

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, VACATING A 15-FOOT PORTION OF RIGHT-OF-WAY LOCATED AT 2415 NORTH OLD GILBERT 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 15-foot portion of the right-of-way dedicated in Docket 9858 and Page 241, records of Maricopa County, Arizona, as hereafter described and depicted in Exhibit A ("Exhibit A Right-of-Way"), is no longer needed.

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

Section 1: Right-of-Way Vacated. Pursuant to the provisions of A.R.S. § 28-7205, and subject to the receipt of the consideration and reservations set forth in Section 2 and Section 3 below, the following portion of right of way, known herein as the "Exhibit A Right-of-Way" is no longer necessary and is vacated.

PLEASE REFER TO THE LEGAL DESCRIPTION AND DEPICTION ON **EXHIBIT A** ATTACHED HERETO AND MADE A PART HEREOF FOR THE VACATED RIGHT-OF-WAY

Section 2: Right-of Way Consideration. Pursuant to A.R.S. § 28-7208, the City Council:

A. Directs that title to the above-described Exhibit A Right-of-Way is to go to the property owner of Maricopa County Parcel Number APN: 141-06-013E whose property abuts the Exhibit A Right-of-Way ("Abutting Owner"), but that the transfer of title is conditioned upon the Abutting Owner's payment to the City of Mesa of consideration for the vacated area.

B. After giving due consideration to the Exhibit A Right-of-Way's degree of fragmentation and marketability, and other public benefit received by the City of Mesa in return for the abandoned roadway, finds that the amount of \$16,600.00 for the Exhibit A Right-of-Way, as determined by an independent appraisal, provides consideration commensurate with the value of the abandoned Exhibit A Right-of-Way.

Section 3: Rights-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 Exhibit A Right-of-Way property shall vest in the Abutting Owner, subject to the same encumbrances, liens, limitations, restrictions, and estates as exist on the land to which it accrues.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 15th day of November, 2021.

APPROVED:

Mayor

ATTEST:

City Clerk

Exhibit A
Old Gilbert Road
Right-of-Way Abandonment

A portion of Old Gilbert Road, located in the Northwest Quarter of Section 6, Township 1 North, Range 6 East of the Gila and Salt River Meridian, Maricopa County, Arizona and dedicated in Book 9858 of Maps, Page 241, Maricopa County Records, more particularly described as follows:

Commencing at a brass cap in a handhole being the west quarter corner of said Section 6, from which a brass cap in a hand hole being the center quarter corner of said Section 6, bears North 90 degrees 00 minutes 00 seconds East (an assumed bearing) at a distance of 2,510.92 feet;

Thence along the west line of said Northwest Quarter, North 00 degrees 40 minutes 21 seconds East, 443.34 feet;

Thence leaving said west line, North 90 degrees 00 minutes 00 seconds East, 25.00 feet, to the **Point of Beginning**;

Thence North 90 degrees 00 minutes 00 seconds East, 15.00 feet, to the west line of Parcel No. 1, as shown on Minor Land Division Map, recorded in Book 1593 of Maps, Page 18, records of Maricopa County, Arizona;

Thence along said west line, South 00 degrees 40 minutes 21 seconds West, 373.24 feet;

Thence leaving said west line, North 89 degrees 19 minutes 39 seconds West, 15.00 feet;

Thence North 00 degrees 40 minutes 21 seconds East, 373.07 feet to the **Point of Beginning**.

Containing 5,597 Square Feet or 0.13 Acres more or less.

Subject to easements, restrictions and rights of way of record.

