

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MESA, MARICOPA COUNTY, ARIZONA, ABANDONING
THROUGH EXTINGUISHMENT A 50-FOOT DRAINAGE
EASEMENT AND A 45-FOOT DRAINAGE EASEMENT
GENERALLY LOCATED NEAR THE SOUTHWEST
CORNER OF EAST PETERSON AVENUE AND SOUTH 94TH
PLACE**

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 a 50-foot Drainage Easement and a 45-foot Drainage Easement, recorded on Lot 2 of the Final Plat for First Mesa Commerce Park, Phase 1 Amended, recorded in Book 1167 of Maps, Page 45, records of Maricopa County, Arizona, generally located near the southwest corner of East Peterson Avenue and South 94th Place in Mesa, Arizona, as hereafter described and depicted in **Exhibit A**, 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 described 50-foot Drainage Easement and 45-foot Drainage 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
AREAS.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County,
Arizona, this 9th day of January, 2023.

APPROVED:

Mayor

ATTEST:

City Clerk

October 19, 2022
Project # 051114-01-001

EXHIBIT A
LEGAL DESCRIPTION
DRAINAGE EASEMENT ABANDONMENT

PARCEL NO. 1

THAT PORTION OF AN EXISTING DRAINAGE EASEMENT WITHIN LOT 2, OF THE FINAL PLAT FOR FIRST MESA COMMERCE PARK, PHASE 1 AMENDED, ACCORDING TO BOOK 1167 OF MAPS, PAGE 45, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2;

THENCE SOUTH 89°29'08" EAST, ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING;

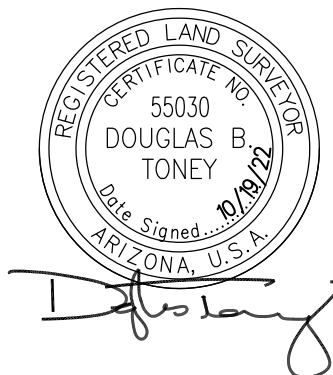
THENCE CONTINUING SOUTH 89°29'08" EAST, ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 340.20 FEET;

THENCE SOUTH 00°30'52" WEST, A DISTANCE OF 50.00 FEET;

THENCE NORTH 89°29'08" WEST, A DISTANCE OF 340.20 FEET;

THENCE NORTH 00°30'52" EAST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 17,010 SQ.FT. OR 0.3905 ACRES, MORE OR LESS.



**LEGAL DESCRIPTION
DRAINAGE EASEMENT ABANDONMENT**

PARCEL NO. 2

THAT PORTION OF AN EXISTING DRAINAGE EASEMENT WITHIN LOT 2, OF THE FINAL PLAT FOR FIRST MESA COMMERCE PARK, PHASE 1 AMENDED, ACCORDING TO BOOK 1167 OF MAPS, PAGE 45, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2;

THENCE NORTH 00°30'52" EAST, ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING;

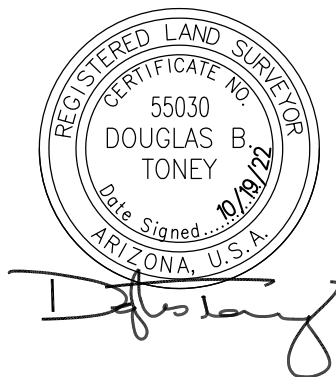
THENCE NORTH 89°29'08" WEST, A DISTANCE OF 45.00 FEET;

