

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA,
MARICOPA COUNTY, ARIZONA, VACATING A PORTION OF ROAD
RIGHT-OF-WAY RECORDED IN DOCUMENT NO. 2006-0561321
LOCATED AT 2126 EAST LEHI ROAD.**

WHEREAS, A.R.S. § 28-7201, *et seq.* provides that a city may dispose of a public roadway or a portion of the roadway that is no longer necessary for public use.

WHEREAS, the City Council has determined that a portion of a public road right-of-way located at 2126 East Lehi Road and recorded in Document No. 2006-0561321, records of Maricopa County, Arizona, as hereafter described, is no longer necessary for public use as a roadway.

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

Section 1: Right-of Way Findings. That the City Council finds, pursuant to A.R.S. § 28-7202, that a portion of road right-of-way located at 2126 East Lehi Road, described in this Resolution as the “ROW Property” in Section 2 below, is no longer necessary for public use as a roadway.

Section 2: Right-of-Way Abandonment. That pursuant to the provisions of A.R.S. § 28-7205, and subject to the reservations below, the following described public roadway right-of-way, as more fully described and depicted in Exhibit A, is vacated (the “ROW Property”):

- A. That certain right-of-way recorded in document number 2006-0561321, records of Maricopa County, Arizona located in the Northwest Quarter of Section 6, Township 1 North, Range 6 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and is more particularly described as follows:

PLEASE REFER TO THE LEGAL DESCRIPTION AND
DEPICTION ON **EXHIBIT A** ATTACHED HERETO AND
MADE A PART HEREOF.

Section 3: Right-of Way Consideration. That, pursuant to A.R.S. § 28-7208, the City Council:

- A. Directs that, as the same party owns the two abutting parcels to the ROW Property (APN 141-06-253 and APN 141-03-038), title to the above-described ROW Property is conditioned upon the abutting property owner’s payment to the City of Mesa of consideration; and

- B. After giving due consideration to the ROW Property’s degree of fragmentation and marketability, and other public benefit received by the City in return for the abandoned roadway, finds that the amount of \$22,550.00 for the ROW Property provides consideration commensurate with the value of the abandoned ROW Property.

Section 4: Right-of-Way Reservations: Pursuant to A.R.S. § 28-7205, upon payment of the consideration and recording of this Resolution in the Maricopa County Recorder’s records, Title to the vacated ROW Property shall vest in the owner of the abutting land (APN:141-06-253), subject

to the same encumbrances, liens, limitations, restrictions and estates as exist on the land to which it accrues; provided, however, the City of Mesa hereby expressly reserves over, across, under, and upon the lands of the ROW Property a permanent and exclusive waterline easement to construct, install, access, maintain, repair, reconstruct, replace, remove, and operate a waterline, meter, and all appurtenances thereto, at such locations and elevations as the City of Mesa may now or in the future deem convenient or necessary, together with the unrestricted right of vehicular and pedestrian ingress and egress to, from and across the ROW Property.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 1st day of June, 2020.

APPROVED:

Mayor

ATTEST:

City Clerk



**Legal Description
Old Lehi Road
Right of Way Abandonment**

Job No. 14-337

January 8, 2020

A portion of that right of way acquired by the City of Mesa in the Resolution of Abandonment No. 2006-04-A-016, recorded in Document Number 20060561321, records of Maricopa County, located in the Northwest Quarter of Section 6, Township 1 North, Range 6 East, Gila and Salt River Meridian, Maricopa County, Arizona, and more particularly described as follows:

COMMENCING at a 3" Maricopa county Highway Department Brass Cap at the northwest corner of said Section 6, from which a 2" Aluminum Cap in Concrete at the north quarter corner of said Section 6 bears North 89 degrees 58 minutes 22 seconds East (North 90°00'00" East, Record) at a distance of 2,514.99 feet;

thence North 89 degrees 58 minutes 22 seconds East (North 90°00'00" East, Record) along the north line of the Northwest Quarter of said Section 6, 1331.75 feet;

thence South 0 degrees 11 minutes 33 seconds West (South 0°13' 11" West, Record), 91.91 feet to the POINT OF BEGINNING;

thence South 0 degrees 11 minutes 33 seconds West (South 0°13' 11 West, Record), 35.22 feet;

thence South 58 degrees 38 minutes 16 seconds West (South 58°39'54" West, Record), 38.97 feet;

thence South 61 degrees 35 minutes 21 seconds West (South 61°36'59" West, Record), 129.29 feet;

thence South 0 degrees 42 minutes 43 seconds West (South 0°44'21" West, Record), 34.60 feet;

thence South 61 degrees 36 minutes 24 seconds West (South 61°38'02" West, Record), 25.24 feet;

thence South 61 degrees 56 minutes 47 seconds West (South 61°58'25" West, Record), 83.75 feet;

thence South 72 degrees 43 minutes 20 seconds West (South 72°44'58" West, Record), 453.48 feet;

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thence North 17 degrees 16 minutes 40 seconds West, 30.00 feet;

thence North 72 degrees 43 minutes 20 seconds East (North 72°44'58 East, Record), 422.70 feet to the beginning of a curve, concave Northwest, having a radius of 96.00 feet;

thence Northeasterly 57.34 feet along the arc of said curve to the left through a central angle of 34 degrees 13 minutes 17 seconds;

thence North 38 degrees 30 minutes 02 seconds East (North 38°31'40" East, Record), 25.77 feet to the beginning of a curve, concave Southeast, having a radius of 104.00 feet;

thence Northeasterly 41.91 feet (41.63 feet, Record) along the arc of said curve to the right through a central angle of 23 degrees 05 minutes 19 seconds to a point of tangency;

thence North 61 degrees 35 minutes 21 seconds East (North 61°36'59" East, Record), 157.91 feet;

thence North 58 degrees 38 minutes 16 seconds East (North 58°39'54" East, Record), 56.80 feet to the POINT OF BEGINNING.

An area containing 24,979 square feet or 0.5734 acres, more or less.



POINT OF COMMENCEMENT
NORTHWEST CORNER
SECTION 6, T1N, R6E

NORTH QUARTER CORNER
SECTION 6, T1N, R6E

N89°58'22"E 2,514.99'
1331.75'

1183.24'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
C1	41.91'	104.00'	23°05'19"	41.63'	N50°02'41"E
C2	57.34'	96.00'	34°13'17"	56.49'	N55°36'41"E

POINT OF BEGINNING

N58°38'16"E
56.80'

S00°11'33"W
35.22'

N61°35'21"E
157.91'

S58°38'16"W
38.97'

S61°35'21"W
129.29'

S00°42'43"W
34.60'

S61°36'24"W
25.24'

S61°56'47"W
83.75'

N38°30'02"E
25.77'

Boundary
24,979 S.F.
0.5734 AC.

N72°43'20"E 422.70'

S72°43'20"W 453.48'

N17°16'40"W
30.00'



14-337

Old Lehi Road
Right of Way Abandonment

EXHIBIT



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