RESOLUTION NO. 2025-113

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AUTHORIZING THE GRANTING OF A DEDICATION OF PUBLIC ROADWAY AND EASEMENTS FOR DRAINAGE AND PUBLIC UTILITY PURPOSES WITHIN PEORIA PLACE LOT 1B AT WHITNEY DRIVE BETWEEN COTTON CROSSING AND MONROE STREET.

WHEREAS, the City of Peoria seeks to dedicate land rights to capture the location of roadway and drainage improvements and establish a corridor for the placement of public utilities within Peoria Place Lot 1B located at Whitney Drive between Cotton Crossing and Monroe Street.

WHEREAS, Pursuant to Article I, Section III of the Peoria City Charter, the City Council may convey any right, title or interest in any real property in such terms as the City Council determines to be appropriate and necessary; and

WHEREAS, Pursuant to the Peoria City Charter and in accordance with the findings set forth above, the Mayor and Council of the City of Peoria consent to the granting of a Dedication of Public Roadway, a Stormwater Drainage Easement, and a Public Utility Easement and authorize the City Manager to execute the documents; and

NOW THEREFORE, be it resolved by the Mayor and Council of the City of Peoria, Maricopa County, Arizona as follows:

SECTION 1. That the Mayor and Council authorize the granting of the attached Dedication of Public Roadway attached as “Exhibit A”, Stormwater Drainage Easement attached as “Exhibit B” and Public Utility Easement attached as “Exhibit C” to the public and authorize the City Manager to execute the documents; and

SECTION 2. That the City Clerk shall record the Dedication of Public Roadway attached as “Exhibit A”, Stormwater Drainage Easement attached as “Exhibit B” and Public Utility Easement attached as “Exhibit C” with the Maricopa County Recorder's Office.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona this 16th day of December, 2025.

_____
Jason Beck, Mayor

_____
Date Signed

ATTEST:

_____
Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

_____
Emily Jurmu, City Attorney

EXHIBITS:

A. Dedication of Public Roadway
B. Stormwater Drainage Easement
C. Public Utility Easement

When Recorded/Executed Mail to:

City Clerk
City of Peoria
8401 West Monroe
Peoria, Arizona 85345

DEDICATION OF PUBLIC ROADWAY

The City of Peoria, an Arizona municipal corporation, Grantor, for and in consideration of the sum of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, do hereby dedicate to the public, in Maricopa County, Arizona, the following described property to be used as a public roadway:

(See attached description, Exhibit A)

for public roadway and utility purposes.

The Grantor(s) hereby covenants that it is lawfully seized and possessed on this aforementioned tract or parcel of land; that it has a good and lawful right to dedicate it.

DATED: _____ **GRANTOR: CITY OF PEORIA,**
an Arizona municipal corporation

_____
Henry Darwin, City Manager

ATTEST:

_____
Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

_____
Emily Jurmu, City Attorney

Exhibit A – Legal Description and Sketch

EXHIBIT A
LEGAL DESCRIPTION
APN 142-13-030
RIGHT OF WAY EXHIBIT

A PORTION OF LAND LOCATED IN THE THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 26 FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 26 BEARS NORTH 00°20'58" EAST, A DISTANCE OF 2637.22 FEET;

THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26, NORTH 00°20'58" EAST, A DISTANCE OF 1095.35 FEET;

THENCE LEAVING SAID WEST LINE, SOUTH 89°39'02" EAST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00°20'58" EAST, A DISTANCE OF 120.80 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS BEARS SOUTH 09°38'56" WEST, A DISTANCE OF 70.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 38°05'16", AN ARC LENGTH OF 46.53 FEET;

THENCE SOUTH 42°09'44" EAST, A DISTANCE OF 134.46 FEET;

THENCE NORTH 89°39'02" WEST, A DISTANCE OF 131.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,041 SQ.FT. OR 0.208 ACRES MORE OR LESS.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35316
CHAD
HUBER
05/14/2025
Date Signed
ARIZONA, U.S.A.

