

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF MESA, MARICOPA COUNTY, ARIZONA,  
ABANDONING THROUGH EXTINGUISHMENT TWO  
PUBLIC UTILITY AND FACILITIES EASEMENTS  
LOCATED AT 10101 EAST PECOS ROAD.**

WHEREAS, pursuant to Arizona Revised Statutes Title 28 §§ 7201-7215 and/or Mesa City Code Title 9, Chapter 10, the City Council has the authority to abandon, vacate or extinguish (collectively, hereafter, “abandon”) unnecessary roadway, right-of-way, or easements to which the City holds right or title to. Additionally, the City generally has the right to release restrictive covenants it holds on real property.

WHEREAS, the City Council has determined that two (2) public utilities and facilities easements dedicated for temporary drainage basins on Lot 1 of the Final Plat of the Cubes at Mesa Gateway, recorded in Book 1654 of Maps, Page 15, records of Maricopa County, Arizona, located at 10101 East Pecos Road, as hereafter described and depicted in **Exhibit A** (collectively, the “PUFES”), are no longer needed.

WHEREAS Mesa City Code 9-10-2 permits the City Council to extinguish easements no longer needed by the City upon application and payment of the application fee.

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

Section 1: All rights of the City of Mesa in and to and to the PUFES are abandoned and deemed extinguished:

PLEASE REFER TO THE LEGAL DESCRIPTIONS  
AND DEPICTIONS ON **EXHIBIT A** ATTACHED  
HERETO AND MADE A PART HEREOF FOR THE  
EXTINGUISHED AREAS.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County,  
Arizona, this 1<sup>st</sup> day of December, 2022.

APPROVED:

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Mayor

ATTEST:

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City Clerk



A PUBLIC UTILITY FACILITY EASEMENT OVER THAT TRACT AS CONVEYED TO THE CUBES AT MESA NORTH LLC. BY DEED OF RECORD IN INSTRUMENT NUMBER 2022-0292600, MARICOPA COUNTY RECORDS (MCR) AND LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER MERIDIAN, CITY OF MESA, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER (COTTON SPINDLE) OF SAID SECTION FROM WHICH POINT THE NORTH QUARTER CORNER (MCDOT BRASS CAP IN POTHOLE) THEREOF BEARS S89°26'06"E, A DISTANCE OF 2643.66 FEET;

THENCE S89°26'06"E, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION, A DISTANCE OF 733.60 FEET;

THENCE S00°33'54"W, ACROSS THE RIGHT OF WAY OF PECOS ROAD, A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING;

THENCE THE NEXT EIGHT (8) COURSES AND DISTANCES OVER SAID TRACT:

