

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, ABANDONING THROUGH EXTINGUISHMENT OF A 30-FOOT ACCESS EASEMENT, A 37-FOOT ACCESS EASEMENT, RETENTION EASEMENT, AND PORTIONS OF A 20-FOOT PUBLIC UTILITIES AND FACILITIES EASEMENT ALL LOCATED AT THE SOUTHWEST CORNER OF HAMPTON AVENUE AND CLEARVIEW AVENUE.

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 following easements located at the southwest corner of Hampton Avenue and Clearview Avenue, as hereafter described and depicted in **Exhibit A** (collectively, the “Easements”) are no longer needed: (i) 30-foot Access Easement, recorded in Document Number 1994-0883373, records of Maricopa County, Arizona, on December 20, 1994, 2007; (ii) 37-foot Access Easement, recorded in Document Number 1994-0329041, records of Maricopa County, Arizona, on April 25, 1994, and (iii) Retention Easement and portions of the 20-foot Public Utilities and Facilities Easement, recorded on the Replat of Lots 4, 5 & 6 of Superstition Springs Parcel 6, recorded in Book 364 of Maps, Page 19, records of Maricopa County, Arizona, on July 22, 1993.

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 Easements described below are abandoned and deemed extinguished subject to the requirements set forth in Section 2 of this Resolution:

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

Section 2: The abandonment and extinguishment of the Easements set forth in Section 1 of this Resolution are subject to, and shall not be effective and the abandonment/extinguishment not recorded unless and until, the owner or developer of the property on which the Easements are located completes the following on the property in accordance with applicable law and City requirements for the work: (i) relocation of the water and gas service lines servicing the store located at 6929 E. Hampton Avenue, Mesa, Arizona; and (ii) relocation of the Cox cable lines at the southern end of the property on which the Easements are located.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County,
Arizona, this 22nd day of August, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk

EXHIBIT A

ACCESS EASEMENT
DESCRIPTION FOR INGRESS
EASEMENT BEING PART OF LOT 6
SUPERSTITION SPRINGS PARCEL G

THAT PORTION OF LOT 6 AS SHOWN ON A PLAT ENTITLED REPLAT OF LOTS 4,5, AND 6 OF SUPERSTITION SPRINGS PARCEL G, RECORDED IN BOOK 364, OF MAPS, PAGE 19, RECORDS OF MARICOPA COUNTY ARIZONA DESCRIBED AS FOLLOWS.

COMMENCING AT THE MOST NORTHERLY NORTHEAST CORNER OF SAID LOT 6 AND BEING SOUTH 00°33.05" EAST, A DISTANCE OF 55.00 FEET FROM THE CENTERLINE OF E. HAMPTON AVENUE;
THENCE SOUTH 00°33'05" EAST A DISTANCE OF 135.00 FEET;
THENCE SOUTH 89°26'55" WEST A DISTANCE OF 5.00 FEET;
THENCE SOUTH 00°33'05" EAST A DISTANCE OF 17.50 FEET TO THE **POINT OF BEGINNING**;
THENCE NORTH 89°26'55" EAST A DISTANCE OF 37.00 FEET;
THENCE SOUTH 00°33'05" EAST A DISTANCE OF 331.50 FEET;
THENCE SOUTH 89°26'55" WEST A DISTANCE OF 37.00 FEET;
THENCE NORTH 00°33'05" WEST A DISTANCE OF 331.50 FEET TO THE **POINT OF BEGINNING**.

EXHIBIT A

ACCESS EASEMENT
EASEMENT BEING PART OF LOTS 4 AND 6
SUPERSTITION SPRINGS PARCEL G

THAT PORTION OF LOTS 4 AND 6 AS SHOWN ON A PLAT ENTITLED REPLAT OF LOTS 4, 5 AND 6 OF SUPERSTITION SPRINGS PARCEL G, RECORDED IN BOOK 364 OF MAPS, PAGE 19 RECORDS OF MARICOPA COUNTY, ARIZONA.