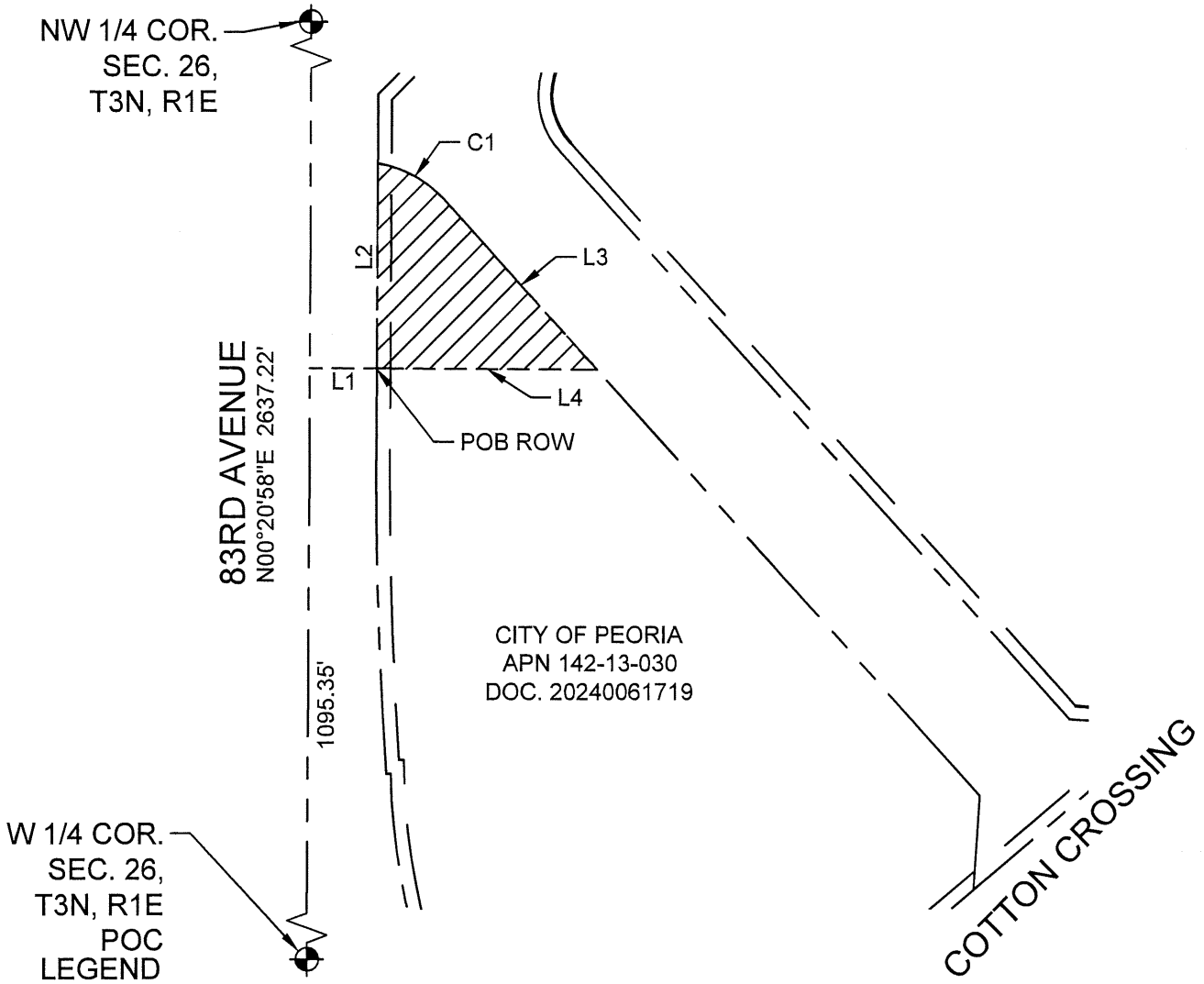
CHAD W. HUBER
RLS 35316
1661 E. CAMELBACK RD, SUITE 400
PHOENIX, ARIZONA 85016
PH. 602-837-5511
chad.huber@kimley-horn.com

Kimley»Horn
1661 E. CAMELBACK RD, Suite 400
PHOENIX, AZ 85016
Tel. No. (602) 837-5511

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	KEG	CWH	5/13/2025	091028048	1 OF 2

EXHIBIT A

APN 142-13-030
RIGHT OF WAY EXHIBIT



LEGEND

POC = POINT OF COMENCEMENT
POB = POINT OF BEGINNING
R.O.W. = RIGHT OF WAY
APN = ASSESSOR PARCEL NUMBER
BCHH = BRASS CAP IN HAND HOLE
BC = BRASS CAP

PARCEL LINE
RIGHT OF WAY LINE
EXISTING R.O.W.
NEW R.O.W.

