

RESOLUTION NO. 2024-48

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA FINDING THAT A CERTAIN DRAINAGE EASEMENT TO BE UNNECESSARY TO CITY PURPOSES AND NO LONGER REQUIRED TO BE RETAINED BY THE CITY AND DIRECTING THAT SUCH UNNECESSARY DRAINAGE 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 a certain public easement 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 certain Drainage Easement located in the City of Peoria, Maricopa County, Arizona, near 72nd Avenue and 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 drainage purposes.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That Mayor and Council find and determine that a portion of the Drainage Easement recorded in Maricopa County Recorder's Office per Book 1296 Page 5 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.

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.

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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 18th day of June, 2024.

Jason Beck, Mayor

Date Signed

ATTEST:

Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

Emily Jurmu, City Attorney

ATTACHMENT:

1. Exhibit A - Legal Description & Sketch