

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF MESA, MARICOPA COUNTY, ARIZONA,
ABANDONING THROUGH EXTINGUISHMENT A
PORTION OF A 20-FOOT PUBLIC UTILITY
EASEMENT AND PUBLIC UTILITIES AND
FACILITIES EASEMENT, A TEMPORARY
DRAINAGE EASEMENT, AND A PORTION OF A 10-
FOOT DRAINAGE EASEMENT ALL LOCATED AT
1458 SOUTH SIGNAL BUTTE 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 a portion of a 20-foot public utility easement (PUE) recorded in Document No. 2007-1254167, and recorded as a public utilities and facilities easement (PUFE) on parcel “A” of the Replat of Mountain Vista Marketplace, recorded in Book 1555, Page 33, records of Maricopa County, Arizona, and also shown on Lot 3 of the Final Plat of Mountain Vista Retail, recorded in Book 1620 of Maps, Page 41, records of Maricopa County, Arizona, located at 1458 South Signal Butte Road, as hereafter described in **Exhibit A** (“PUE & PUFE”), is no longer needed.

WHEREAS, the City Council has determined that a temporary drainage easement recorded in Document No. 2007-1254169, records of Maricopa County, Arizona and recorded on parcel “A” of the Replat of Mountain Vista Marketplace, recorded in Book 1555 of Maps, Page 33, records of Maricopa County, Arizona, and shown on Lots 1, 2, 3, and 4 of the Final Plat of Mountain Vista Retail, recorded in Book 1620 of Maps, Page 41, records of Maricopa County, Arizona, located at 1458 South Signal Butte Road as hereafter described in **Exhibit B** (“Temporary Drainage Easement”), is no longer needed.

WHEREAS, the City Council has determined that a portion of a 10-foot drainage easement recorded in Document No. 2007-1258747, records of Maricopa County, Arizona, and recorded on parcel “A” of the Replat of Mountain Vista Marketplace, recorded in Book 1555 of Maps, Page 33, records of Maricopa County, Arizona and shown on Lots 1 and 10 of the Final Plat of Mountain Vista Retail, recorded in Book 1620 of Maps, Page 41, records of Maricopa County, Arizona, located at 1458 South Signal Butte Road as hereafter described in **Exhibit C** (“Drainage 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 20-foot PUE &PUFE 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.

Section 2: All rights of the City of Mesa in and to the Temporary Drainage Easement are abandoned and deemed extinguished:

PLEASE REFER TO THE LEGAL DESCRIPTION AND
DEPICTION ON **EXHIBIT B** ATTACHED HERETO AND
MADE A PART HEREOF FOR THE EXTINGUISHED
AREA.

Section 3: All rights of the City of Mesa in and to the portion of 10-foot Drainage Easement are abandoned and deemed extinguished:

PLEASE REFER TO THE LEGAL DESCRIPTION AND
DEPICTION ON **EXHIBIT C** 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 2nd day of May, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk

EXHIBIT "A"

DESCRIPTION FOR
EASEMENT ABANDONMENT OF A PORTION OF AN EASEMENT
ON LOT 3 OF BOOK 1620 OF MAPS, PAGE 41, MARICOPA
COUNTY RECORDER'S OFFICE, (M.C.R.)

A PORTION OF THAT CERTAIN PUE RECORDED IN DOC. NO. 2007-1254167, AND SHOWN AS A PUE ON PARCEL "A" OF THE "RE-PLAT OF MOUNTAIN VISTA MARKETPLACE", RECORDED IN BOOK 1555 OF MAPS, PAGE 33, M.C.R., AND ALSO SHOWN AS A PUE ON A PORTION OF LOT 3 OF "MOUNTAIN VISTA RETAIL", AS SHOWN IN BOOK 1620 OF MAPS, PAGE 41, MARICOPA COUNTY RECORDER'S OFFICE, (M.C.R.), SITUATED IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 35, MARKED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION, MARKED BY A BRASS CAP FLUSH, BEARS SOUTH 00°09'53" EAST, A DISTANCE OF 2,638.57 FEET, ALSO BEING THE **BASIS OF BEARING**;

THENCE ALONG THE EAST LINE OF SAID SECTION, SOUTH 00°09'53" EAST, A DISTANCE OF 1,616.46 FEET;

THENCE DEPARTING SAID LINE, SOUTH 89°50'07" WEST, A DISTANCE OF 65.00 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 3;

THENCE ALONG THE EAST LINE OF SAID LOT, NORTH 00°09'53" WEST, A DISTANCE OF 34.66 FEET;

THENCE DEPARTING SAID LINE, SOUTH 89°50'07" WEST, A DISTANCE OF 31.09 FEET, TO THE **POINT OF BEGINNING (P.O.B.)**;

THENCE NORTH 89°50'07" EAST, A DISTANCE OF 140.38 FEET;

THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 20.00 FEET;



Title: DESCRIPTION

Project #: 09003123

Date: 03/16/2022

Scale: N / A

Page: 1 OF 4



EXHIBIT "A"

DESCRIPTION FOR
EASEMENT ABANDONMENT OF A PORTION OF AN EASEMENT
ON LOT 3 OF BOOK 1620 OF MAPS, PAGE 41, MARICOPA
COUNTY RECORDER'S OFFICE, (M.C.R.)

THENCE SOUTH 89°50'07" WEST, A DISTANCE OF 140.38 FEET;

THENCE NORTH 00°00'00" EAST, A DISTANCE OF 20.00 FEET, TO THE **POINT
OF BEGINNING.**

CONTAINING 2,808 SQUARE FEET OR 0.064 ACRES, MORE OR LESS.

SUBJECT TO EXISTING RIGHTS-OF-WAY AND EASEMENTS.



Title: DESCRIPTION

Project #: 09003123

Date: 03/16/2022

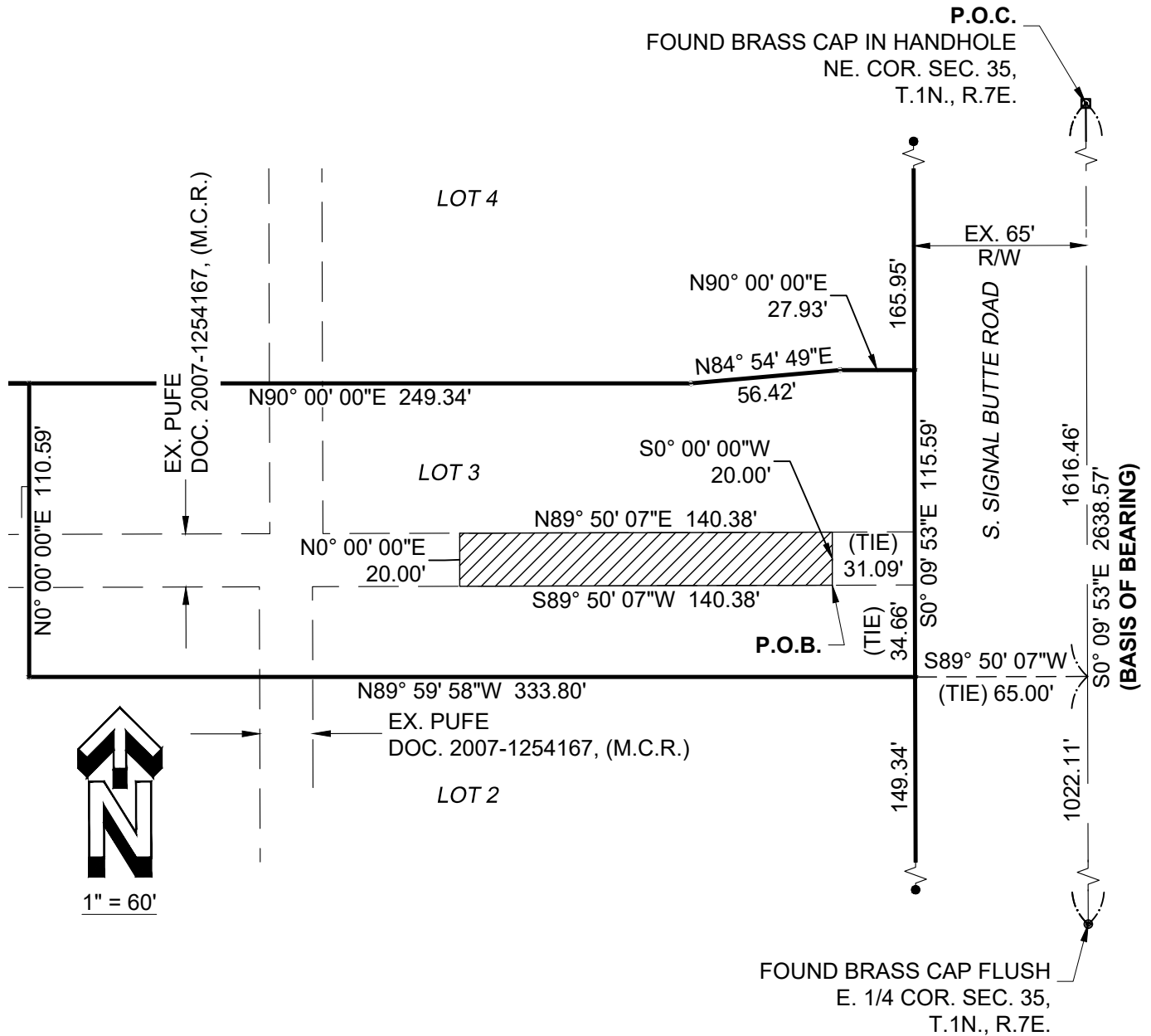
Scale: N / A

Page: 2 OF 4



EXHIBIT "A"

EXHIBIT FOR
EASEMENT ABANDONMENT OF A PORTION OF AN EASEMENT
ON LOT 3 OF BOOK 1620 OF MAPS, PAGE 41, MARICOPA
COUNTY RECORDER'S OFFICE, (M.C.R.)



Title: EXHIBIT

Project #: 09003123

Date: 03/16/2022

Scale: 1" = 60'

Page: 3 OF 4



EXHIBIT "A"

CLOSURE REPORT FOR
EASEMENT ABANDONMENT OF A PORTION OF AN EASEMENT
ON LOT 3 OF BOOK 1620 OF MAPS, PAGE 41, MARICOPA
COUNTY RECORDER'S OFFICE, (M.C.R.)

N89°50'07" E 140.38

S00°00'00" W 20.00

S89°50'07" W 140.38

N00°00'00" E 20.00

AREA = 2,808 0.064 AC

CLOSING COURSE: 00°00'00" 0.000

PRECISION: 1/INFINITY

NORTH ERROR: 0.000

EAST ERROR: 0.000



Title: CLOSURE REPORT

Project #: 09003123

Date: 03/16/2022

Scale: N / A

Page: 4 OF 4



EXHIBIT "B"

DESCRIPTION FOR
EASEMENT ABANDONMENT ON LOTS 1, 2, 3 & 4 OF
BOOK 1620 OF MAPS, PAGE 41, MARICOPA
COUNTY RECORDER'S OFFICE, (M.C.R.)

A CERTAIN TEMPORARY DRAINAGE EASEMENT RECORDED IN DOC. NO. 2007-1254169, M.C.R., AND RECORDED ON PARCEL "A" OF THE "REPLAT OF MOUNTAIN VISTA MARKETPLACE", IN BOOK 1555 OF MAPS, PAGE 33, M.C.R., AND ALSO RECORDED ON A PORTION OF LOTS 1, 2, 3, AND 4 OF "MOUNTAIN VISTA RETAIL", AS SHOWN IN BOOK 1620 OF MAPS, PAGE 41, MARICOPA COUNTY RECORDER'S OFFICE, (M.C.R.), SITUATED IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 35, MARKED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION, MARKED BY A BRASS CAP FLUSH, BEARS SOUTH 00°09'53" EAST, A DISTANCE OF 2,638.57 FEET, ALSO BEING THE **BASIS OF BEARING**;

THENCE ALONG THE EAST LINE OF SAID SECTION, SOUTH 00°09'53" EAST, A DISTANCE OF 1,478.15 FEET;

THENCE DEPARTING SAID LINE, SOUTH 89°50'07" WEST, A DISTANCE OF 65.00 FEET, TO THE **POINT OF BEGINNING (P.O.B.)**;

THENCE SOUTH 00°09'53" EAST, A DISTANCE OF 310.31 FEET;

THENCE NORTH 89°50'10" EAST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 05°33'30" WEST, A DISTANCE OF 36.18 FEET;

THENCE SOUTH 89°49'58" WEST, A DISTANCE OF 198.36 FEET;

THENCE NORTH 00°10'02" WEST, A DISTANCE OF 346.31 FEET;



Title: DESCRIPTION

Project #: 09003123

Date: 03/16/2022

Scale: N / A

Page: 1 OF 4



EXHIBIT "B"

DESCRIPTION FOR
EASEMENT ABANDONMENT ON LOTS 1, 2, 3 & 4 OF
BOOK 1620 OF MAPS, PAGE 41, MARICOPA
COUNTY RECORDER'S OFFICE, (M.C.R.)

THENCE NORTH 89°49'58" EAST, A DISTANCE OF 191.98 FEET, TO THE **POINT
OF BEGINNING.**

CONTAINING 66,778 SQUARE FEET OR 1.533 ACRES, MORE OR LESS.

SUBJECT TO EXISTING RIGHTS-OF-WAY AND EASEMENTS.



Title: DESCRIPTION

Project #: 09003123

Date: 03/16/2022

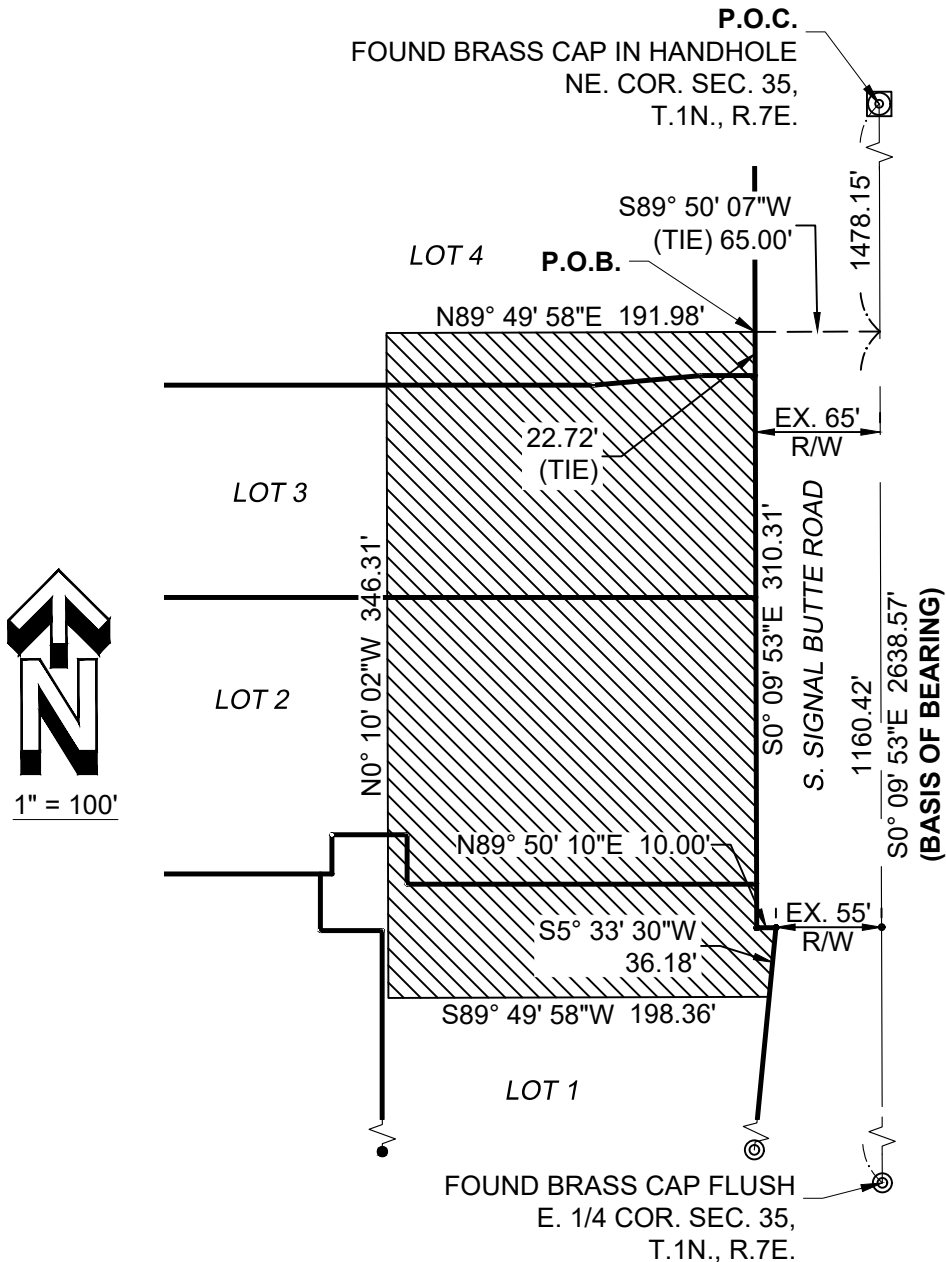
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Page: 2 OF 4



EXHIBIT "B"

EXHIBIT FOR
EASEMENT ABANDONMENT ON LOTS 1, 2, 3 & 4 OF
BOOK 1620 OF MAPS, PAGE 41, MARICOPA COUNTY
RECORDER'S OFFICE, (M.C.R.)



Title: EXHIBIT

Project #: 09003123

Date: 03/16/2022

Scale: 1" = 100'

Page: 3 OF 4



EXHIBIT "B"

CLOSURE REPORT FOR
EASEMENT ABANDONMENT ON LOTS 1, 2, 3 & 4 OF
BOOK 1620 OF MAPS, PAGE 41, MARICOPA
COUNTY RECORDER'S OFFICE, (M.C.R.)

CLOSURE

S00°09'53" E 310.31

N89°50'10" E 10.00

S05°33'30" W 36.18

S89°49'58" W 198.36

N00°10'02" W 346.31

N89°49'58" E 191.98

AREA = 66,778 1.533 AC

CLOSING COURSE: 88°11'21" 0.003

PRECISION: 1/365,992

NORTH ERROR: 0.000

EAST ERROR: 0.003



Title: CLOSURE REPORT

Project #: 09003123

Date: 03/16/2022

Scale: N / A

Page: 4 OF 4



EXHIBIT "C"

DESCRIPTION FOR
EASEMENT ABANDONMENT OF A PORTION OF AN EASEMENT
ON LOTS 1 AND 10 OF BOOK 1620 OF MAPS, PAGE 41,
MARICOPA COUNTY RECORDER'S OFFICE, (M.C.R.)

A CERTAIN PORTION OF DRAINAGE EASEMENT RECORDED IN DOC. NO. 2007-1258747, M.C.R., AND AS RECORDED ON PARCEL "A" OF THE "REPLAT OF MOUNTAIN VISTA MARKETPLACE", IN BOOK 1555 OF MAPS, PAGE 33, M.C.R., AND ALSO RECORDED ON A PORTION OF LOTS 1 AND 10 OF "MOUNTAIN VISTA RETAIL", IN BOOK 1620 OF MAPS, PAGE 41, MARICOPA COUNTY RECORDER'S OFFICE, (M.C.R.), SITUATED IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 35, MARKED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION, MARKED BY A BRASS CAP FLUSH, BEARS SOUTH 00°09'53" EAST, A DISTANCE OF 2,638.57 FEET, ALSO BEING THE **BASIS OF BEARING**;