CURVE TABLE

C1 = Δ = 38°05'16"
R - 70.00'
L - 46.53'

LINE TABLE

L1 =	S89°39'02"E	40.00'
L2 =	N00°20'58"E	120.80'
L3 =	S42°09'44"E	134.46'
L4 =	N89°39'02"W	131.06'

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35316
CHAD
HUBER
05/14/2025
Date Signed
ARIZONA, U.S.A.

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When Recorded/Executed Mail to:

City Clerk
City of Peoria
8401 West Monroe
Peoria, AZ 85345

EASEMENT FOR STORMWATER DRAINAGE

CITY OF PEORIA, an Arizona municipal corporation, Grantor(s), for and in consideration of the sum of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to the Public, a permanent and perpetual easement for namely: constructing, maintaining, operating, inspecting, repairing, replacement, of any on-site retention basin(s), pipe storage system(s), or any drainage facility(ies) consistent therewith over, under, and across the following described property situated in the County of Maricopa, State of Arizona, described as follows:

(See attached description, Exhibit A)

To have and hold the easement unto the Public and unto its successors and assigns forever, together with the reasonable right of ingress and egress to permit construction, operation, and maintenance as necessary to ensure that the Property continues to function as it does at the date hereof or as specifically approved since then as evidenced by work specifically covered by permit for such improvements from the City of Peoria Engineering Department.

The said easement to include the right to cut back and trim such portion of the branches and tops of the trees now growing or that may hereafter grow upon the above described premises, as may extend over said easement, so as to prevent the same from obstructing, impeding, or accelerating the flow of storm water or surface drainage in the manner in which such storm water/surface drainage flows at the date hereof.

Grantor(s) agree not to build, or to convey to others permission to build, any structures or improvements on, over, across, in, through, or under the property in any manner which obstructs, impedes, or accelerates the flow of storm water drainage over said property in the manner in which such storm water/surface drainage flows at the date hereof unless specifically approved by the City of Peoria as evidenced by issuance of a permit for such improvements from the City of Peoria Engineering Department.

Grantor(s), its successors or assigns, at its sole cost, shall be responsible for promptly replacing any asphalt, landscaping, or any improvement placed on the Property by grantor(s) or its successors or assigns which materially obstructs, impairs, or accelerates the flow of storm water or surface drainage in the manner in which such storm water/surface drainage flows at the date hereof.

In the event the right, privilege and easement herein granted shall be abandoned and permanently cease to be used for the purposes herein granted, all rights herein granted shall cease and revert to the grantors, their heirs or assigns.

Date: _____

GRANTOR: CITY OF PEORIA, an Arizona municipal corporation

By: _____
Henry Darwin, City Manager

ATTEST:

_____
Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

_____
Emily Jurmu, City Attorney

EXHIBIT A
LEGAL DESCRIPTION
DRAINAGE EASEMENT

A PORTION OF LAND LOCATED IN THE THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 26 FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 26 BEARS NORTH 00°20'58" EAST, A DISTANCE OF 2637.22 FEET;

THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26, NORTH 00°20'58" EAST, A DISTANCE OF 846.04 FEET;

THENCE LEAVING SAID WEST LINE, SOUTH 89°39'02" EAST, A DISTANCE OF 262.93 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 47°50'16" EAST, A DISTANCE OF 100.75 FEET;

THENCE SOUTH 42°09'44" EAST, A DISTANCE OF 93.51 FEET;

THENCE SOUTH 03°48'42" WEST, A DISTANCE OF 55.86 FEET;

THENCE SOUTH 49°50'16" WEST, A DISTANCE OF 65.17 FEET;

THENCE NORTH 40°09'44" WEST, A DISTANCE OF 130.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 12,785 SQ.FT. OR 0.294 ACRES MORE OR LESS.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35316
CHAD
HUBER
06/03/2025
Date Signed
ARIZONA, U.S.A.