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 4;
THENCE NORTH 00°32'42" WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF SOUTH CLEARVIEW A DISTANCE OF 3.00 FEET TO THE **POINT OF BEGINNING**;
THENCE SOUTH 89°26'55" WEST A DISTANCE OF 794.68 FEET;
THENCE SOUTH 75°14'52" WEST A DISTANCE OF 116.31 FEET TO A POINT ON THE EASTERLY LINE OF LOT 1 AS RECORDED IN BOOK 359 OF MAPS, PAGE 15, RECORDS OF MARICOPA COUNTY, ARIZONA;
THENCE NORTH 00°33'05" WEST ALONG SAID EASTERLY LOT LINE A DISTANCE OF 30.95 FEET;
THENCE NORTH 75° 14'52" EAST A DISTANCE OF 112.45 FEET;
THENCE NORTH 89°26'55" EAST A DISTANCE OF 798.42 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SOUTH CLEARVIEW;
THENCE SOUTH 00°32'42" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**.

EXHIBIT A

**Public Utility and Facilities Easement
Abandonment**

A portion of that certain Public Utility and Facilities Easement (PUFE) lying within Lot 4 and Lot 6 as shown on the replat of Lots 4, 5 & 6 of Superstition Springs Parcel G, recorded in Book 364, Page 19, Maricopa County Records (MCR), lying within the north half of Section 31, Township 1 North, Range 7 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Public Utility and Facilities Easement #1

Commencing at the northwest corner of said Lot 6;

Thence along the westerly line of said Lot 6, South 00°33'05" East, a distance of 134.99 feet;

Thence South 89°26'55" West, a distance of 19.74 feet, to the **Point of Beginning**;

Thence South 00°28'57" East, a distance of 48.75 feet;

Thence North 89°52'46" East, a distance of 215.78 feet;

Thence South 03°16'53" West, a distance of 20.04 feet, to a Point hereby designated as Point "A" for future reference in this description;

Thence South 89°52'46" West, a distance of 293.64 feet, to the westerly line of said Lot 6;

Thence along said westerly line, North 00°33'05" West, a distance of 20.00 feet;

Thence North 89°52'46" East, a distance of 59.20 feet;

Thence North 00°28'57" West, a distance of 48.59 feet, to a northerly line of said Lot 6;

Thence along said northerly line, North 89°26'55" East, a distance of 20.00 feet, to the **Point of Beginning**.

Together With

Public Utility and Facilities Easement #2

Beginning at said Point "A";

Thence South 86°43'07" East, a distance of 20.00 feet, to a Point hereby designated as Point "B" for future reference in this description;

Thence South 03°16'53" West, a distance of 4.60 feet;

Thence South 00°00'00" West, a distance of 243.55 feet;

Thence South 01°43'57" East, a distance of 64.92 feet;

Thence North 89°26'55" East, a distance of 125.56 feet;

Thence North 00°33'05" West, a distance of 12.00 feet;

Thence North 89°26'55" East, a distance of 20.00 feet;

Thence South 00°33'05" East, a distance of 32.00 feet;

Thence South 89°26'55" West, a distance of 165.16 feet;

Thence North 01°43'57" West, a distance of 8.64 feet;

Thence South 89°26'55" West, a distance of 292.51 feet, to the westerly line of said Lot 6;

Thence along said westerly line, North 00°33'05" West, a distance of 20.00 feet;

Thence leaving said westerly line, North 89°26'55" East, a distance of 74.51 feet;

Thence North 00°33'05" West, a distance of 8.00 feet;

Thence North 89°26'55" East, a distance of 20.00 feet;

Thence South 00°33'05" East, a distance of 8.00 feet;

Thence North 89°26'55" East, a distance of 197.58 feet;

Thence North 01°43'57" West, a distance of 56.18 feet;

Thence North 00°00'00" West, a distance of 244.43 feet;

Thence North 03°16'53" East, a distance of 5.17 feet, to the **Point of Beginning**.

