

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF MESA, MARICOPA COUNTY, ARIZONA,
ABANDONING THROUGH EXTINGUISHMENT A
DRAINAGE EASEMENT AND RELEASING A
RESTRICTIVE DRAINAGE COVENANT LOCATED
AT 5129 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 a drainage easement recorded in Document No. 2019-0748181 and dedicated on the Final Plat of Gallery Park Phase 1A, recorded in Book 1491 of Maps, Page 33, records of Maricopa County, Arizona, located at 5129 South Power Road, as hereafter described in Exhibit A (“Drainage Easement”), is no longer needed.

WHEREAS, the City Council has determined that a restrictive drainage covenant recorded in Document No. 2019-0748978 records of Maricopa County, Arizona, located at 5129 South Power Road, as hereafter described (“Restrictive Drainage Covenant”), 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 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 ABANDONED AREA

Section 2: All rights of the City of Mesa in and to the restrictive drainage covenant recorded in document no. 2019-0748978, recorded in Maricopa County, Arizona, are released and deemed of no further force or effect.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 17th day of May, 2021.

APPROVED:

Mayor

ATTEST:

City Clerk

EXHIBIT A

**LEGAL DESCRIPTION DRAINAGE EASEMENT
SEC LOOP 202 AND POWER ROAD
MESA, ARIZONA**



May 6, 2019
Job No. 2017-080
Page 1 of 1

A PARCEL OF LAND LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 19, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 19 BEARS NORTH 00 DEGREES 55 MINUTES 11 SECONDS WEST, A DISTANCE OF 2628.21 FEET;

THENCE NORTH 00 DEGREES 55 MINUTES 11 SECONDS WEST, ON THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 323.99 FEET;

THENCE NORTH 89 DEGREES 04 MINUTES 49 SECONDS EAST, A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING OF THE EASEMENT HEREIN DESCRIBED;

THENCE NORTH 00 DEGREES 55 MINUTES 11 SECONDS WEST, A DISTANCE OF 11.26 FEET;

THENCE NORTH 61 DEGREES 43 MINUTES 00 SECONDS EAST, A DISTANCE OF 25.51 FEET;

THENCE NORTH 54 DEGREES 00 MINUTES 40 SECONDS EAST, A DISTANCE OF 18.00 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 98.58 FEET;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 33.74 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 10.00 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 33.74 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 45.83 FEET;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 33.74 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 10.00 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 45.74 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 18.86 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 57 SECONDS WEST, A DISTANCE OF 37.05 FEET;