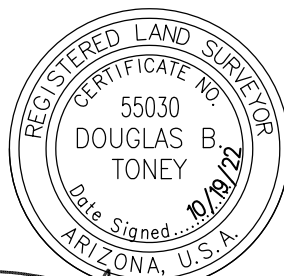
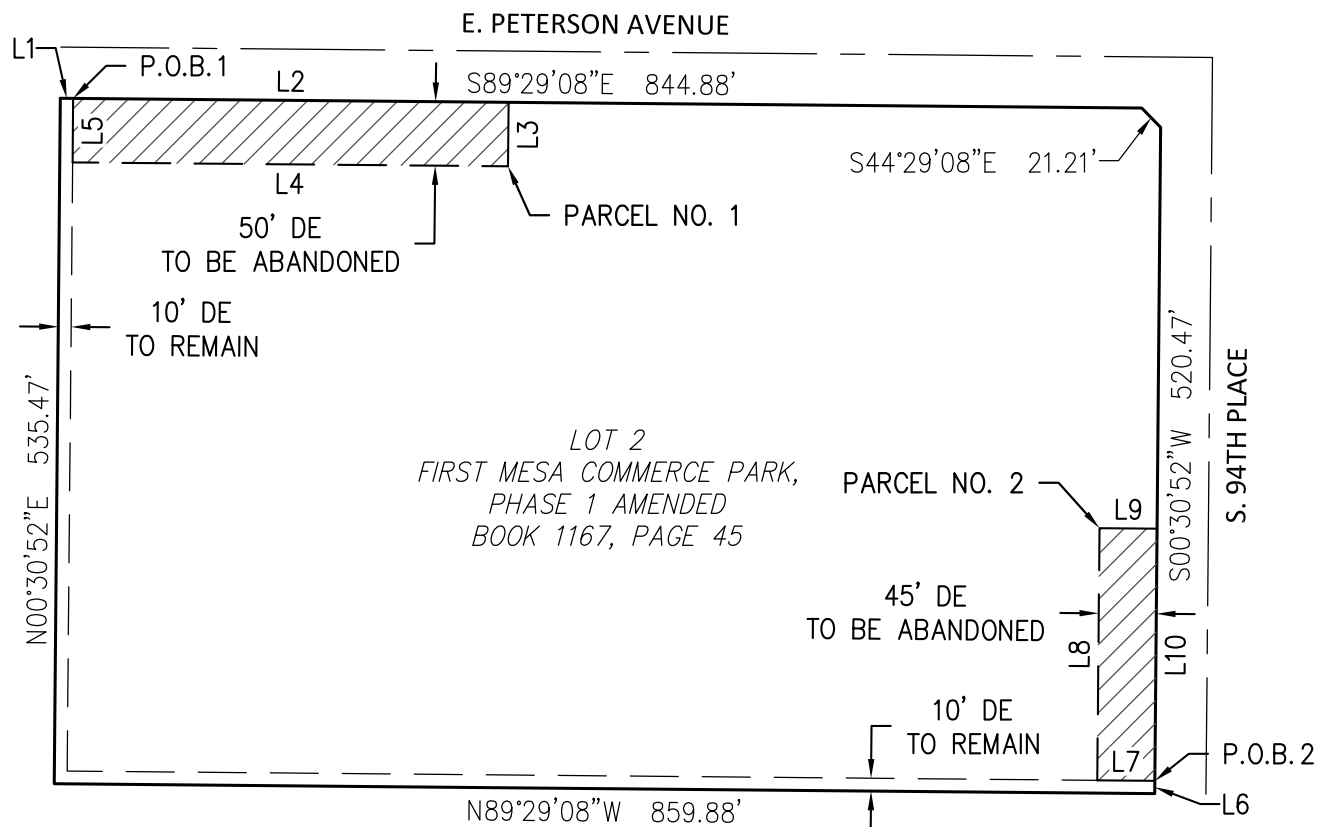
THENCE NORTH 00°30'52" EAST, A DISTANCE OF 196.96 FEET;

THENCE SOUTH 89°29'08" EAST, A DISTANCE OF 45.00 FEET TO THE EAST LINE OF SAID LOT 2;

THENCE SOUTH 00°30'52" WEST, ALONG SAID EAST LINE, A DISTANCE OF 196.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 8,863 SQ.FT. OR 0.2035 ACRES, MORE OR LESS.





Douglas B. Toney



N.T.S.

SHEET 1 OF 2	EXHIBIT A			
	DRAINAGE EASEMENT ABANDONMENT			
	DATE: 10/19/22	BY: DT	CHK:	QC:
	BCG PROJECT NO: 051114-01 TASK: 001			
	CLIENT REF NO:			

Bowman
CONSULTING

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LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	10.00'	S89°29'08"E
L2	340.20'	S89°29'08"E
L3	50.00'	S00°30'52"W
L4	340.20'	N89°29'08"W
L5	50.00'	N00°30'52"E
L6	10.00'	N00°30'52"E
L7	45.00'	N89°29'08"W
L8	196.96'	N00°30'52"E
L9	45.00'	S89°29'08"E
L10	196.96'	S00°30'52"W