**Together With
Public Utility and Facilities Easement #3**

Commencing at said Point "B";

Thence along an easterly line of said PUFEE, North 03°16'53" East, a distance of 54.69 feet, to the Point of Beginning;

**Thence North 00°27'51" East, a distance of 20.00 feet;
Thence North 89°26'55" East, a distance of 24.90 feet;
Thence South 83°25'31" East, a distance of 188.10 feet;
Thence North 06°34'29" East, a distance of 100.07 feet;
Thence North 83°25'31" West, a distance of 16.50 feet;
Thence North 06°34'29" East, a distance of 20.00 feet;
Thence South 83°25'31" East, a distance of 16.50 feet;
Thence North 06°34'29" East, a distance of 36.29 feet, to the southerly right-of-way line of Hampton Avenue and the beginning of a non-tangent curve, concave southwesterly, having a radius of 945.00 feet, whose radius bears S 00°54'18" W;
Thence easterly along said curve, an arc length of 20.08 feet, through a central angle of 1°13'03";
Thence leaving said southerly right-of-way line, South 06°34'29" West, a distance of 199.19 feet;
Thence South 10°27'42" West, a distance of 59.77 feet;
Thence North 79°32'18" West, a distance of 34.00 feet;
Thence North 10°27'42" East, a distance of 20.00 feet;
Thence South 79°32'18" East, a distance of 14.00 feet;
Thence North 10°27'42" East, a distance of 39.09 feet;
Thence North 06°34'29" East, a distance of 20.38 feet;
Thence North 83°25'31" West, a distance of 186.86 feet;
Thence South 89°26'55" West, a distance of 24.01 feet, to the Point of Beginning.**

**Together With
Public Utility and Facilities Easement #4**

Commencing at the southeast corner of said Lot 4;

Thence along the westerly right-of-way line of Clearview Avenue, North 00°32'42" West, a distance of 12.99 feet, to the Point of Beginning;

**Thence South 89°26'55" West, a distance of 779.34 feet;
Thence South 45°00'00" West, a distance of 46.98 feet;
Thence South 89°26'55" West, a distance of 94.57 feet;
Thence North 00°33'05" West, a distance of 20.00 feet;
Thence North 89°26'55" East, a distance of 86.40 feet;
Thence North 45°00'00" East, a distance of 46.98 feet;
Thence North 89°26'55" East, a distance of 23.06 feet;
Thence North 00°33'05" West, a distance of 7.58 feet;
Thence North 89°26'55" East, a distance of 20.00 feet;
Thence South 00°33'05" East, a distance of 7.58 feet;
Thence North 89°26'55" East, a distance of 62.50 feet;
Thence North 00°33'05" West, a distance of 12.48 feet;
Thence North 89°26'55" East, a distance of 20.00 feet;
Thence South 00°33'05" East, a distance of 12.48 feet;
Thence North 89°26'55" East, a distance of 405.12 feet;
Thence North 00°33'05" West, a distance of 4.96 feet;
Thence North 10°27'42" East, a distance of 232.96 feet;**

Thence South 79°32'18" East, a distance of 20.00 feet, to a Point hereby designated as Point "C" for future refence in this description;
Thence South 10°27'42" West, a distance of 214.69 feet;
Thence South 79°32'18" East, a distance of 14.99 feet;
Thence South 10°27'42" West, a distance of 16.51 feet;
Thence North 89°26'55" East, a distance of 222.15 feet, to the westerly right-of-way line of said Clearview Avenue;
Thence along said westerly right-of-way line, South 00°32'42" East, a distance of 20.00 feet, to the **Point of Beginning**.

Together With
Public Utility and Facilities Easement #5

Commencing at said Point "C";

Thence along an easterly line of said PUFEE, North 10°27'42" East, a distance of 67.09 feet, to the **Point of Beginning**;

Thence North 10°27'42" East, a distance of 20.00 feet, to a point hereby designated as Point "D" for future reference in this description;
Thence South 79°32'18" East, a distance of 13.00 feet;
Thence South 10°27'42" West, a distance of 20.00 feet;
Thence North 79°32'18" West, a distance of 13.00 feet, to the **Point of Beginning**.

Together With
Public Utility and Facilities Easement #6

Commencing at said Point "D";

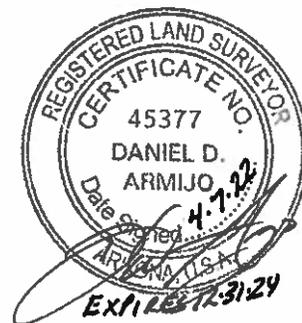
Thence along an easterly line of said PUFEE, North 10°27'42" East, a distance of 212.75 feet, to the **Point of Beginning**;

Thence North 10°27'42" East, a distance of 20.00 feet;
Thence South 79°32'18" East, a distance of 12.00 feet;
Thence South 10°27'42" West, a distance of 20.00 feet;
Thence North 79°32'18" West, a distance of 12.00 feet, to the **Point of Beginning**.