CHAD W. HUBER
RLS 35316
1661 E. CAMELBACK RD, SUITE 400
PHOENIX, ARIZONA 85016
PH. 602-837-5511
chad.huber@kimley-horn.com

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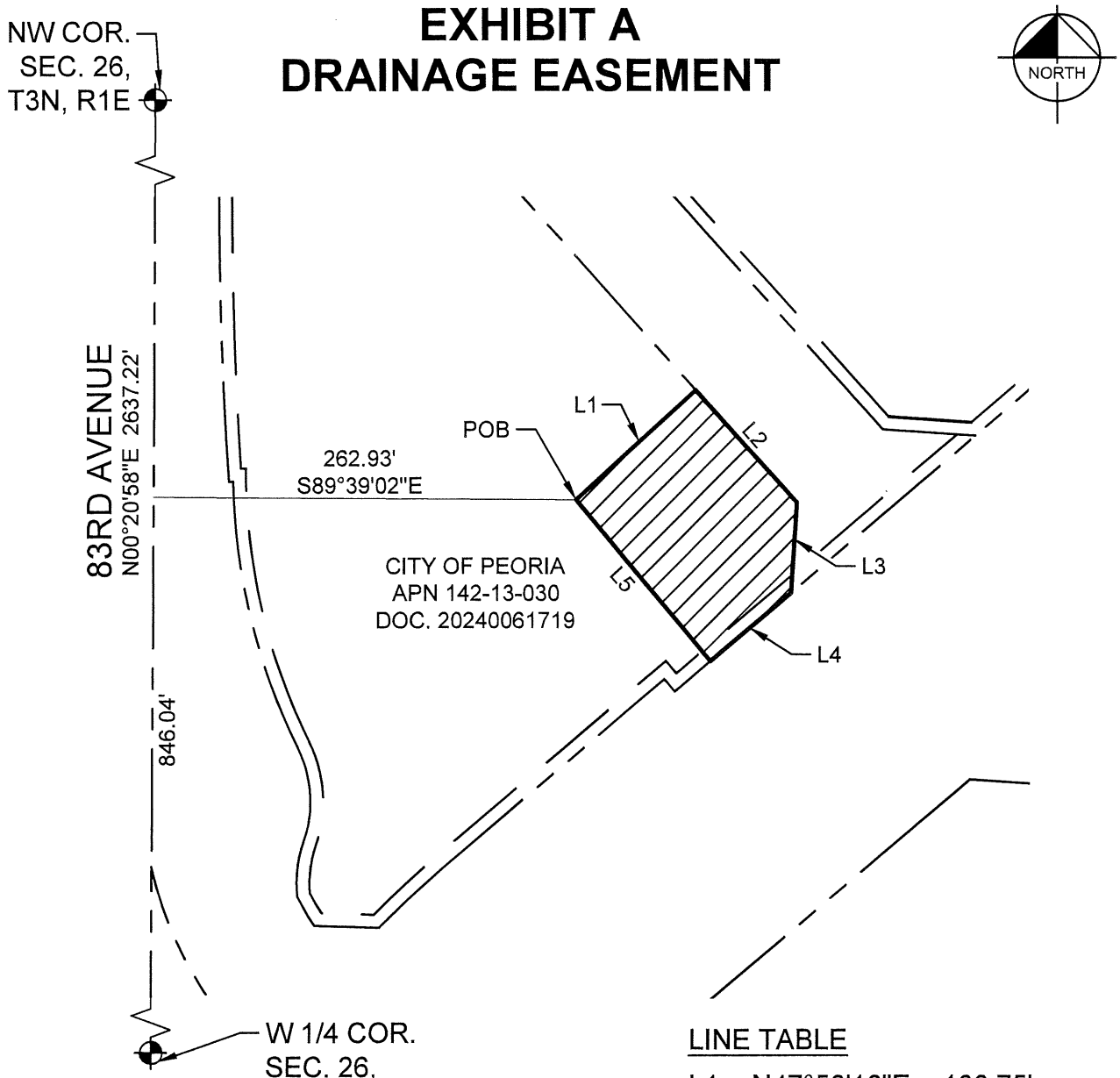
N/A	KEG	CWH	6/03/2025	091028048	1 OF 2