THENCE ALONG THE EAST LINE OF SAID SECTION, SOUTH 00°09'53" EAST, A DISTANCE OF 1,776.95 FEET;

THENCE DEPARTING SAID LINE, SOUTH 89°50'07" WEST, A DISTANCE OF 65.00 FEET, TO THE EAST BOUNDARY LINE OF SAID LOT 1, ALSO BEING THE **POINT OF BEGINNING (P.O.B.)**;

THENCE ALONG SAID LINE, SOUTH 00°09'53" EAST, A DISTANCE OF 10.00 FEET;

THENCE DEPARTING SAID LINE, SOUTH 89°46'35" WEST, A DISTANCE OF 198.25 FEET;

THENCE SOUTH 00°09'52" EAST, A DISTANCE OF 251.21 FEET;



Title: DESCRIPTION

Project #: 09003123

Date: 03/16/2022

Scale: N / A

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EXHIBIT "C"

DESCRIPTION FOR
EASEMENT ABANDONMENT OF A PORTION OF AN EASEMENT
ON LOTS 1 AND 10 OF BOOK 1620 OF MAPS, PAGE 41,
MARICOPA COUNTY RECORDER'S OFFICE, (M.C.R.)

THENCE SOUTH 89°52'47" WEST, A DISTANCE OF 395.75 FEET, TO THE WEST
BOUNDARY LINE OF SAID LOT 10;

THENCE ALONG SAID LINE, NORTH 00°00'58" WEST, A DISTANCE OF 10.00
FEET;

THENCE DEPARTING SAID LINE, NORTH 89°52'47" EAST, A DISTANCE OF
385.73 FEET;

THENCE NORTH 00°09'52" WEST, A DISTANCE OF 251.19 FEET;

THENCE NORTH 89°46'35" EAST, A DISTANCE OF 208.25 FEET, TO THE **POINT
OF BEGINNING.**

CONTAINING 8,451 SQUARE FEET OR 0.194 ACRES, MORE OR LESS.

SUBJECT TO EXISTING RIGHTS-OF-WAY AND EASEMENTS.



