

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF MESA, MARICOPA COUNTY, ARIZONA,
ABANDONING THROUGH EXTINGUISHMENT TWO
(2) DRAINAGE EASEMENTS LOCATED EAST OF
SOUTH ELLSWORTH ROAD AND SOUTH OF EAST
POINT TWENTY-TWO BOULEVARD.**

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.

WHEREAS, the City Council has determined that two (2) drainage easements dedicated on the Map of Dedication, Book 1376 of Maps, Page 8, records of Maricopa County, Arizona, and shown on the Final Plat of Eastmark Commercial Core, recorded in Book 1552 of Maps, Page 46, records of Maricopa County, Arizona, located east of South Ellsworth Road and south of East Point Twenty-Two Boulevard, as hereafter described as (collectively, the “Drainage Easements”), 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 Drainage Easements are abandoned and deemed extinguished:

**PLEASE REFER TO THE LEGAL DESCRIPTIONS ON
EXHIBIT A AND EXHIBIT B ATTACHED HERETO
AND MADE A PART HEREOF FOR THE LEGAL
DESCRIPTIONS OF THE EXTINGUISHED EASEMENTS**

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County,
Arizona, this 3rd day of May, 2021.

APPROVED:

Mayor

ATTEST:

City Clerk

Wood, Patel & Associates, Inc.
480.834.3300
www.woodpatel.com

April 2, 2021
WP# 195033
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EXHIBIT A
LEGAL DESCRIPTION
Eastmark Commercial Core
Drainage Easement Abandonment

That certain Drainage Easement shown on Map of Dedication for East Point Twenty-two Boulevard and South Ellsworth Road, recorded in Book 1376, page 8, Maricopa County Records (MCR) and being a part of Parcel A, Eastmark Commercial Core, recorded in Book 1552, page 46, MCR, lying within Section 22, Township 1 South, Range 7 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the southwest corner of said Section 22, a 3-inch Maricopa County Department of Transportation (MCDOT) brass cap in handhole, stamped T1S R7E S21 S22 S27 S28 RLS 36914, from which the west quarter corner of said section, a 3-inch brass cap in handhole, bears North 00°15'50" West (basis of bearing), a distance of 2635.72 feet;

THENCE along the west line of said section, North 00°15'50" West, a distance of 1839.90 feet;

THENCE leaving said west line, North 89°44'10" East, a distance of 75.00 feet, to the most westerly northwest corner of said certain Drainage Easement and the **POINT OF BEGINNING**;

THENCE along the northerly line of said certain Drainage Easement, North 44°44'10" East, a distance of 21.21 feet;

THENCE North 89°44'10" East, a distance of 130.00 feet, to the northeast corner of said certain Drainage Easement;

THENCE leaving said northerly line, along the east line of said certain Drainage Easement, South 00°15'50" East, a distance of 135.00 feet, to the southeast corner of said certain Drainage Easement;

THENCE leaving said east line, along the south line of said certain Drainage Easement, South 89°44'10" West, a distance of 145.00 feet, to the southwest corner of said certain Drainage Easement;

Exhibit A
Legal Description
Eastmark Commercial Core
Drainage Easement Abandonment

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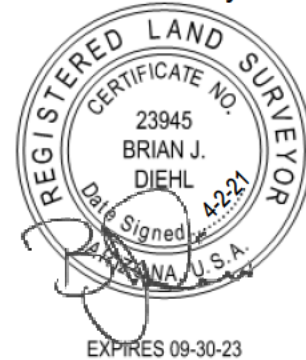
THENCE leaving said south line, along the west line of said certain Drainage Easement, North 00°15'50" West, a distance of 120.00 feet, to the **POINT OF BEGINNING**.

Containing 19,463 square feet or 0.4468 acres, more or less.

