

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, ABANDONING THROUGH EXTINGUISHMENT A PORTION OF AN 8-FOOT PUBLIC UTILITY EASEMENT LOCATED AT 1305 EAST KRAMER CIRCLE.**

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 the portion of an 8-foot public utility easement recorded on Lot 4 of the Plat for Rita Vista, recorded in Book 215 of Maps, Page 107, records of Maricopa County, Arizona, located at 1305 East Kramer Circle, as hereafter described in **Exhibit A** (“Public Utility 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 the portion of 8-foot Public Utility Easement described below are abandoned and deemed extinguished:

PLEASE REFER TO THE LEGAL DESCRIPTION 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 29th day of August, 2022.

APPROVED:

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Mayor

ATTEST:

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City Clerk

## EXHIBIT A

### Portion of 8-foot PUE to be Extinguished

That portion of an 8-foot Public Utility Easement located on Lot 4, Rita Vista, as dedicated on the Plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 215 of Maps, Page 17, situated in the Southwest  $\frac{1}{4}$  of Section 1, Township 1 North, Range 5 East, Gila and Salt River Baseline and Meridian, Maricopa County, Arizona, and more particularly described as follows:

Commencing at the Southwest corner of said Lot 4, thence N 88°55'17" E along the south line of said Lot 4 a distance of 37 feet,

Thence N 0°04'43" W a distance of 4 feet to the Point of Beginning;

Then continuing N 0°04'43" W a distance of 4 feet,

Thence S 88°55'17" W parallel to and 8 feet north of the south line of said Lot 4, a distance of 29 feet,

Thence N 0°07'05" E parallel to and 8 feet east of the west line of said Lot 4, a distance of 15 feet,

Thence S 88°55'17" W a distance of 4 feet,

Thence S 0°07'05" W parallel to and 4 feet east of the west line of said Lot 4, a distance of 19 feet,

Thence N 88°55'17" E parallel to and 4 feet north of the south line of said Lot 4 a distance of 33 feet to the Point of Beginning.