

RESOLUTION NO. 2024-83

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 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 easement 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, east of El Mirage Road south of Lone Mountain Parkway, 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 the Drainage Easement within Lot 6 of Marketplace at Vistancia recorded in Maricopa County Recorder's Office per Book 1776 Page 4 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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Drainage Easement Abandonment
Marketplace at Vistancia Lot 6
November 19, 2024
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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 19th day of November, 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



EXHIBIT A LEGAL DESCRIPTION

A portion of that certain Drainage Easement as shown on the Final Plat of "Marketplace at Vistancia", recorded in Book 1776, Page 4, Maricopa County Records (MCR), lying within the northeast quarter of Section 25, Township 5 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the southeast corner of Lot 6 as shown on said final plat;
Thence along the southerly line of said Lot 6, North 67°52'46" West, a distance of 14.32 feet, to an easterly line of said Drainage Easement and the **Point of Beginning**;

Thence along said easterly line, South 22°05'26" West, a distance of 37.70 feet;
Thence North 68°15'54" West, a distance of 12.24 feet;
Thence leaving said easterly line, North 22°05'10" East, a distance of 13.13 feet;
Thence North 67°41'41" West, a distance of 7.76 feet, to a westerly line of said Drainage Easement;
Thence along said westerly line, North 22°05'26" East, a distance of 54.68 feet;
Thence North 67°01'04" East, a distance of 21.05 feet;
Thence North 22°05'06" East, a distance of 149.89 feet;
Thence leaving said westerly line, South 67°55'21" East, a distance of 14.50 feet, to an easterly line of said Drainage Easement;
Thence along said easterly line, South 22°04'39" West, a distance of 23.78 feet;
Thence South 67°56'10" East, a distance of 4.96 feet,;
Thence South 22°06'10" West, a distance of 134.97 feet; Thence South 67°01'04" West, a distance of 20.22 feet;
Thence South 22°05'26" West, a distance of 21.80 feet, to the **Point of Beginning**.

Containing 4,467 Square Feet, 0.10 Acres more or less.

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Marketplace at Vistancia
Title: Drainage Easement Abandonment

Preparing Firm: AW Land Surveying, LLC

Address: PO Box 2170, Chandler, AZ

Phone: 480-244-7630 Fax: _____

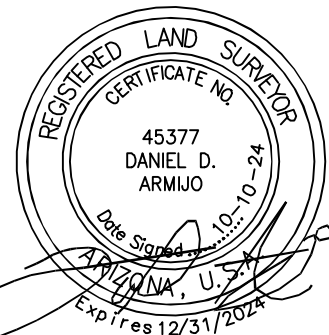
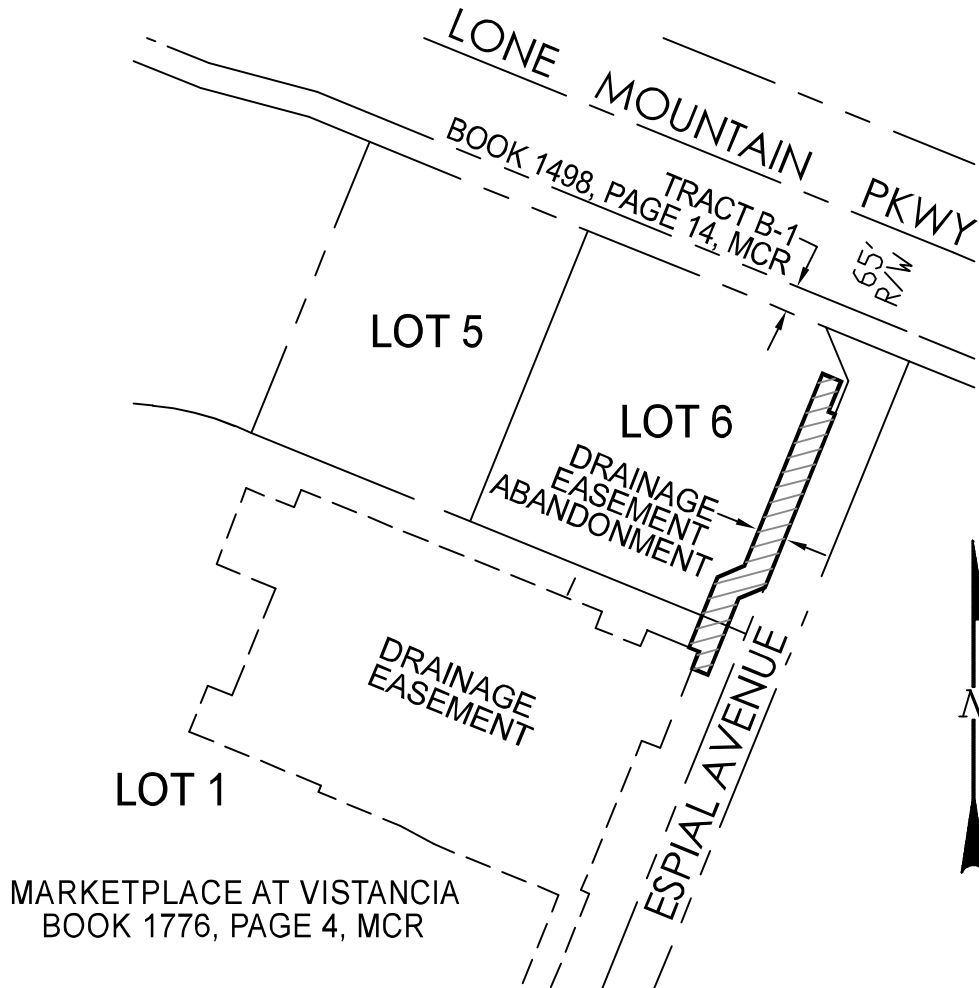