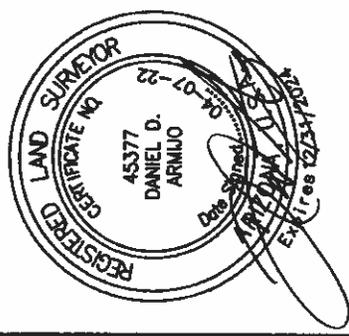
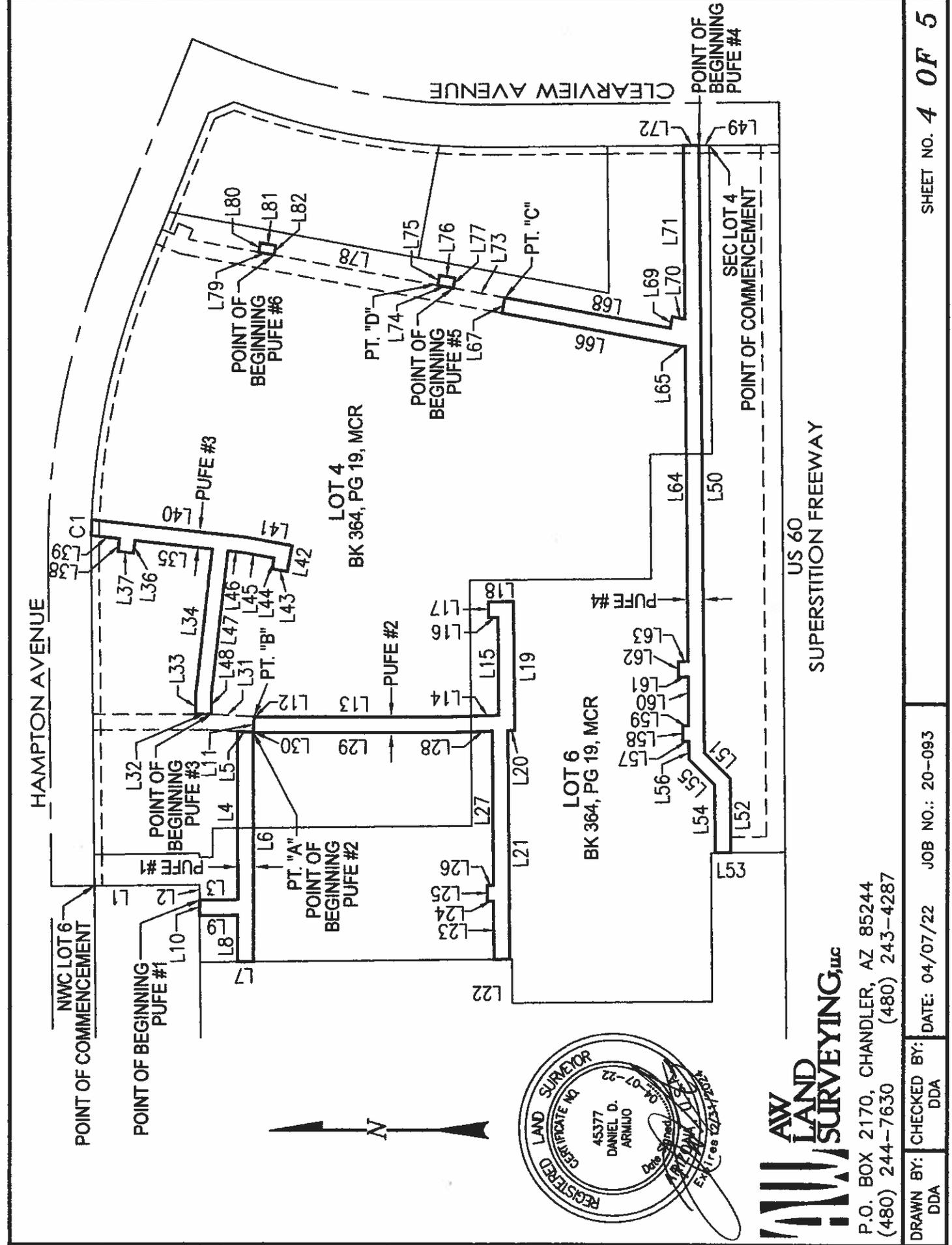
Containing 56,992 Square Feet or 1.32 Acres more or less.
Subject to easements, restrictions and rights of way of record.



