

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

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF MESA, MARICOPA COUNTY, ARIZONA,  
ABANDONING THROUGH EXTINGUISHMENT A 3-  
FOOT PUBLIC UTILITIES EASEMENT LOCATED  
AT 1305 NORTH AVOCA.**

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 3-foot public utilities easement recorded on Lot 148 of the Final Plat for Moondance Unit 2-B, recorded in Book 293 of Maps, Page 9, records of Maricopa County, Arizona, located at 1305 North Avoca, as hereafter described in **Exhibit A** (“Public Utilities 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 3-foot Public Utilities Easement 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 10th day of January, 2022.

APPROVED:

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Mayor

ATTEST:

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City Clerk

### **PARCEL DESCRIPTION**

The 3.00 foot wide Public Utility Easement along the north line of Lot 148, plat of Moondance Unit 2-b, as recorded in Book 293 of Maps, Page 09, records of Maricopa County, Arizona. Situated in the Southeast Quarter of Section 07, Township 01 North, Range 07 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows;

Commencing at the Northwest Corner of said Lot 148;  
Thence North 84 degrees 16 minutes 30 seconds East, the bearing as shown on said plat, along the north line of said Lot 148, a distance of 8.00 feet to the **Point of Beginning**;

Thence continuing North 84 degrees 16 minutes 30 seconds East, along the north line of said Lot 148, a distance of 100.57 feet, to the Northeast Corner of said Lot 148;

Thence South 07 degrees 25 minutes 51 seconds East, along the east line of said Lot 148, a distance of 3.00 feet to the southerly line of said 3.00 foot wide Public Utility Easement;

Thence South 84 degrees 16 minutes 30 seconds West, parallel with and 3.00 feet southerly of the north line of said Lot 148, along the southerly line of said 3.00 foot wide Public Utility Easement, a distance of 100.66 feet to the beginning of a curve left, concave westerly, from which the radius point bears South 84 degrees 29 minutes 25 seconds West, a distance of 798.00 feet;

Thence northerly, parallel with and 8.00 feet easterly of the west line of said Lot 148, thru a central angle of 00 degrees 12 minutes 55 seconds, an arc distance of 3.00 feet, to the **Point of Beginning**.

This parcel contains 302 square feet or 0.007 acres more or less and is subject to recorded or unrecorded easements, restrictions and rights of way.

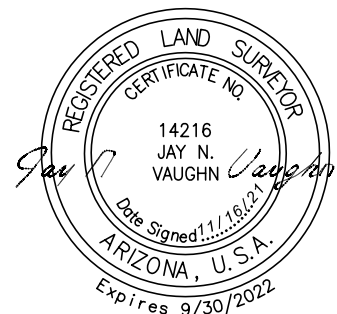
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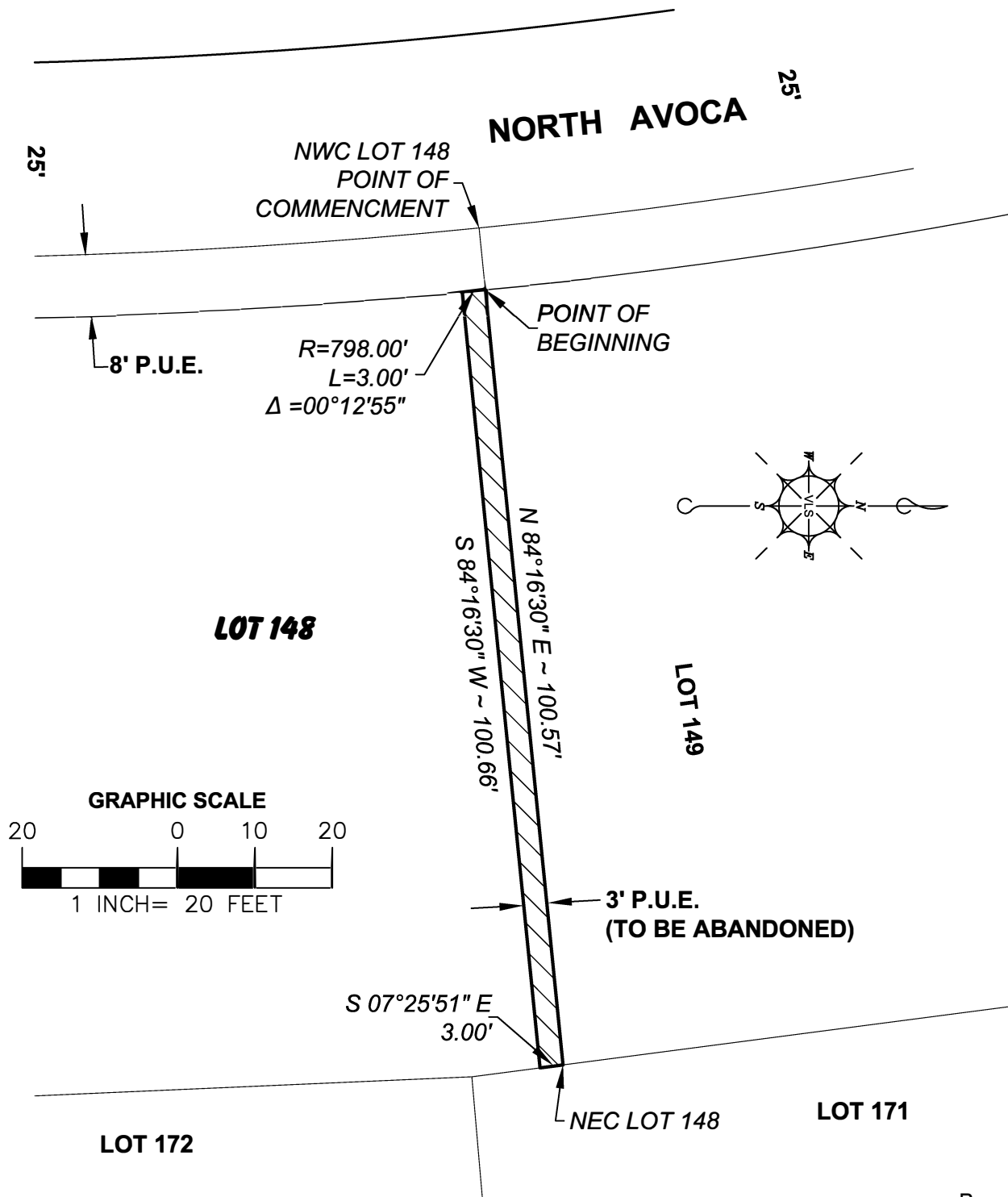
## **EXHIBIT A**

ABANDONMENT OF 3' P.U.E.

**Vaughn Land Surveying Inc.**  
P.O. Box 20111, Mesa, Arizona 85277  
jnvvaughn@vaughnls.com

**Job #: 2636**  
**By: JNV**  
**Date: 2021.11.16**





## EXHIBIT A

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