EXHIBIT A
DRAINAGE EASEMENT



LINE TABLE

L1 =	N47°50'16"E	100.75'
L2 =	S42°09'44"E	93.51'
L3 =	S03°48'42"W	55.86'
L4 =	S49°50'16"W	65.17'
L5 =	N40°09'44"W	130.13'

LEGEND

POC = POINT OF COMENCEMENT
POB = POINT OF BEGINNING
R.O.W. = RIGHT OF WAY
APN = ASSESSOR PARCEL NUMBER

PARCEL LINE
RIGHT OF WAY LINE
EXISTING R.O.W.
NEW DE

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
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HUBER
06/03/2025
Date Signed
ARIZONA, U.S.A.

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When Recorded/Executed Mail to:

City Clerk
City of Peoria
8401 West Monroe
Peoria, Arizona 85345

EASEMENT FOR PUBLIC UTILITIES

CITY OF PEORIA, an Arizona municipal corporation, Grantor, for and in consideration of the sum of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to the public, a permanent and perpetual easement for the following purposes, namely: The right to enter upon for construction, maintenance, operation and replacement of all public utilities over, under, and across the following described property situated in the County of Maricopa, State of Arizona, described as follows:

(See attached description, Exhibit A)

To have and hold the easement unto the public, together with the right of ingress and egress to permit the construction, operation, maintenance, and replacement of all public utilities.

And the Grantor hereby covenants that it is lawfully seized and possessed on this aforementioned tract or parcel of land; that it has a good and lawful right to sell and convey it; and that they will warrant the title and quiet possession thereto against the lawful claim of all persons.

The easement includes the right to cut back and trim such portion of the branches and tops of the trees now growing or that may hereafter grow upon the above described premises, as may extend over said easement, so as to prevent the same from interfering with the efficient maintenance and operation of said public utilities.

In the event the right, privilege and easement herein granted shall be abandoned and permanently cease to be used for the purposes herein granted, all rights herein granted shall cease and revert to the grantors, their heirs or assigns.

The City of Peoria shall not be responsible for replacing any landscaping or any improvement placed in the easement by grantee or its successors or assigns, except as noted herein.

Date: _____

GRANTOR: CITY OF PEORIA, an Arizona municipal corporation

By: _____
Henry Darwin, City Manager

ATTEST:

_____
Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

_____
Emily Jurmu, City Attorney

EXHIBIT A
LEGAL DESCRIPTION

APN 142-13-030

PUBLIC UTILITY EASEMENT EXHIBIT / PUBLIC ACCESS EASEMENT

A PORTION OF LAND LOCATED IN THE THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 26 FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 26 BEARS NORTH 00°20'58" EAST, A DISTANCE OF 2637.22 FEET;

THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26, NORTH 00°20'58" EAST, A DISTANCE OF 793.31 FEET;

THENCE LEAVING SAID WEST LINE, SOUTH 89°39'01" EAST, A DISTANCE OF 389.23 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 03°48'42" EAST, A DISTANCE OF 49.07 FEET;

THENCE NORTH 42°09'44" WEST, A DISTANCE OF 343.30 FEET;

THENCE SOUTH 89°39'02" EAST, A DISTANCE OF 10.85 FEET;

THENCE SOUTH 42°09'44" EAST, A DISTANCE OF 339.36 FEET;

THENCE SOUTH 03°48'42" WEST, A DISTANCE OF 44.75 FEET;

THENCE SOUTH 49°50'16" WEST, A DISTANCE OF 11.12 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,106 SQ.FT. OR 0.071 ACRES MORE OR LESS.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35316
CHAD
HUBER
06/11/2025
Date Signed
ARIZONA, U.S.A.