P.O. Box 2170, Chandler, AZ 85244
Daniel D. Armijo, RLS (480) 244-7630
Brian D. Warren, LSIT (480) 243-4287



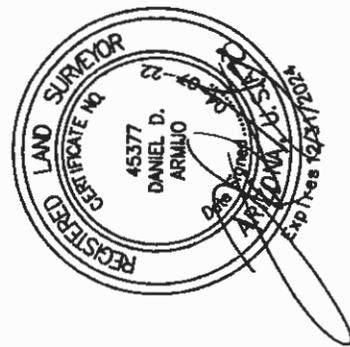
April 7, 2022
AWLS #20-093



AW LAND SURVEYING, LLC

P.O. BOX 2170, CHANDLER, AZ 85244
 (480) 244-7630 (480) 243-4287

DRAWN BY: CHECKED BY: DATE: 04/07/22 JOB NO.: 20-093
 DDA DDA



LINE	BEARING	DISTANCE
L61	N 00°33'05" W	12.48'
L62	N 89°26'55" E	20.00'
L63	S 00°33'05" E	12.48'
L64	N 89°26'55" E	405.12'
L65	N 00°33'05" W	4.96'
L66	N 10°27'42" E	232.96'
L67	S 79°32'18" E	20.00'
L68	S 10°27'42" W	214.69'
L69	S 79°32'18" E	14.99'
L70	S 10°27'42" W	16.51'
L71	N 89°26'55" E	222.15'
L72	S 00°32'42" E	20.00'
L73	N 10°27'42" E	67.09'
L74	N 10°27'42" E	20.00'
L75	S 79°32'18" E	13.00'
L76	S 10°27'42" W	20.00'
L77	N 79°32'18" W	13.00'
L78	N 10°27'42" E	212.75'
L79	N 10°27'42" E	20.00'
L80	S 79°32'18" E	12.00'
L81	S 10°27'42" W	20.00'
L82	N 79°32'18" W	12.00'

LINE	BEARING	DISTANCE
L31	N 03°16'53" E	54.69'
L32	N 00°27'51" E	20.00'
L33	N 89°26'55" E	24.90'
L34	S 83°25'31" E	188.10'
L35	N 06°34'29" E	100.07'
L36	N 83°25'31" W	16.50'
L37	N 06°34'29" E	20.00'
L38	S 83°25'31" E	16.50'
L39	N 06°34'29" E	36.29'
L40	S 06°34'29" W	199.19'
L41	S 10°27'42" W	59.77'
L42	N 79°32'18" W	34.00'
L43	N 10°27'42" E	20.00'
L44	S 79°32'18" E	14.00'
L45	N 10°27'42" E	39.09'
L46	N 06°34'29" E	20.38'
L47	N 83°25'31" W	186.86'
L48	S 89°26'55" W	24.01'
L49	N 00°32'42" W	12.99'
L50	S 89°26'55" W	779.34'
L51	S 45°00'00" W	46.98'
L52	S 89°26'55" W	94.57'
L53	N 00°33'05" W	20.00'
L54	N 89°26'55" E	86.40'
L55	N 45°00'00" E	46.98'
L56	N 89°26'55" E	23.06'
L57	N 00°33'05" W	7.58'
L58	N 89°26'55" E	20.00'
L59	S 00°33'05" E	7.58'
L60	N 89°26'55" E	62.50'

