORD OF SURVEY RECORDED AS FEE NO. 3580086, RECORDS OF COCONINO COUNTY, ARIZONA, HEREIN REFERRED TO AS R2), TO A FOUND SAND STONE POST WITH CHISELED X, FROM WHICH A FOUND 2 INCH ALUMINUM CAP STAMPED "LS 13010 LS 11369 ARENCO" BEARS NORTH 00°03'45" EAST (NORTH 00°06'30" EAST R2), A DISTANCE OF 1651.60 FEET;

THENCE NORTH 00°03'45" EAST (NORTH 00°06'30" EAST R2), A DISTANCE OF 1314.75 FEET TO A SET ½ INCH REBAR AND ALUMINUM CAP STAMPED "RLS 41502" IN A STONE MOUND FROM WHICH A 1 INCH IRON PIPE IN A STONE MOUND BEARS NORTH 00°03'45" EAST (NORTH 00°06'30" EAST R2), A DISTANCE OF 1327.91 FEET;

THENCE NORTH 89°55'39" EAST, A DISTANCE OF 2646.51 FEET TO A SET 1/2 INCH REBAR AND ALUMINUM CAP STAMPED "RLS 41502" IN A STONE MOUND, FROM WHICH A FOUND 12 INCH BY 12 INCH STONE POST BEARS NORTH 00°17'18" WEST, A DISTANCE OF 1217.19 FEET;

THENCE SOUTH 00°17'18" EAST, A DISTANCE OF 1314.76 FEET TO THE TRUE POINT OF BEGINNING.