



City Council Report

Date: December 8, 2022
To: City Council
Through: Natalie Lewis, Deputy City Manager
From: Nana Appiah, Development Services Director
Rachel Prelog, Assistant Planning Director
Subject: **ANX22-01048** “Sossaman Road Right-of-Way De-Annexation” *Council District 6*. Ordinance de-annexing public right-of-way to Maricopa County located within the 4200 to 4400 blocks of South Sossaman Road (1.2± acres), subject to approval by the Maricopa County Board of Supervisors. The de-annexation of public right-of-way is allowed pursuant to A.R.S. § 9-471.03.

Purpose

The purpose of this agenda item is for the City Council to consider an ordinance de-annexing 1.2± acres of right-of-way depicted on Exhibit “A” (the “Right-of-Way”) and to deliver the Right-of-Way to Maricopa County.

This de-annexation is subject to approval by the Maricopa County Board of Supervisors and is allowed pursuant to A.R.S. § 9-471.03. Per State law, the City is required to set forth by ordinance the legal description of the public right-of-way and to declare the de-annexation and return of the public right-of-way contingent on the fulfillment of the conditions of A.R.S. §9-471.03 (A.R.S. § 9-471.03(C)).

The subject de-annexation request was initiated by the Maricopa County Department of Transportation. Following approval by the City Council, the de-annexation ordinance will be filed with the Maricopa County Recorder’s Office and the Maricopa Board of Supervisors will conduct a public hearing not less than thirty days nor more than sixty days after the date the ordinance is filed, consistent with the requirements of A.R.S. § 9-471.03.

Background

In 2021, the City of Mesa City Council annexed 101± acres of land, located west of Sossaman Road and north of Warner Road into the City of Mesa (ANX21-00799). The 2021 annexation appropriately included, pursuant to A.R.S. § 9-471, all property up to

the Maricopa County right-of-way line, which at that time was 33-feet along Sossaman Road. Since 2021, Maricopa County has determined that it needs an additional 32 feet of right-of-way in the area to meet their ultimate street cross-section for Sossaman Road (65 feet). To facilitate the City de-annexing the Right-of-Way to Maricopa County to meet Maricopa County's standards, on November 21, 2022, the owner of what used to be private property (and is now the Right-of-Way) dedicated to the City the land in "Exhibit A" that needs to be de-annexed to Maricopa County. That dedication was done via the "Hub at the 202" Subdivision Plat. The land being de-annexed is now public Right-of-Way. The proposed Ordinance will de-annex the Right-of-Way and will deliver the Right-of-Way to Maricopa County, as requested, and required by Maricopa County, subject to approval by the Maricopa County Board of Supervisors.

Recommendation

The City of Mesa Department of Transportation and Maricopa County Department of Transportation have provided comments related to the roadway development of the Right-of-Way; and have requested the de-annexation of the Right-of-Way shown on "Exhibit A".

The de-annexation of the Right-of-Way is required to meet Maricopa County's cross-section for Sossaman Road and for the roadway and improvements associated with the "Hub at the 202" Subdivision Plat to be permitted within Maricopa County and built to Maricopa County standards.

For these reasons, the City of Mesa Transportation Department and the Development Services Department recommend approval of the ordinance de-annexing the Right-of-Way.