

## RESOLUTION NO. 12029

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, ABANDONING THROUGH EXTINGUISHMENT A PORTION OF A 20-FOOT WATER LINE EASEMENT LOCATED AT 3960 EAST EVERTON TERRACE**

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 20-foot Water Line Easement, recorded in Document Number 2019-0268031, records of Maricopa County, Arizona, as hereafter described in **Exhibit A**, 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 following described 20-foot Water Line Easement is abandoned and deemed extinguished:

PLEASE REFER TO THE LEGAL DESCRIPTION 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 15<sup>th</sup> day of May, 2023.

APPROVED:

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Mayor

ATTEST:

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City Clerk

# EXHIBIT A

## LEGAL DESCRIPTION WATER EASEMENT

A STRIP OF LAND BEING 20 FOOT WIDE LOCATED IN A PORTION OF TRACT A AS SHOWN ON THE FINAL PLAT OF EASTMARK DISC GOLF COURSE RECORDED IN BOOK 1441, PAGE 35 OF THE MARICOPA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 15, TOWNSHIP 1 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER MERIDIAN BEING A FOUND GENERAL LAND OFFICE (GLO) BRASS CAP FLUSH FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 15, BEING A FOUND MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) BRASS CAP FLUSH BEARING NORTH 0°43'30" WEST A DISTANCE OF 2,628.12 FEET;

THENCE NORTH 0°43'30" WEST ALONG THE EASTERLY SECTION LINE OF SAID SECTION 15 A DISTANCE OF 94.29 FEET;

THENCE SOUTH 89°16'30" WEST DEPARTING SAID SECTION LINE A DISTANCE OF 16.37 FEET TO THE WESTERLY RIGHT-OF-WAY OF SOUTH EVERTON TERRACE AS SHOWN ON SAID FINAL PLAT, SAID POINT BEING THE POINT OF BEGINNING;

THENCE DEPARTING SAID RIGHT-OF-WAY NORTH 89°45'48" WEST, 1051.83 FEET;

THENCE NORTH 67°15'48" WEST, 52.26 FEET;

THENCE NORTH 89°45'48" WEST, 1,395.87 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF SAID TRACT A;

THENCE NORTH 14°05'44" WEST ALONG SAID WESTERLY BOUNDARY LINE, 20.64 FEET TO THE NORTHERLY LINE OF SAID TRACT;

THENCE SOUTH 89°45'48" EAST ALONG SAID NORTHERLY BOUNDARY LINE, 1,404.97 FEET;

THENCE SOUTH 67°15'48" EAST DEPARTING SAID NORTHERLY BOUNDARY LINE, 52.27 FEET;