Title: DESCRIPTION

Project #: 09003123

Date: 03/16/2022

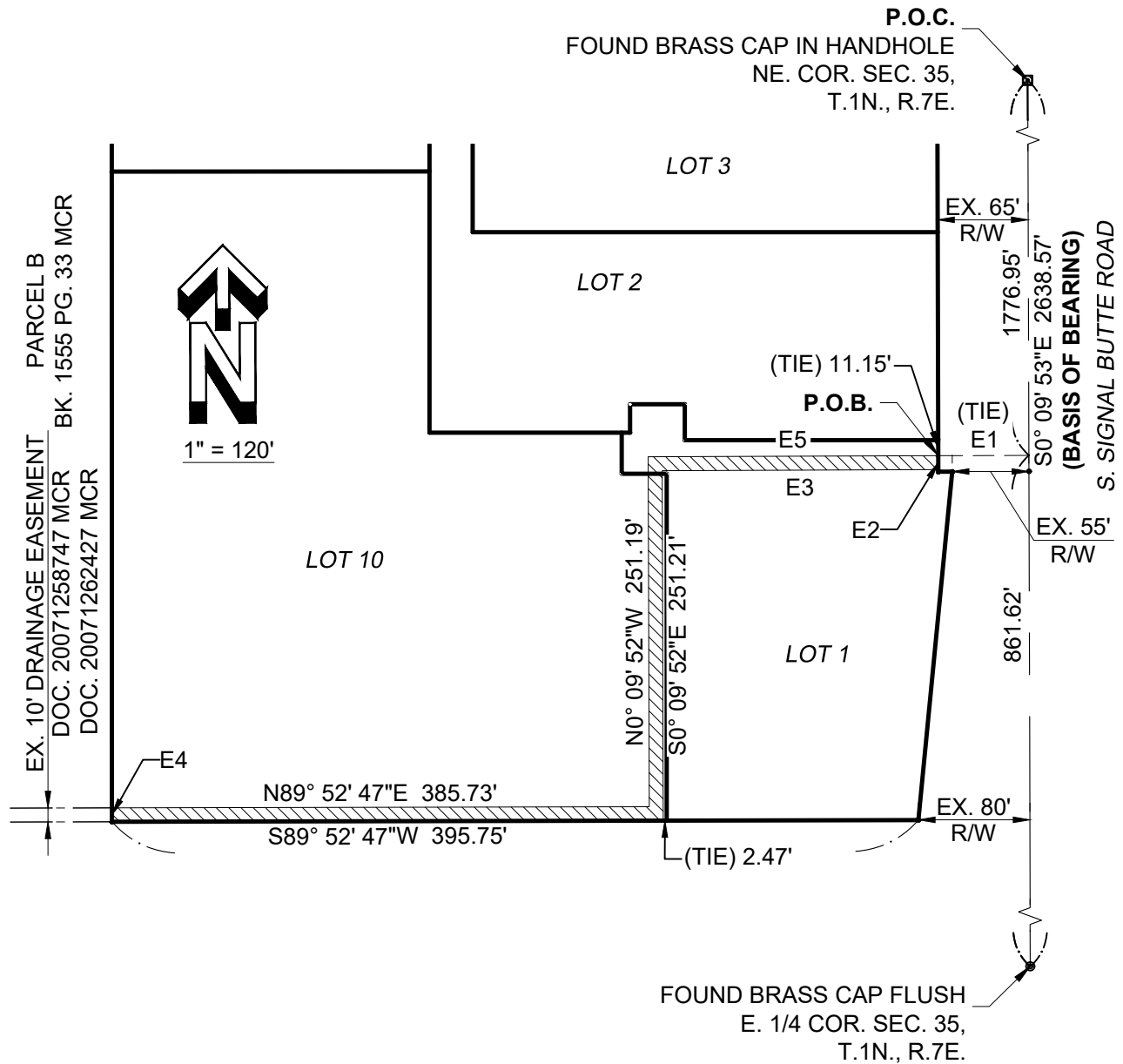
Scale: N / A

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EXHIBIT "C"

EXHIBIT FOR
EASEMENT ABANDONMENT OF A PORTION OF AN EASEMENT
ON LOTS 1 AND 10 OF BOOK 1620 OF MAPS, PAGE 41,
MARICOPA COUNTY RECORDER'S OFFICE, (M.C.R.)



Title: EXHIBIT

Project #: 09003123

Date: 03/16/2022

Scale: 1" = 120'

Page: 3 OF 5



EXHIBIT "C"

EXHIBIT FOR
EASEMENT ABANDONMENT OF A PORTION OF AN EASEMENT
ON LOTS 1 AND 10 OF BOOK 1620 OF MAPS, PAGE 41,
MARICOPA COUNTY RECORDER'S OFFICE, (M.C.R.)

LINE TABLE		
LINE	LENGTH	BEARING
E1	65.00	S89° 50' 07"W
E2	10.00	S0° 09' 53"E
E3	198.25	S89° 46' 35"W
E4	10.00	N0° 00' 58"W
E5	208.25	N89° 46' 35"E



Title: EXHIBIT

Project #: 09003123

Date: 03/16/2022

Scale: N / A

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EXHIBIT "C"

**CLOSURE REPORT FOR
EASEMENT ABANDONMENT OF A PORTION OF AN EASEMENT
ON LOTS 1 AND 10 OF BOOK 1620 OF MAPS, PAGE 41,
MARICOPA COUNTY RECORDER'S OFFICE, (M.C.R.)**

CLOSURE

S00°09'53" E 10.00

S89°46'35" W 198.25

S00°09'52" E 251.21

S89°52'47" W 395.75

N00°00'58" W 10.00

N89°52'47" E 385.73

N00°09'52" W 251.19

N89°46'35" E 208.25

AREA = 8,451 0.194 AC

CLOSING COURSE: 288°18'39" 0.006

PRECISION: 1/273,326

NORTH ERROR: 0.002

EAST ERROR: 0.006



Title: CLOSURE REPORT

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Scale: N / A

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