

RESOLUTION NO. 2023-124

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA FINDING THAT A PORTION OF A CERTAIN WATER AND SEWER EASEMENT TO BE UNNECESSARY TO CITY PURPOSES AND NO LONGER REQUIRED TO BE RETAINED BY THE CITY AND DIRECTING THAT SUCH UNNECESSARY PORTION OF WATER AND SEWER EASEMENT BE DISPOSED OF IN THE MANNER PROVIDED BY LAW.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Peoria as follows:

WHEREAS, pursuant to A.R.S. 9-402, the City Council of the City of Peoria is vested with the power to determine and find that certain public easements may no longer be necessary to the City; and

WHEREAS, pursuant to A.R.S. 9-402, the City Council of the City of Peoria is vested with the power to vacate such easements by transferring title to adjacent property owners and others; and

WHEREAS, the Mayor and Council find and determine that a portion of a certain Water and Sewer Easement located in the City of Peoria, Maricopa County, Arizona, west of 67<sup>th</sup> Avenue south of Happy Valley Road, and more specifically described in the Legal Description (Exhibit A) attached to this Resolution is no longer needed by the City for water and sewer line purposes.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That Mayor and Council find and determine that a portion of the Water and Sewer Easement recorded in Maricopa County Recorder's Office per Book 1210 Page 10 more specifically set forth on Exhibit "A" attached to this Resolution be and is hereby declared abandoned as provided by Chapter 4, Article 1, Title 9 of the Arizona Revised Statutes.

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Water & Sewer Easement Abandonment  
67<sup>th</sup> Ave & Happy Valley Rd  
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SECTION 2. That the City Engineer is directed to prepare and provide descriptions for the retention of such easements for public utilities, if any, as may be deemed appropriate across the described property.

SECTION 3. That the City Clerk shall record the original of this Resolution with the Maricopa County Recorder's Office.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona this 12<sup>th</sup> day of December, 2023.

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Jason Beck, Mayor

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Date Signed

ATTEST:

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Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

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Emily Jurmu, City Attorney

ATTACHMENT:

1. Exhibit A – Legal Description