

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF MESA, MARICOPA COUNTY, ARIZONA,
EXTINGUISHING A DRAINAGE EASEMENT AND
DRAINAGE COVENANT LOCATED AT 3745 SOUTH
POWER 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. 2017-0254278, records of Maricopa County, Arizona and the drainage covenant recorded in Document No. 2017-0254819, records of Maricopa County, Arizona located at 3745 South Power Road, as hereafter described (“Drainage Easement” and “Drainage Covenant”), 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:

THAT CERTAIN DRAINAGE EASEMENT AS RECORDED IN DOCUMENT NO. 2017-0254278, RECORDS OF MARICOPA COUNTY, ARIZONA, AND THAT CERTAIN DRAINAGE COVENANT AS RECORDED IN DOCUMENT NO. 2017-0254819, RECORDS OF MARICOPA COUNTY, ARIZONA, BETWEEN PERRY D. KOON AND ELIZABETH S. KOON, AS TRUSTEES OF THE PEK TRUST DATED APRIL 24, 1991 (AS GRANTOR) AND CITY OF MESA (AS GRANTEE) RECORDED ON APRIL 11, 2017.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona,
this 2nd day of May, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk