

RESOLUTION NO. 12089

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, ABANDONING THROUGH EXTINGUISHMENT A DRAINAGE EASEMENT AND DRAINAGE COVENANT LOCATED AT 9253 E WILLIS 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 the drainage easement recorded in Document No. 2020-0847059, records of Maricopa County, Arizona (“Drainage Easement”) and the drainage covenant recorded in Document No. 2020-0919667, records of Maricopa County, Arizona (“Drainage Covenant”) located at 9253 East Willis Road, as hereafter described, 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 the following Drainage Easement and Drainage Covenant are abandoned and deemed extinguished:

A PORTION OF LAND BEING SITUATED WITHIN THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 7 EAST, GILA AND SALT RIVER MERIDIAN,

MARICOPA COUNTY, ARIZONA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT CERTAIN DRAINAGE EASEMENT AS RECORDED IN DOCUMENT NO. 2020-0847059, RECORDS OF MARICOPA COUNTY, ARIZONA, AND THAT CERTAIN DRAINAGE COVENANT AS RECORDED IN DOCUMENT NO. 2020-0919667, RECORDS OF MARICOPA COUNTY, ARIZONA, BETWEEN NEC E&G, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, (AS GRANTOR) AND CITY OF MESA (AS GRANTEE).

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 28th day of August, 2023.

APPROVED:

Mayor

ATTEST:

City Clerk