LINE	BEARING	DISTANCE
L1	S 00°33'05" E	134.99'
L2	S 89°26'55" W	19.74'
L3	S 00°28'57" E	48.75'
L4	N 89°52'46" E	215.78'
L5	S 03°16'53" W	20.04'
L6	S 89°52'46" W	293.64'
L7	N 00°33'05" W	20.00'
L8	N 89°52'46" E	59.20'
L9	N 00°28'57" W	48.59'
L10	N 89°26'55" E	20.00'
L11	S 86°43'07" E	20.00'
L12	S 03°16'53" W	4.60'
L13	S 00°00'00" W	243.55'
L14	S 01°43'57" E	64.92'
L15	N 89°26'55" E	125.56'
L16	N 00°33'05" W	12.00'
L17	N 89°26'55" E	20.00'
L18	S 00°33'05" E	32.00'
L19	S 89°26'55" W	165.16'
L20	N 01°43'57" W	8.64'
L21	S 89°26'55" W	292.51'
L22	N 00°33'05" W	20.00'
L23	N 89°26'55" E	74.51'
L24	N 00°33'05" W	8.00'
L25	N 89°26'55" E	20.00'
L26	S 00°33'05" E	8.00'
L27	N 89°26'55" E	197.58'
L28	N 01°43'57" W	56.18'
L29	N 00°00'00" W	244.43'
L30	N 03°16'53" E	5.17'

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	945.00'	20.08'	1°13'03"	S 88°29'10" E	20.08'

AW LAND SURVEYING, LLC

P.O. BOX 2170, CHANDLER, AZ 85244
 (480) 244-7630 (480) 243-4287

DRAWN BY: DDA
 CHECKED BY: DDA
 DATE: 04/07/22
 JOB NO.: 20-093

EXHIBIT A

**Retention Easement
Abandonment**

That certain Retention Easement lying within Lot 4 as shown on the replat of Lots 4, 5 & 6 of Superstition Springs Parcel G, recorded in Book 364, Page 19, Maricopa County Records (MCR), lying within the north half of Section 31, Township 1 North, Range 7 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the northeast corner of said Lot 4;

Thence along the southerly right-of-way line of Hampton Avenue, North 67°54'36" West, a distance of 80.62 feet, to the **Point of Beginning**;

Thence along the easterly line of said Retention Easement, South 22°05'24" West, a distance of 23.95 feet;

Thence along the southerly line of said Retention Easement, North 79°32'18" West, a distance of 52.36 feet;

Thence North 10°27'42" East, a distance of 17.95 feet;

Thence North 79°32'18" West, a distance of 207.15 feet;

Thence North 05°52'20" East, a distance of 21.94 feet, to the southerly right-of-way line of Hampton Avenue and a point of a non-tangent curve, concave southwesterly, having a radius of 945.00, whose radius bears South 05°52'20" West;

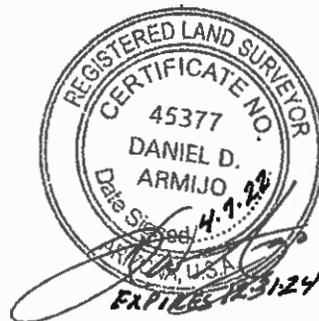
Thence along said southerly right-of-way line, an arc length of 267.49 feet, through a central angle of 16°13'05", to the **Point of Beginning**.

Containing 6,275 Square Feet or 0.14 Acres more or less.

Subject to easements, restrictions and rights of way of record.



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Brian D. Warren, LSIT (480) 243-4287



April 7, 2022
AWLS #20-093

HAMPTON AVENUE

CLEARVIEW AVENUE

POINT OF BEGINNING

RETENTION EASEMENT ABANDONMENT

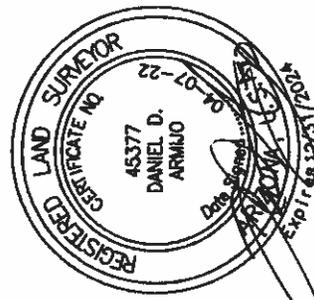
POINT OF COMMENCEMENT

LOT 4
BK 364, PG 19, MCR

LOT 6
BK 364, PG 19, MCR

US 60
SUPERSTITION FREEWAY

LINE	BEARING	DISTANCE
L1	N 67°54'36" W	80.62'
L2	S 22°05'24" W	23.95'
L3	N 79°32'18" W	52.36'
L4	N 10°27'42" E	17.95'
L5	N 79°32'18" W	207.15'
L6	N 05°52'20" E	21.94'



P.O. BOX 2170, CHANDLER, AZ 85244
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CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	945.00'	267.49'	16°13'05"	S 76°01'08" E	266.60'

DRAWN BY: DDA
CHECKED BY: DDA

DATE: 04/07/22
JOB NO.: 20-093

SHEET NO. 2 OF 2