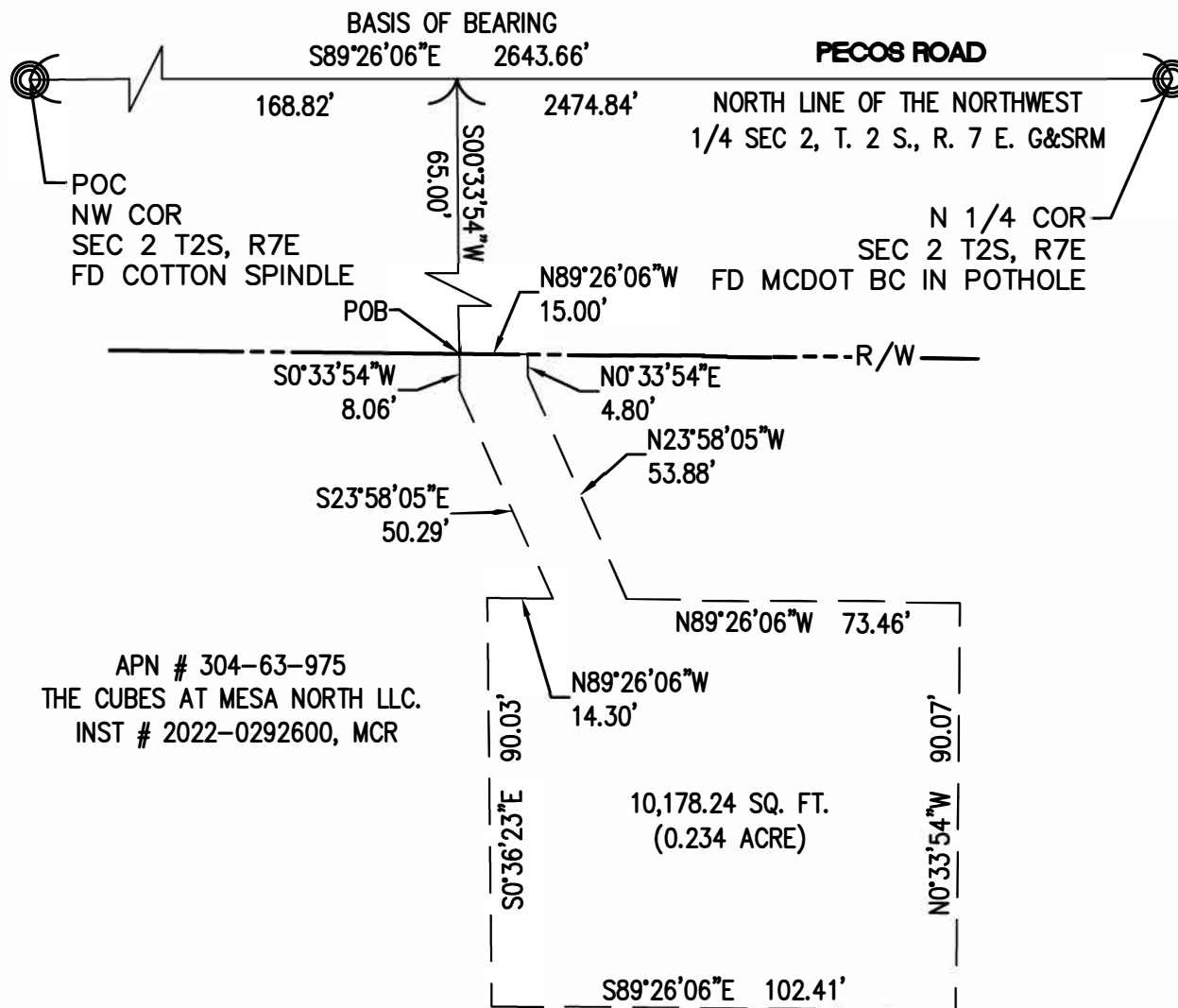
1. S00°33'54"W A DISTANCE OF 58.34 FEET.
2. N89°26'06"W A DISTANCE OF 50.50 FEET.
3. S00°33'54"W A DISTANCE OF 76.00 FEET.
4. S89°26'06"E A DISTANCE OF 114.01 FEET.
5. N00°33'54"E A DISTANCE OF 76.00 FEET.
6. N89°26'06"W A DISTANCE OF 48.51 FEET.
7. N00°33'54"E A DISTANCE OF 58.34 FEET.
8. N89°26'06"W, ALONG THE SOUTH RIGHT OF WAY OF SAID ROAD, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 9,539.73 SQUARE FEET OR 0.219 ACRE, MORE OR LESS



375 E ELLIOT RD. SUITE 14  
CHANDLER, AZ 85225  
WWW.AZBENCHMARK.COM





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**APN # 304-63-975**  
**THE CUBES AT MESA NORTH LLC.**  
**INST # 2022-0292600, MCR**

**SCALE:**  
 1"=40'  
 NW 1/4  
 SEC 2  
 T. 2 S.  
 R. 7 E.

A PUBLIC UTILITY FACILITY EASEMENT OVER THAT TRACT AS CONVEYED TO THE CUBES AT MESA NORTH LLC. BY DEED OF RECORD IN INSTRUMENT NUMBER 2022-0292600, MARICOPA COUNTY RECORDS (MCR) AND LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER MERIDIAN, CITY OF MESA, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER (COTTON SPINDLE) OF SAID SECTION FROM WHICH POINT THE NORTH QUARTER CORNER (MCDOT BRASS CAP IN POTHOLE) THEREOF BEARS S89°26'06"E, A DISTANCE OF 2643.66 FEET;

THENCE S89°26'06"E, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION, A DISTANCE OF 168.82 FEET;

THENCE S00°33'54"W, ACROSS THE RIGHT OF WAY OF PECOS ROAD, A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING;

THENCE THE NEXT TEN (10) COURSES AND DISTANCES OVER SAID TRACT:

1. S00°33'54"W A DISTANCE OF 8.06 FEET.
2. S23°58'05"E A DISTANCE OF 50.29 FEET.
3. N89°26'06"W A DISTANCE OF 14.30 FEET.
4. S00°36'23"E A DISTANCE OF 90.03 FEET.
5. S89°26'06"E A DISTANCE OF 102.41 FEET.
6. N00°33'54"W A DISTANCE OF 90.07 FEET.
7. N89°26'06"W A DISTANCE OF 73.46 FEET.
8. N23°58'05"W A DISTANCE OF 53.88 FEET.
9. N00°33'54"E A DISTANCE OF 4.80 FEET.
10. N89°26'06"W, ALONG THE SOUTH RIGHT OF WAY OF SAID ROAD, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 10,178.24 SQUARE FEET OR 0.234 ACRE, MORE OR LESS



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