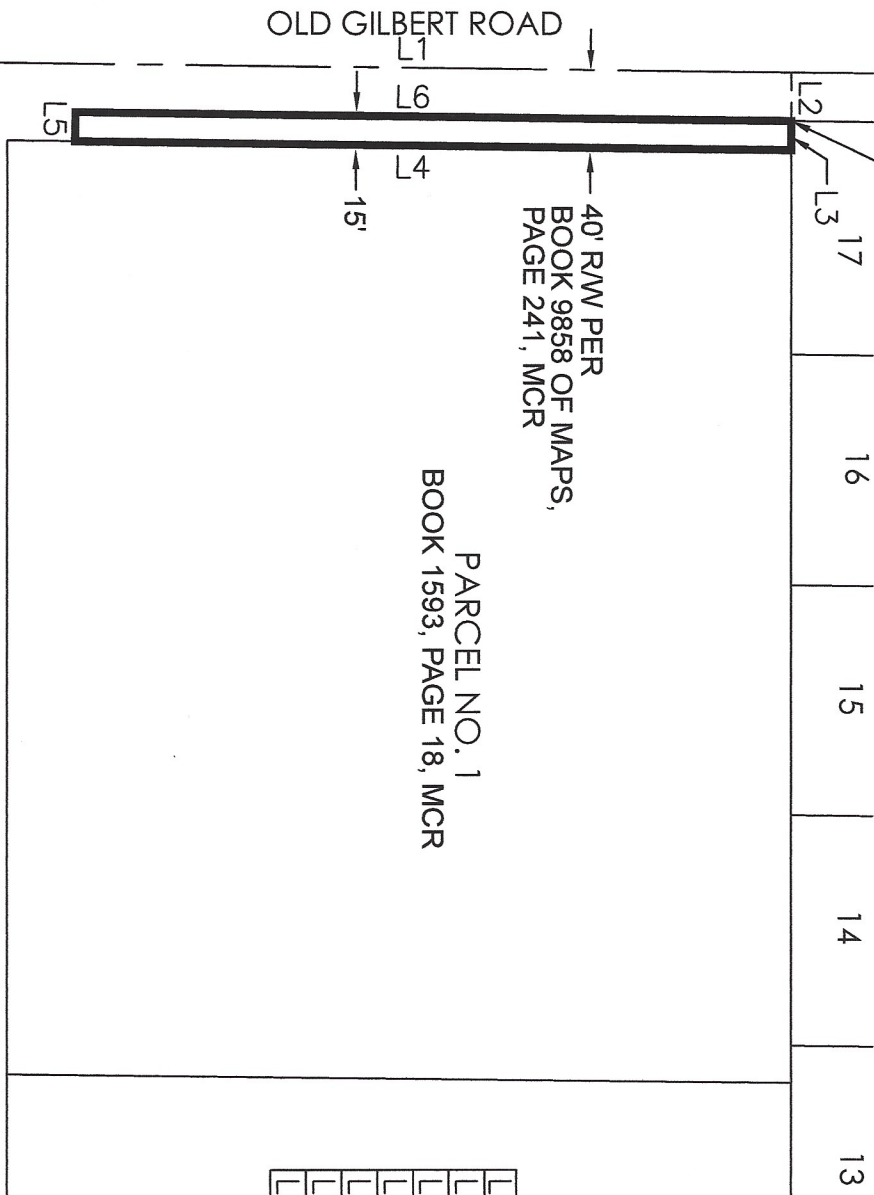


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September 30, 2021
AWLS #20-084



THE GROVES OF HERMOSA VISTA II
BOOK 1214, PAGE 13, MCR



LINE	BEARING	DISTANCE
L1	N 00°40'21" E	443.34'
L2	N 90°00'00" E	25.00'
L3	N 90°00'00" E	15.00'
L4	S 00°40'21" W	373.24'
L5	N 89°19'39" W	15.00'
L6	N 00°40'21" E	373.07'

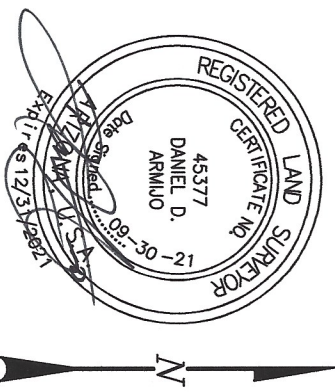


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DRAWN BY: DDA
CHECKED BY: DDA
DATE: 09/30/21

EAST HERMOSA VISTA DRIVE
N 90°00'00" E 2510.92'
W 1/4 CORNER SECTION 6
T1N, R6E
FD BRASS CAP IN HANDHOLE
POINT OF COMMENCEMENT
CENTER OF SECTION 6
T1N, R6E
FD BRASS CAP IN HANDHOLE



JOB NO.: 20-084

SHEET NO. 2 OF 2