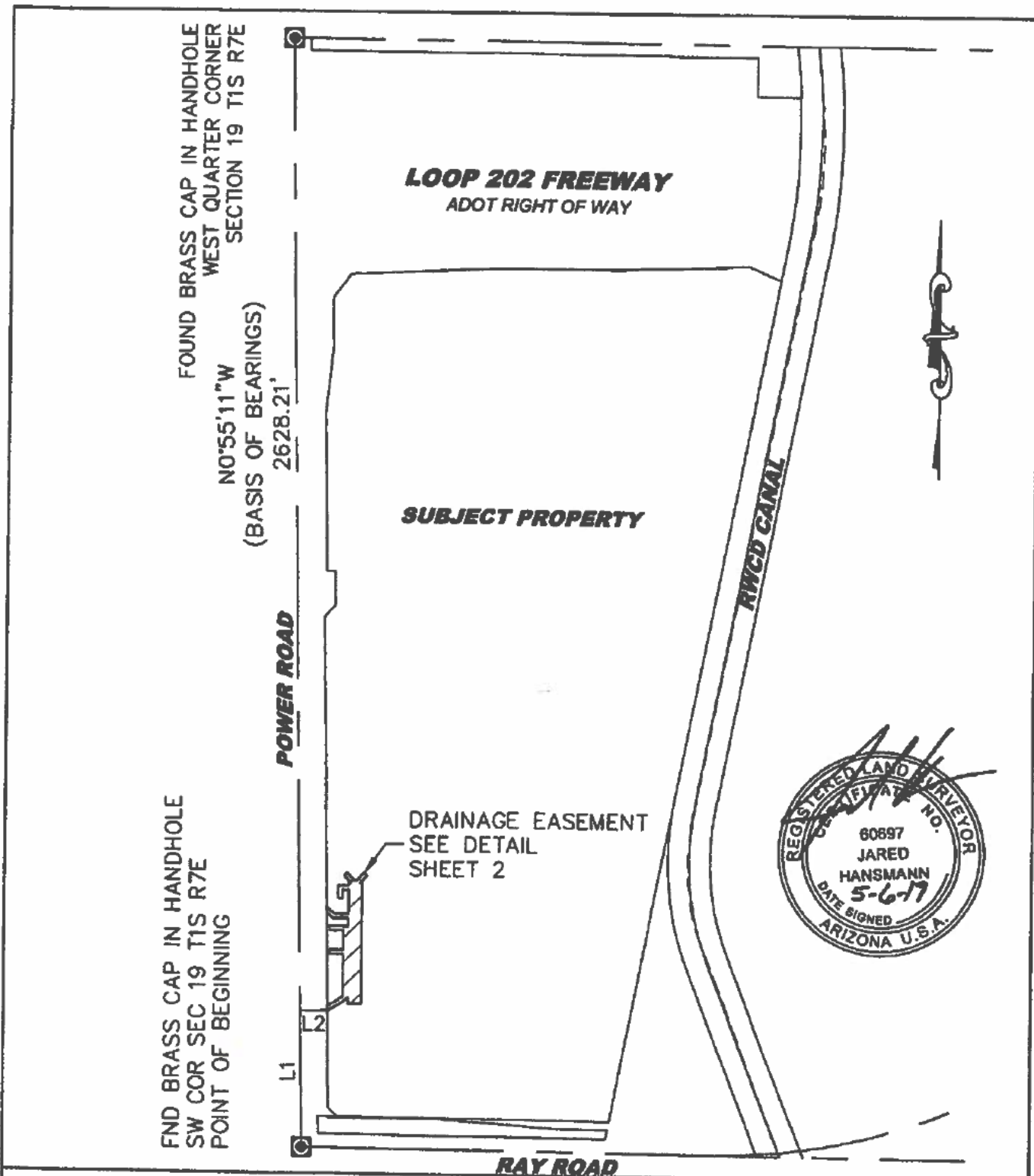


THENCE NORTH 49 DEGREES 29 MINUTES 42 SECONDS WEST, A DISTANCE OF 20.38 FEET;
THENCE NORTH 00 DEGREES 55 MINUTES 11 SECONDS WEST, A DISTANCE OF 13.34 FEET;
THENCE SOUTH 49 DEGREES 29 MINUTES 42 SECONDS EAST, A DISTANCE OF 25.52 FEET;
THENCE SOUTH 89 DEGREES 59 MINUTES 57 SECONDS EAST, A DISTANCE OF 33.36 FEET;
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 57.90 FEET;
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 15.74 FEET;
THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 20.00 FEET;
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 10.00 FEET;
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 30.00 FEET;
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 25.74 FEET;
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 5.50 FEET;
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 5.00 FEET;
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 0.93 FEET;
THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 22.93 FEET;
THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 10.00 FEET;
THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 27.07 FEET;
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 2.00 FEET;
THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 27.07 FEET;
THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 10.00 FEET;
THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 22.93 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 0.93 FEET;
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 5.00 FEET;
THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 285.00 FEET;
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 32.00 FEET;
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 14.68 FEET;
THENCE SOUTH 54 DEGREES 00 MINUTES 40 SECONDS WEST, A DISTANCE OF 26.24 FEET;
THENCE SOUTH 61 DEGREES 43 MINUTES 00 SECONDS WEST, A DISTANCE OF 31.36 FEET TO THE POINT OF
BEGINNING.

SAID PARCEL CONTAINS 13,904 SQUARE FEET OR 0.319 ACRES, MORE OR LESS.