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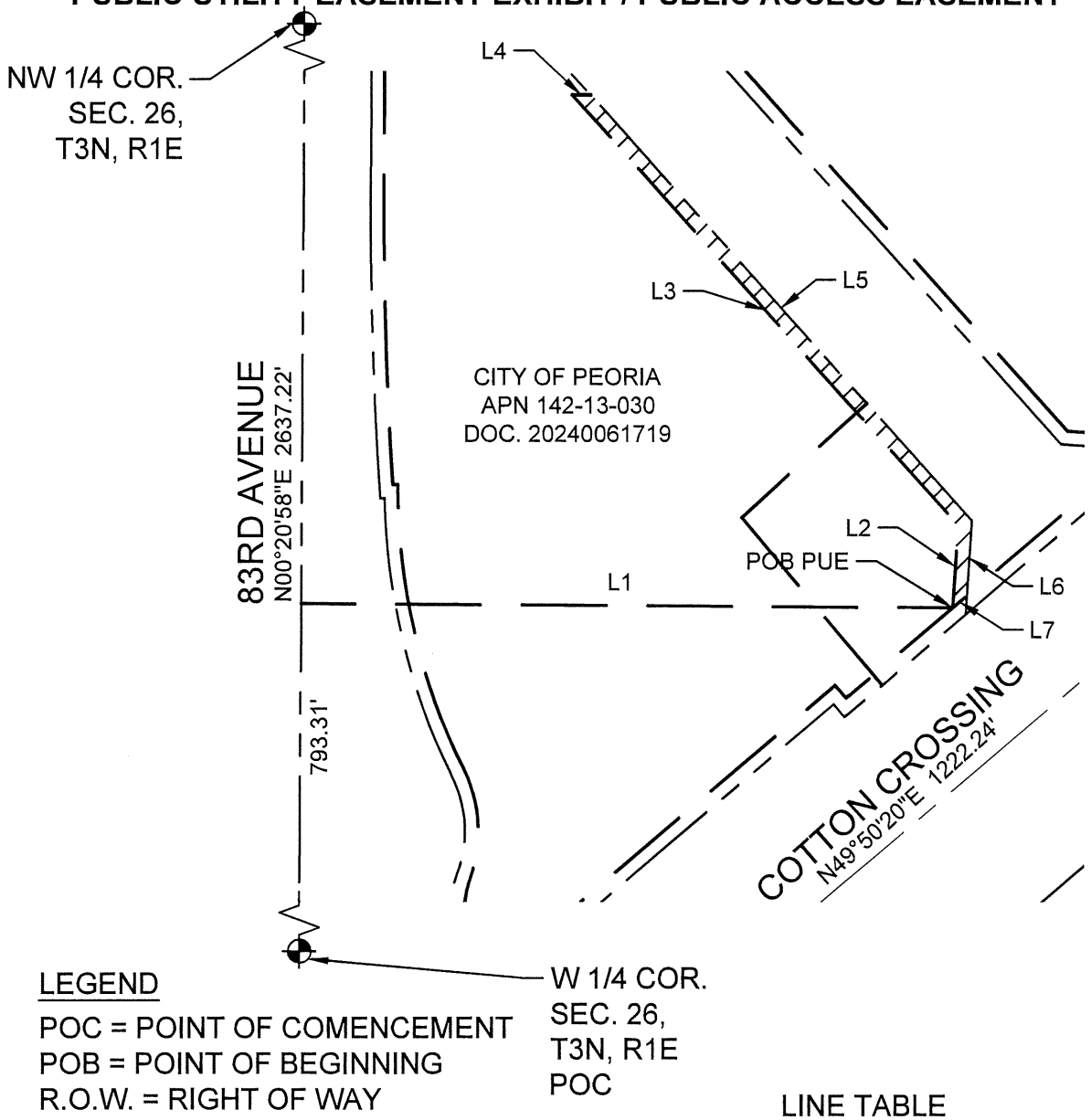
EXHIBIT A

APN 142-13-030

PUBLIC UTILITY EASEMENT EXHIBIT / PUBLIC ACCESS EASEMENT



LEGEND

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R.O.W. = RIGHT OF WAY
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BCHH = BRASS CAP IN HAND HOLE
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PARCEL LINE
RIGHT OF WAY LINE
EXISTING R.O.W.
NEW PUE

LINE TABLE

L1 =	S89°39'02"E	389.23'
L2 =	N03°48'42"E	49.07'
L3 =	N42°09'44"W	343.30'
L4 =	S89°39'02"E	10.85'
L5 =	S42°09'44"E	339.36'
L6 =	S03°48'42"W	44.75'
L7 =	S49°50'16"W	11.12'

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
35316
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HUBER
06/11/2025
Date Signed
ARIZONA, U.S.A.

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