Staff Summary Report

Tempe

To: Mayor & City Council
Through: City Manager

Agenda Item Number 26
Meeting Date 05/17/01

SUBJECT: **ORDINANCE FOR ADOPTION**

PREPARED BY: JIM CRISTEA, ENGINEERING MANAGER, LAND SERVICES

REVIEWED BY: NEIL MANN, DEPUTY PW MANAGER\CITY ENGINEER (350-8250)

BRIEF: This is the first public hearing for the abandonment of a portion of a twelve foot waterline easement.

COMMENTS: **ABANDONMENT (0901) ORDINANCE NO. 2001.14** This is the first public hearing for the abandonment of a portion of a twelve foot waterline easement, located at 8717 S. Kyrene Road. The existing facilities within the portion of easement to be abandoned will be relocated into a new easement.

Document Name: (20010517PWDR03) Supporting Documents: Yes

SUMMARY: This easement was recorded in Instrument 98-0423170, Maricopa County Records. Staff supports this abandonment.

RECOMMENDATION:

That the City Council hold a public hearing and adopt Ordinance No. 2001.14 and authorize the Mayor to execute any necessary documents.

Approved by: Howard C. Hargis, Public Works Manager

ORDINANCE NO. 2001.14

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, ABANDONING A PORTION OF A WATERLINE EASEMENT AT 8717 S. KYRENE ROAD

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WHEREAS, it has been determined by the City Council of the City of Tempe that a portion of a certain easement which was intended for a waterline is no longer required by the City for use as such, and

WHEREAS, it would appear to be in the best interest of the City of Tempe to abandon said portion of the easement, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION I. That the City of Tempe does hereby abandon, relinquish and vacate a certain portion of an existing easement which was intended for a waterline as described and delineated on EXHIBIT "A" and "A-1" attached hereto.

SECTION II. That all rights of the City in that portion of the easement abandoned shall vest in the record owner(s) of the subject property and shall be subject to the same encumbrances, liens, limitations, restrictions, and estates as exist on the land of which the easement is a part.

SECTION IV. That the City Engineer or his designee is hereby authorized to execute any documents that may be necessary to carry out the provisions of this Ordinance.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,

ARIZONA this _____ day of _____, 2001.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Legal Description
For 12' Waterline Easement Abandonment

That portion of a 12' waterline easement as recorded in Rec. No. 98-0423170 to be abandoned on 6' either side of the following described centerline;

Beginning at the Southwest quarter of Section 15, Township 1 South, Range 4 East of the Gila and Salt River Meridian, Maricopa County, Arizona;

Thence North 89 degrees 54 minutes 59 seconds East along the South line of Section 15 a distance of 315.89 feet;

Thence North 00 degrees 22 minutes 16 seconds West a distance of 71.01 feet to the TRUE POINT OF BEGINNING;

Thence North 00 degrees 22 minutes 16 seconds West a distance of 243.97 feet to the Point of Terminus.

Area consists of 0.0672 Acres or 2,927.6 SF

Prepared by: AEC Consultants, Inc.
1710 E. Indian School Rd., #100
Phoenix, Arizona 85016
(602) 264-1427

Date April 9, 2001

AEC Job No. 99044

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
13562
DAVID B.
HALL
Date 4/9/01
ARIZONA U.S.A.

David B. Hall

EXHIBIT A

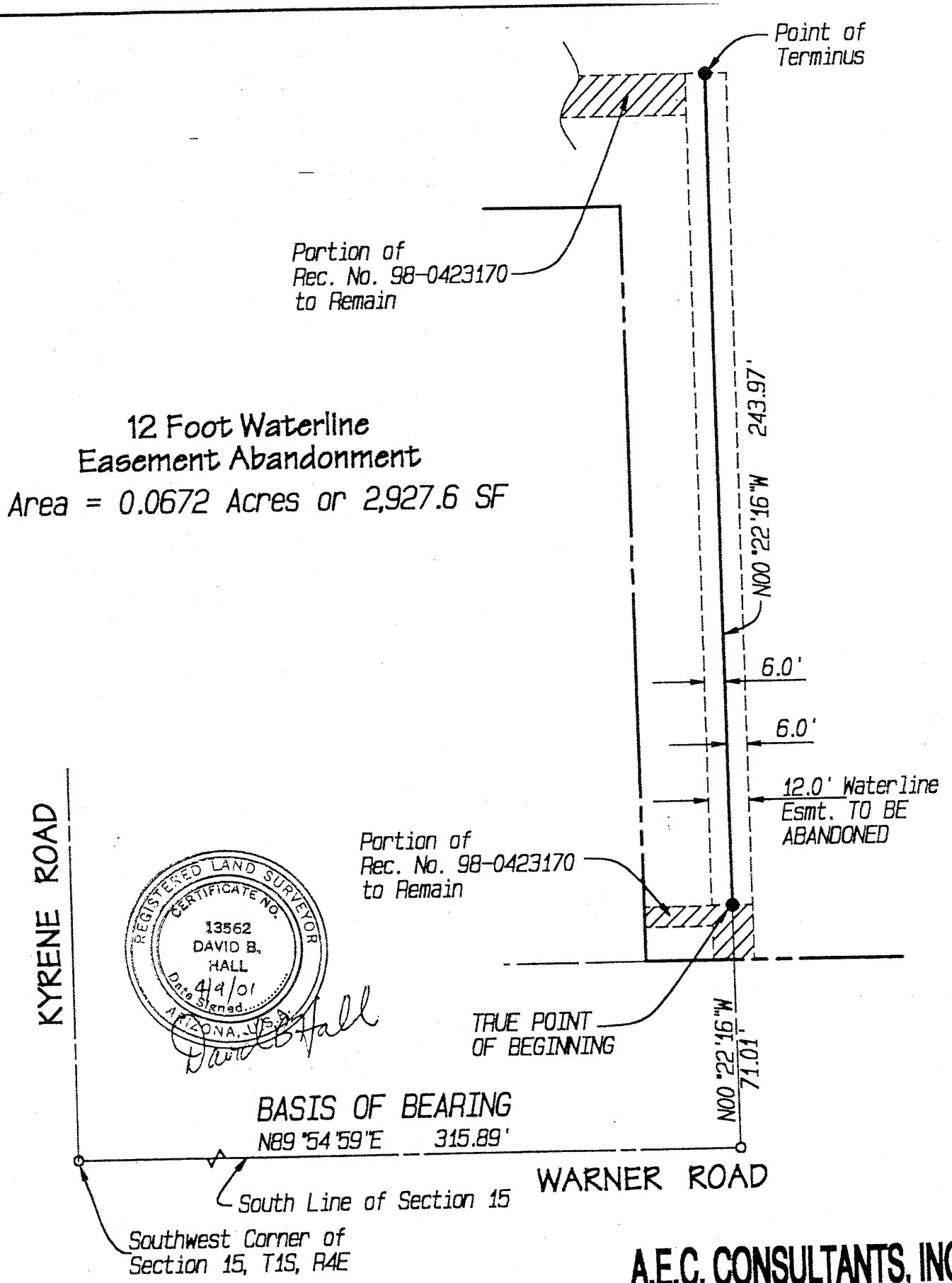

EXHIBIT "A-1"

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