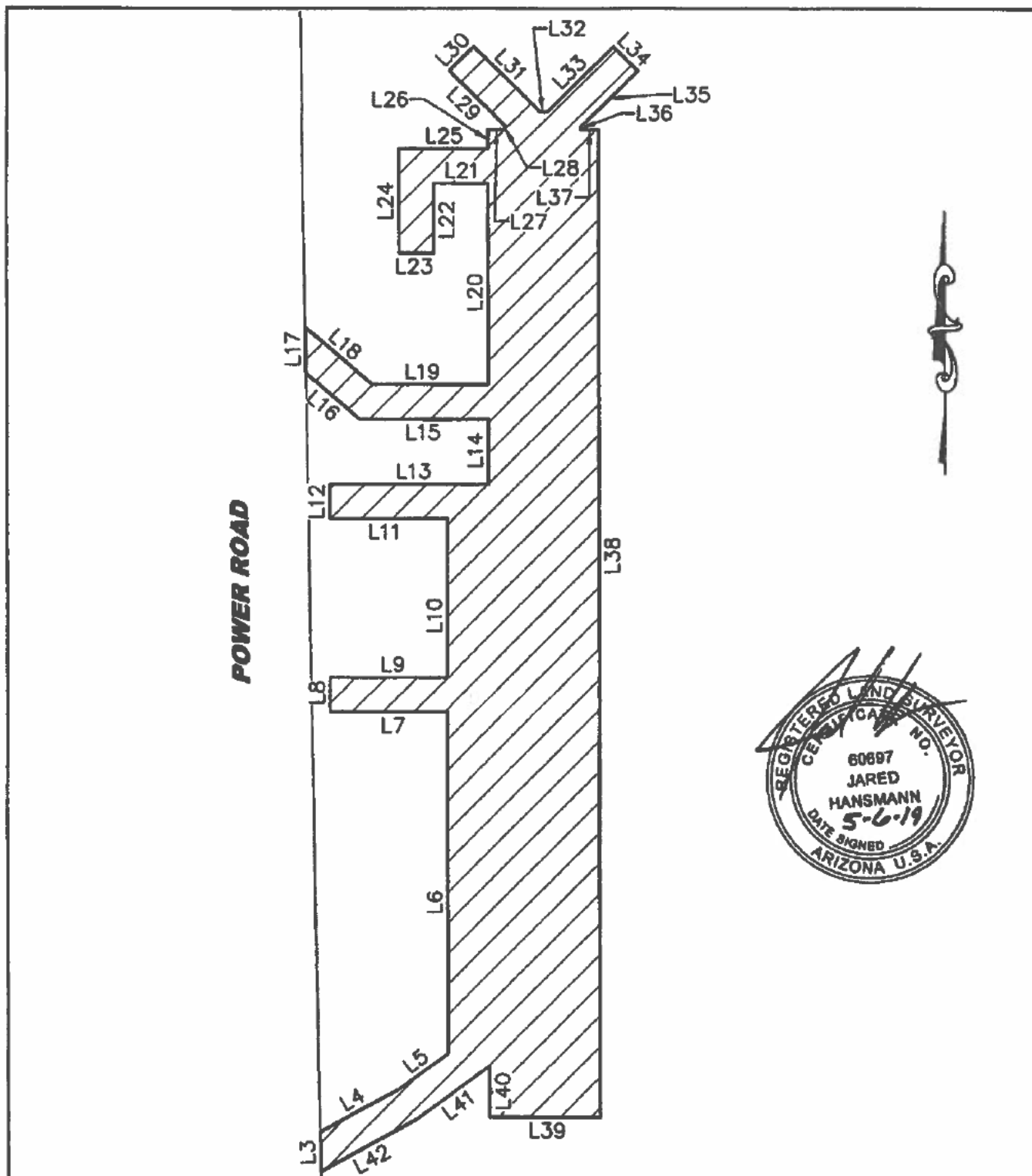


SIG
SURVEY INNOVATION
GROUP, INC

**EXHIBIT
DRAINAGE EASEMENT
MESA, AZ**

Ph (480) 922 0780 Land Surveying Services Fx (480) 922 0781
22425 N. 16TH STREET, SUITE 1, PHOENIX, ARIZONA 85024

JOB#2017-080	DWG: POWER RD AND RAY.	DATE 5-5-19
SCALE: 1"=325'	DRAWN: JPH	CHK: JAS
		SHEET 1 OF 3



SIG

**SURVEY INNOVATION
GROUP, INC**

**EXHIBIT
DRAINAGE EASEMENT
MESA, AZ**

Ph (480) 922 0780 *Land Surveying Services* Fx (480) 922 0781
22426 N. 16TH STREET, SUITE 1, PHOENIX, ARIZONA 85024

JOB#2017-080	DWG: POWER RD AND RAY.	DATE 5-5-19
SCALE: 1"=40'	DRAWN: JPH	CHK: JAS
		SHEET 2 OF 3

Line Table		
LINE	DIRECTION	LENGTH
L1	N0°55'11"W	323.99'
L2	S89°04'49"W	65.00'
L3	N0°55'11"W	11.26'
L4	N61°43'00"E	25.51'
L5	N54°00'40"E	18.00'
L6	N0°00'00"E	98.58'
L7	N90°00'00"W	33.74'
L8	N0°00'00"E	10.00'
L9	S90°00'00"E	33.74'
L10	N0°00'00"E	45.83'
L11	N90°00'00"W	33.74'
L12	N0°00'00"E	10.00'
L13	S90°00'00"E	45.74'
L14	N0°00'00"E	18.86'
L15	N89°59'57"W	37.05'
L16	N49°29'42"W	20.38'
L17	N0°55'11"W	13.34'
L18	S49°29'42"E	25.52'
L19	S89°59'57"E	33.36'
L20	N0°00'00"E	57.90'
L21	N90°00'00"W	15.74'

Line Table		
LINE	DIRECTION	LENGTH
L22	S0°00'00"E	20.00'
L23	N90°00'00"W	10.00'
L24	N0°00'00"E	30.00'
L25	N90°00'00"E	25.74'
L26	N0°00'00"E	5.50'
L27	N90°00'00"E	5.00'
L28	N0°00'00"E	0.93'
L29	N45°00'00"W	22.93'
L30	N45°00'00"E	10.00'
L31	S45°00'00"E	27.07'
L32	N90°00'00"E	2.00'
L33	N45°00'00"E	27.07'
L34	S45°00'00"E	10.00'
L35	S45°00'00"W	22.93'
L36	S0°00'00"E	0.93'
L37	N90°00'00"E	5.00'
L38	S0°00'00"E	285.00'
L39	N90°00'00"W	32.00'
L40	N0°00'00"E	14.68'
L41	S54°00'40"W	26.24'
L42	S61°43'00"W	31.36'



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JOB#2017-080	DWG: POWER RD AND RAY.	DATE 5-5-19
SCALE: NA	DRAWN: JPH	CHK: JAS
		SHEET 3 OF 3