

**RESOLUTION NO. 12114**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, ABANDONING THROUGH EXTINGUISHMENT A PORTION OF A 20-FOOT PUBLIC UTILITIES AND FACILITIES EASEMENT LOCATED AT 5400 EAST MCDOWELL 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 a portion of a 20-foot public utilities and facilities easement recorded in Document No. 1997-0709390 and shown on Lot 7 of the Final Plat of Longbow Business Park and Golf Club, recorded in Book 829 of Maps, Page 44, records of Maricopa County, Arizona, located at 5400 East McDowell Road, as hereafter described in **Exhibit A, (Public Utilities and Facilities Easement)**, is 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 a portion of the 20-foot public utilities and facilities easement described below are abandoned and deemed extinguished:

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

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 6th day of November, 2023.

APPROVED:

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Mayor

ATTEST:

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City Clerk