RESOLUTION NO. 2025-101

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA FINDING THAT A PORTION OF 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 portion of a certain Drainage Easement located in the City of Peoria, Maricopa County, Arizona, east of 83rd Avenue south of Jefferson Street, 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 within Lot 1 of the Axiom Church Final Plat recorded in Maricopa County Recorder's Office per Book 1343 Page 2 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.

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 7th day of October, 2025.

_____
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

THAT PORTION OF *LOT 1, ACCORDING TO BOOK 1343 OF MAPS, PAGE 2, RECORDS OF MARICOPA COUNTY, ARIZONA.*

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

*COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1, ACCORDING TO BOOK 1343 OF MAPS, PAGE 2, RECORDS OF MARICOPA COUNTY, ARIZONA.*

*THENCE S 89° 45' 13" E, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 12.91 FEET, TO THE POINT OF BEGINNING,*

*THENCE NORTH, A DISTANCE OF 24.56 FEET,*

*THENCE EAST, A DISTANCE OF 47.42 FEET,*

*THENCE N 72° 58' 39" E, A DISTANCE OF 80.97 FEET,*

*THENCE EAST, A DISTANCE OF 62.43 FEET, TO A POINT ON THE EAST LINE OF SAID LOT 1,*

*THENCE S 00° 15' 33" W, ALONG THE EAST PROPERTY LINE OF SAID LOT 1, A DISTANCE OF 49.07 FEET, TO THE SOUTHEAST CORNER OF SAID LOT 1,*

*THENCE N 89° 45' 13" W, ALONG THE SOUTH PROPERTY LINE OF SAID LOT 1, A DISTANCE OF 199.96 FEET, TO THE POINT OF BEGINNING*

*CONTAINING 7,066 SF MORE OR LESS*

Raed Dalbik

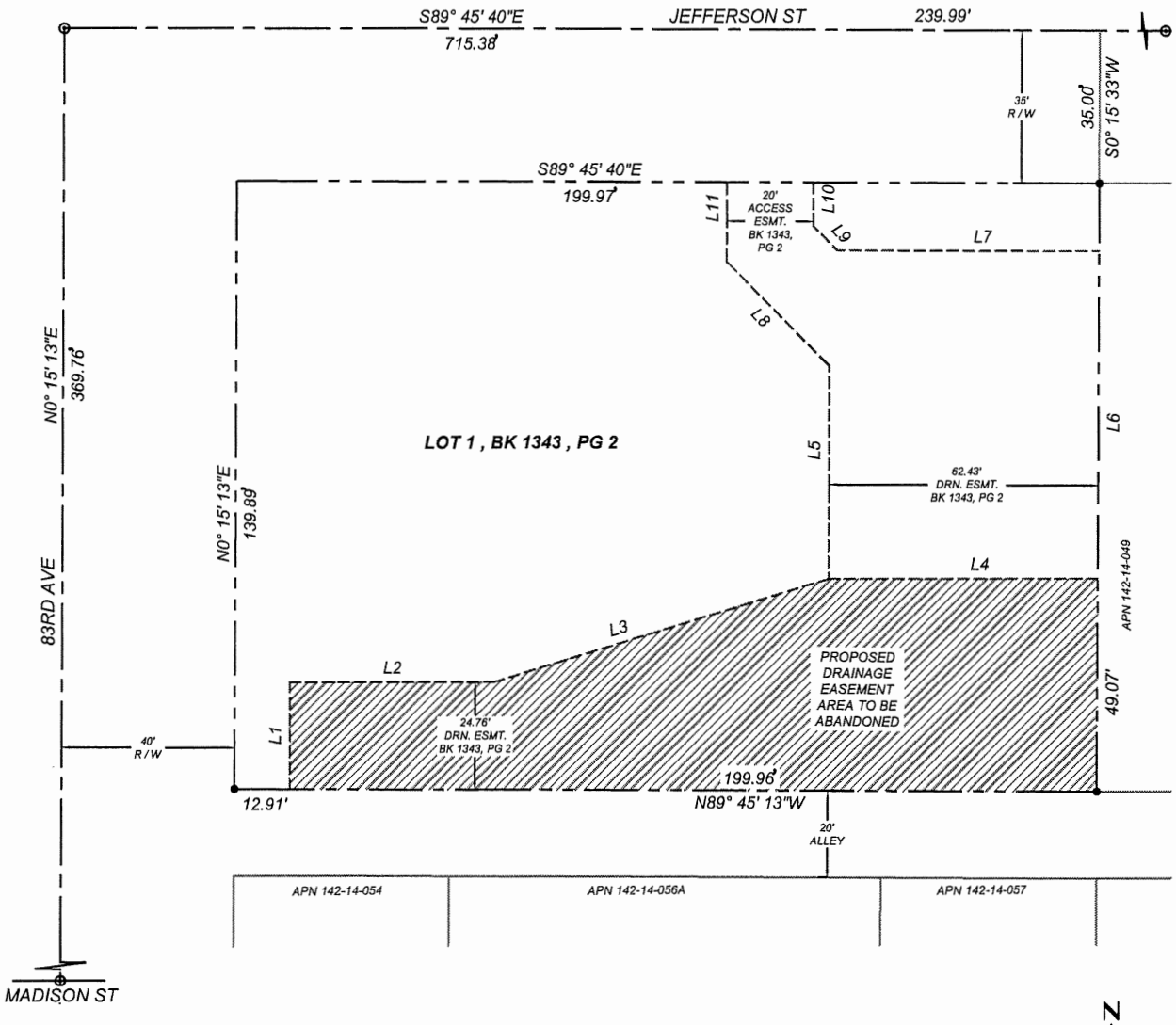
REGISTERED LAND SURVEYOR
CERTIFICATE NO.
67877
RAED
DALBIK
Date Signed 4/18/25
ARIZONA, U.S.A.
Expires: 12/31/2027

# EXHIBIT B

## DRAINAGE EASEMENT ABANDONMENT

A PORTION OF THE NORTHWEST QUARTER IN SECTION 26, T. 03 N., R. 01 E., OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

APN 142-14-971




### LEGEND

| | |
|---|---|
| | PROPERTY LINE |
| | ROAD CENTERLINE /SECTION LINE |
| | EASEMENT LINE |
| ● | FND 1/2" REBAR |
| ⊙ | FND BC FLUSH |
| R / W | RIGHT OF WAY |
| A.P.N | ASSESSOR PARCEL NUMBER |
| POC | POINT OF COMMENCE |
| SW | SIDEWALK |
| POB | POINT OF BEGINNING |
| | EASEMENT AREA |

### Parcel Line Table

| Line # | Length | Direction |
|---|---|---|
| L1 | 24.56 | S0° 00' 00"E |
| L2 | 47.42 | N90° 00' 00"W |
| L3 | 80.97 | S72° 58' 39"W |
| L4 | 62.43 | N90° 00' 00"E |
| L5 | 49.01 | N0° 14' 20"E |
| L6 | 139.91 | S0° 15' 33"W |
| L7 | 60.65 | N89° 45' 40"W |
| L8 | 33.67 | N44° 45' 40"W |
| L9 | 7.94 | N44° 45' 40"W |
| L10 | 10.00 | N0° 14' 20"E |
| L11 | 18.28 | N0° 14' 20"E |

N

0 10 20 40

1"=40'

Raed Dalbik

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
67877
RAED
DALBIK
Date Signed 8/29/23
ARIZONA, U.S.A.
Expires: 12/31/2027


J.L.D. ENGINEERING
2822 SOUTH BUCKSKIN WAY
CHANDLER, AZ 85286
(602) 790-7958