EXHIBIT A SKETCH



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Marketplace at Vistancia
Title: Drainage Easement Abandonment

Preparing Firm: AW Land Surveying, LLC

Address: PO Box 2170, Chandler, AZ

Phone: 480-244-7630 Fax: -

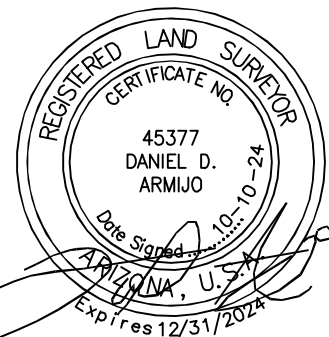
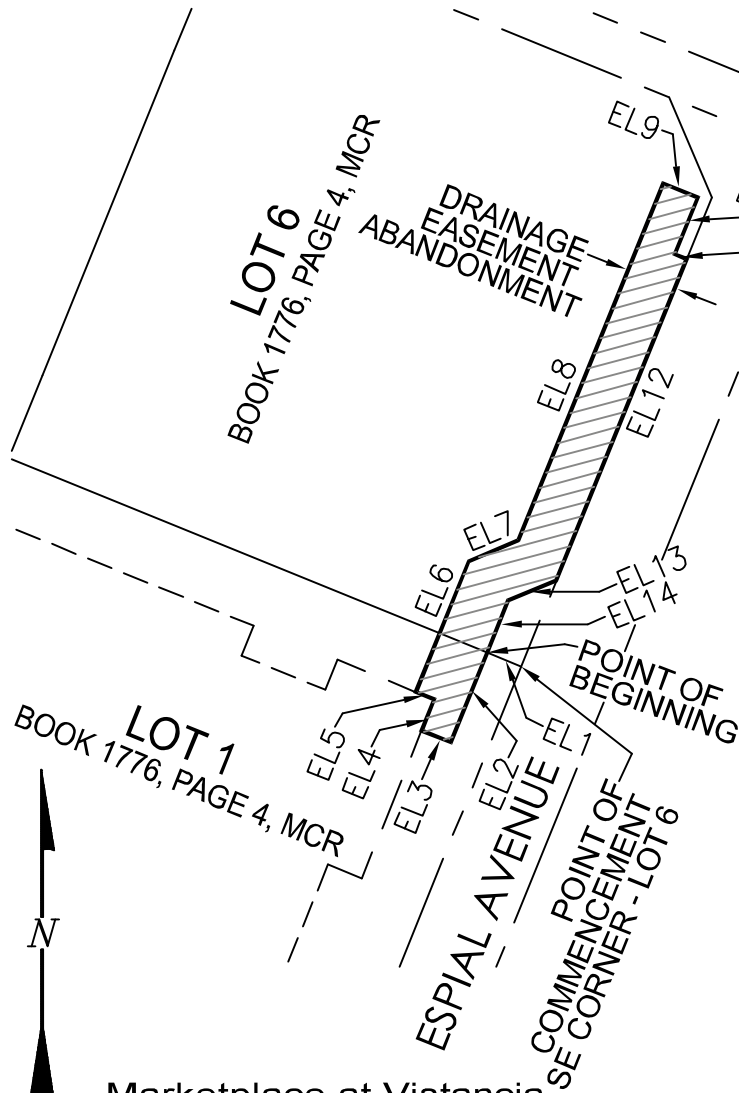




EXHIBIT A SKETCH



DRAINAGE EASEMENT ABANDONMENT		
LINE TABLE		
LINE	BEARING	DISTANCE
EL1	N 67°52'46" W	14.32'
EL2	S 22°05'26" W	37.70'
EL3	N 68°15'54" W	12.24'
EL4	N 22°05'10" E	13.13'
EL5	N 67°41'41" W	7.76'
EL6	N 22°05'26" E	54.68'
EL7	N 67°01'04" E	21.05'
EL8	N 22°05'06" E	149.89'
EL9	S 67°55'21" E	14.50'
EL10	S 22°04'39" W	23.78'
EL11	S 67°56'10" E	4.96'
EL12	S 22°06'10" W	134.97'
EL13	S 67°01'04" W	20.22'
EL14	S 22°05'26" W	21.80'

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