

RESOLUTION NO. 2026-23

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA FINDING THAT A CERTAIN EASEMENT FOR WATER LINE TO BE UNNECESSARY TO CITY PURPOSES AND NO LONGER REQUIRED TO BE RETAINED BY THE CITY AND DIRECTING THAT SUCH UNNECESSARY EASEMENT FOR WATER LINE 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 Easement for Water Line located in the City of Peoria, Maricopa County, Arizona, north of Amkor Way and west of Lake Pleasant Parkway, and more specifically described in the Legal Description (Exhibit A) attached to this Resolution is no longer needed by the City for water line purposes.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That Mayor and Council find and determine that the Easement for Public Water Line recorded in Maricopa County Recorder Number 20240625211 and re-recorded as Maricopa County Recorder Number 20250469094 and more specifically outlined in the Abandonment of Water Line Easement document attached as Exhibit "B" 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 authorized to execute an Abandonment of Water Line Easement document in substantial conformance with the document attached as Exhibit "B" and 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. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution.

SECTION 4. The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this Resolution, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Peoria City Code.

SECTION 5. This Resolution shall become effective in the manner provided by law.

[signature page follows]

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PASSED AND ADOPTED by the Mayor and Council of the City of Peoria,
Arizona this 10th day of February, 2026.

Jason Beck, Mayor

Date Signed

ATTEST:

Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

Emily Jurmu, City Attorney

ATTACHMENTS:

Exhibit A – Legal Description
Exhibit B – Abandonment of Water Line Easement

EXHIBIT "A"
WATER LINE EASEMENT



Date: 08-05-2024

Project No.: 2206026

A PORTION OF THAT CERTAIN SPECIAL WARRANTY DEED, RECORDED AS INSTRUMENT NUMBER 2022-0718471, MARICOPA COUNTY RECORDS (MCR), LYING WITHIN SECTION 16, TOWNSHIP 5 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A 3-INCH ALUMINUM CAP MONUMENT, FOUND AT THE EAST 1/4 CORNER OF SAID SECTION 16, FROM WHICH A STONE, WITH A SCRIBED 'X' FOUND AT THE NORTHEAST CORNER OF SAID SECTION 16, BEARS NORTH 01 DEGREE 28 MINUTES 56 SECONDS WEST (BASIS OF BEARINGS), A DISTANCE OF 2617.42 FEET;

THENCE ALONG THE SOUTHERLY LINE OF THE NORTHEAST 1/4 OF SAID SECTION 16, NORTH 89 DEGREES 12 MINUTES 30 SECONDS WEST, A DISTANCE OF 683.27 FEET, TO THE **POINT OF BEGINNING**;

THENCE CONTINUING NORTH 89 DEGREES 12 MINUTES 30 SECONDS WEST, A DISTANCE OF 683.28 FEET, TO THE WESTERLY LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 16;

THENCE ALONG SAID WESTERLY LINE, NORTH 00 DEGREES 31 MINUTES 17 SECONDS WEST, A DISTANCE OF 35.01, TO A LINE 35.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTHERLY LINE;

THENCE LEAVING SAID WESTERLY LINE, ALONG SAID PARALLEL LINE, SOUTH 89 DEGREES 12 MINUTES 30 SECONDS EAST, A DISTANCE OF 662.98 FEET;

THENCE LEAVING SAID PARALLEL LINE NORTH 01 DEGREE 00 MINUTES 08 SECONDS WEST, A DISTANCE OF 1840.79 FEET, TO A LINE 40.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF THE GRANITE REEF AQUEDUCT REACH 9, RIGHT-OF-WAY, AS DEFINED ON UNITED STATES DEPARTMENT OF INTERIOR BUREAU OF RECLAMATION JOB#344-330-1629 AND TRACT GR-9-46 (DKT.11062, PG.983 & DKT.11123, PG.621, MCR AND TRACT GR-9-47 (DKT.11054, PG183 & DKT.11123, PG.629, MCR);

THENCE ALONG SAID PARALLEL LINE, SOUTH 76 DEGREES 30 MINUTES 19 SECONDS EAST, A DISTANCE OF 20.66 FEET;

THENCE LEAVING SAID PARALLEL LINE, SOUTH 01 DEGREE 00 MINUTES 08 SECONDS EAST, A DISTANCE OF 1871.27 FEET, TO THE **POINT OF BEGINNING**.

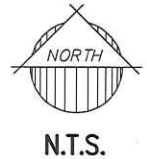
CONTAINS 60,680 SQUARE FEET (1.3930 ACRES), MORE OR LESS.

Subject to existing rights-of-way and easements.



NE. COR. SEC 16 T.5N., R1E.
FOUND STONE, SCRIBED 'X'

GRANITE REEF AQUEDUCT REACH 9
US D.O.I. B.O.R. JOB#344-330-1629
TR. GR-9-46 (Dkt.11062 Pg.983 & Dkt.11123 Pg. 621, MCR)
TR. GR-9-47 (Dkt.11054 Pg.183 & Dkt.11123 Pg. 629, MCR)



S76°30'19"E 20.66'

40.00'

20' WATER LINE
EASEMENT

WESTERLY LINE OF EAST 1/2, NORTHEAST 1/4

N01°00'08"W 1840.79'

S01°00'08"E 1871.27'

ROMAN CATHOLIC CHURCH OF THE
DIOCESE OF PHOENIX
DEED:2022-0718471, MCR

N01°28'56"W (BASIS OF BEARINGS) 2,617.42'

N00°31'17"W 35.01'

S89°12'30"E 662.98'

35' WATER LINE
EASEMENT

POINT OF
BEGINNING

POINT OF
COMMENCEMENT

N89°12'30"W 683.28'

N89°12'30"W 2733.12'

683.27'

CENTER SEC 16 T.5N., R1E.
FOUND 2" ALUMINUM CAP,
RLS 25393

FOUND 1/2" REBAR

E. 1/4 SEC 16 T.5N., R1E.
FOUND 3" ALUMINUM CAP, RLS
25393

WATER LINE EASEMENT
EXHIBIT- A



COOPER AERIAL SURVEYS CO.
11402 N. CAVE CREEK ROAD
PHOENIX, ARIZONA 85020
602-678-5111

SHEET 2 OF 2

PROJECT NO: 2206026