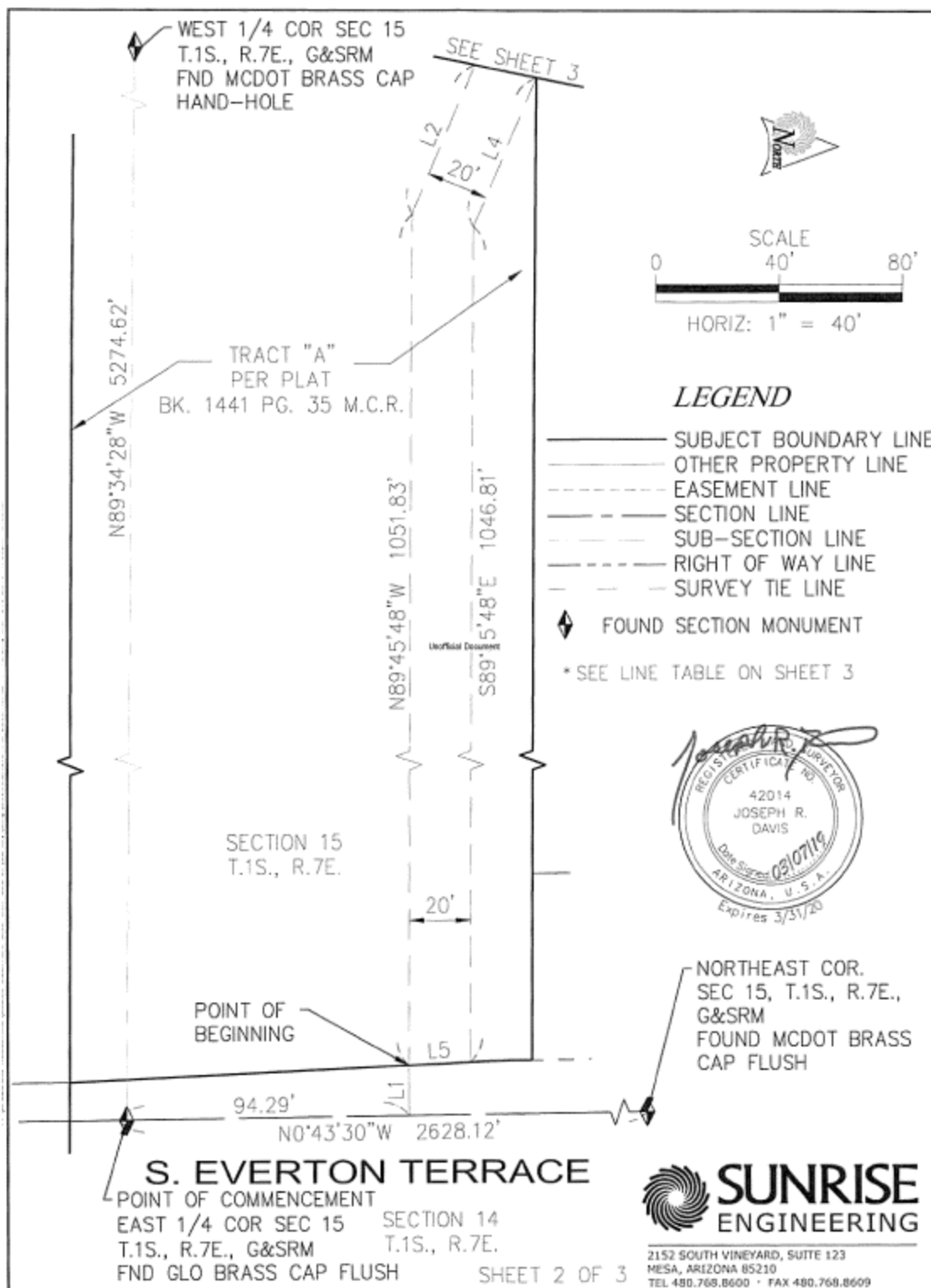
THENCE SOUTH 89°45'48" EAST, 1046.81 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF SAID SOUTH EVERTON TERRACE;

THENCE SOUTH 2°44'26" EAST ALONG SAID RIGHT-OF-WAY, 20.03 FEET TO THE POINT OF BEGINNING.

SAID STRIP OF LAND CONTAINING 50,041 SQUARE FEET OR 1.15 ACRES MORE OR LESS.



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WEST 1/4 COR SEC 15  
T.1S., R.7E., G&SRM  
FND MCDOT BRASS CAP  
HAND-HOLE



### LEGEND

- SUBJECT BOUNDARY LINE
- OTHER PROPERTY LINE
- EASEMENT LINE
- SECTION LINE
- SUB-SECTION LINE
- RIGHT OF WAY LINE
- SURVEY TIE LINE
- FOUND SECTION MONUMENT

TRACT "A"  
PER PLAT  
BK. 1441 PG. 35 M.C.R.

SECTION 15  
T.1S., R.7E.

Line Table

Line #	Direction	Length
L1	N89° 16' 30"E	16.37'
L2	N67° 15' 48"W	52.26'
L3	N14° 05' 44"W	20.64'
L4	S67° 15' 48"E	52.27'
L5	S2° 44' 26"E	20.03'

SEE SHEET 2



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