

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA,
MARICOPA COUNTY, ARIZONA AUTHORIZING AND DIRECTING
THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO ACQUIRE
FEE SIMPLE TITLE IN THE NAME OF THE CITY OF MESA UNDER
THE POWER OF EMINENT DOMAIN TO CERTAIN REAL PROPERTY
NECESSARY TO CONSTRUCT THE NORTH CENTER STREET
ATHLETIC FIELDS.**

WHEREAS, in July of 2018, City Council was presented General Obligation Bond Projects for the General Election in November 2018. As part of Parks & Cultural, the North Center Street property was on the list for athletic fields.

WHEREAS, in November of 2018, the voters approved Question 4, that authorized the City to issue and sell general obligation bonds to provide funds to design, acquire, construct, reconstruct, improve, furnish, equip and install: libraries, museums, arts and cultural facilities and improvements, parks, open space and recreation facilities and improvements, and including acquisition of land or interests therein necessary for such purposes.

WHEREAS, the certain real property hereinafter described is necessary to construct improvements for the North Center Street Athletic Fields; and

WHEREAS, before the athletic fields can be constructed, it is necessary that fee simple title to certain real property hereinafter described be vested in the City of Mesa;

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

Section 1: That it is necessary for the City of Mesa to acquire fee simple title to the following real property as depicted and described on attached Exhibit "A", located in Maricopa County, Arizona;

Section 2: That the City Attorney of the City of Mesa is hereby authorized and directed to acquire title in fee simple to the property described in Section 1 in the name of the City of Mesa under the power of Eminent Domain, and the said City Attorney is hereby authorized and directed to do and perform all acts necessary to acquire title in and to said real property in the name of the City of Mesa for said public purposes.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MESA,
MARICOPA COUNTY, ARIZONA, this 15th day of April, 2019.

APPROVED:

MAYOR

ATTEST

CITY CLERK

EXHIBIT "A"

PARCEL NO. 1:

That portion of the Northeast quarter of the Southwest quarter of Section 3, Township 1 North, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the center of said Section 3;

Thence South along the North-South Mid-Section line of said Section 3, a distance of 540.00 feet;

Thence South 89 degrees 27 minutes 33 seconds West, a distance of 420.00 feet;

Thence South 85 degrees 52 minutes 03 seconds West, a distance of 748.76 feet;

Thence North 18 degrees 47 minutes 33 seconds East, a distance of 229.35 feet;

Thence South, a distance of 211.78 feet to the TRUE POINT OF BEGINNING;

EXCEPT that portion conveyed to the Arizona Department of Transportation in Warranty Deed recorded January 7, 2000, in instrument No. 00-0016459, which lies Northwesterly of the following described line:

COMMENCING at the Southwest corner of said Section 3, marked with a City of Mesa 3-inch brass cap, which bears South 01 degrees 12 minutes 48 seconds East 2,641.01 feet from the West quarter corner of said Section 3, marked with a 1 ¼ inch rebar, with no tag;

Thence traversing a random line, North 29 degrees 28 minutes 22 seconds East 1,575.66 feet to a point located 385.00 feet Right (South 36 degrees 30 minutes 35 seconds East) of Centerline Station P.O.C. 542+00.00 of the RED MOUNTAIN FREEWAY (S.R. 202L);

Thence North 62 degrees 57 minutes 29 seconds East 709.72 feet to a point located 535.00 feet Right (South 36 degrees 36 minutes 41 seconds East) of the Station P.O.C. 549+00.00 of said Centerline;

Thence North 36 degrees 36 minutes 41 seconds West 340.00 feet to a point located 195.00 feet Right of aforesaid Centerline Station, said point being the POINT OF BEGINNING;

Thence North 53 degrees 15 minutes 24 seconds East 359.74 feet to a point located 150.00 feet Right (South 22 degrees 36 minutes 41 seconds East) of the Station P.O.C. 553+00.00 of said Centerline;

EXHIBIT "A"

(Continued)

Thence North 38 degrees 24 minutes 57 seconds East 107.61 feet to a point located 95.00 feet Right (South 19 degrees 06 minutes 40 seconds East) of the Station P.O.C. 554+00.00 of said Centerline;

Thence North 75 degrees 40 minutes 52 seconds East 94.16 feet to a point located 100.00 feet Right (South 15 degrees 36 minutes 40 seconds East) of the Station P.O.C. 555+00.00 of said Centerline, to the POINT OF ENDING.

PARCEL NO. 2:

That portion of the North half of the Southwest quarter of Section 3, Township 1 North, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follow:

BEGINNING at the center of said Section 3;

Thence South, along the North-South Mid-Section line, a distance of 1,318.69 feet to the Southeast corner of the Northeast quarter of the Southwest quarter of Section 3;

Thence South 89 degrees 25 minutes 02 seconds West, (South 89 degrees 26 seconds West record) along the South line of said North half of the Southwest quarter, a distance of 481.00 feet to the TRUE POINT OF BEGINNING;

Thence continuing South 89 degrees 25 minutes 02 seconds West, (South 89 degrees 26 minutes West record a distance of 1,064.52 feet;

Thence North 25 degrees 02 minutes 12 seconds East, a distance of 165.38 feet to a point on the Westerly line of the land described in Book 156 of Deeds, Page 44;

Thence North 32 degrees 40 minutes 52 seconds East (North 32 degrees 26 minutes East record) along said Westerly line, a distance of 163.76 feet;

Thence North 17 degrees 00 minutes 31 seconds East, (North 18 degrees 13 minutes East record) a distance of 192.50 feet;

Thence North 21 degrees 41 minutes 00 seconds East, (North 22 degrees 17 minutes East record) a distance of 269.40 feet;

Thence North 18 degrees 47 minutes 33 seconds East, (North 18 degrees 55 minutes East record) a distance of 10.53 feet;

Thence North 85 degrees 52 minutes 03 seconds East a distance of 748.76 feet;

Thence South, a distance of 775.19 feet to the TRUE POINT OF BEGINNING.