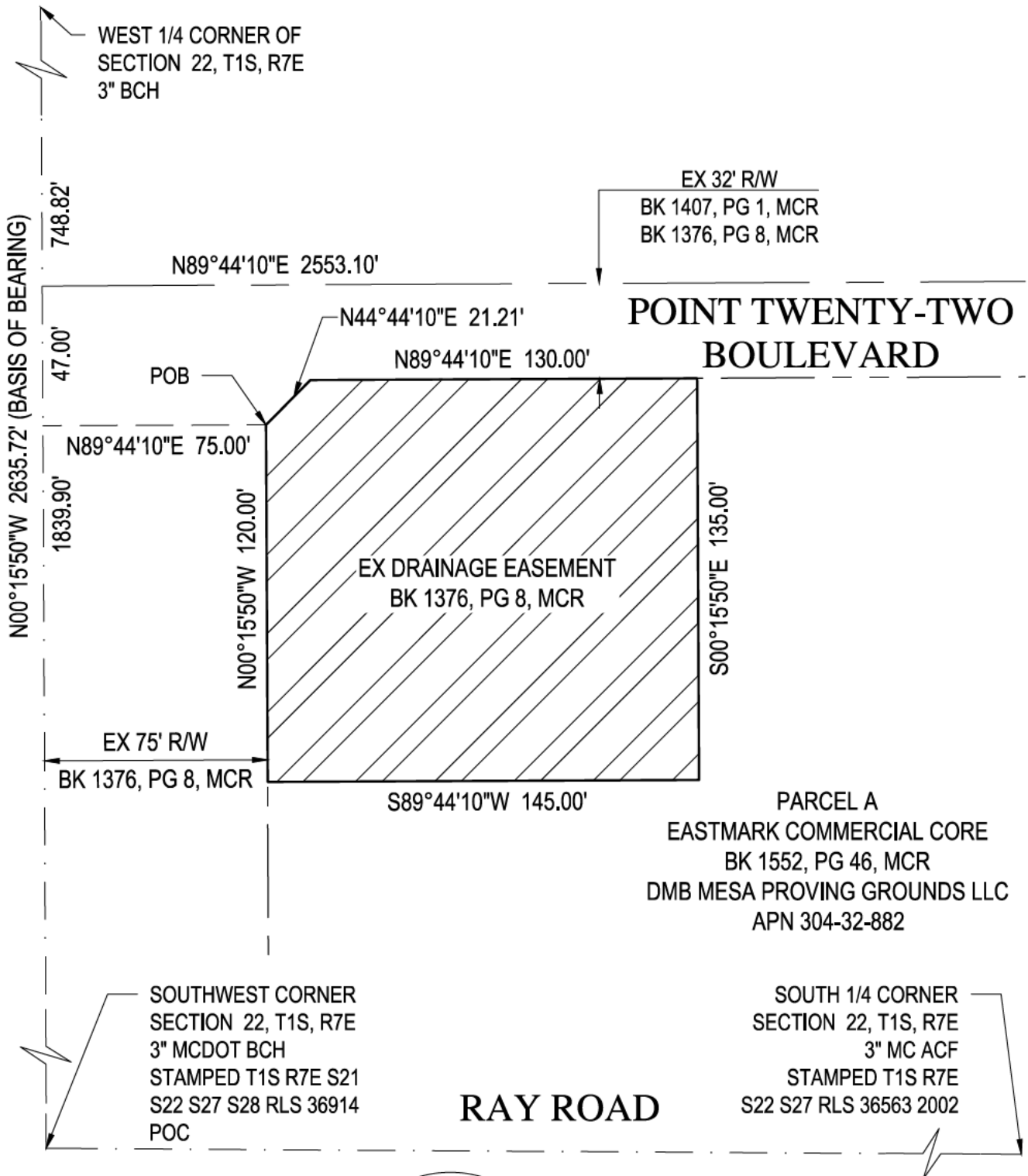
Subject to existing right-of-ways and easements.

This parcel description is based on client provided information and is located within an area surveyed by Wood, Patel & Associates, Inc. during the month of June, 2018. Any monumentation noted in this parcel description is within acceptable tolerance (as defined in Arizona Boundary Survey Minimum Standards dated 02/14/2002) of said positions based on said survey.

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ELLSWORTH ROAD



EXPIRES 09-30-23

EXHIBIT "A"
EASTMARK COMMERCIAL CORE
DRAINAGE EASEMENT ABANDONMENT
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NOT TO SCALE

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EXHIBIT B
LEGAL DESCRIPTION
Eastmark Commercial Core
Drainage Easement Abandonment

That certain Drainage Easement shown on Map of Dedication for East Point Twenty-two Boulevard and South Ellsworth Road, recorded in Book 1376, page 8, Maricopa County Records (MCR) and being a part of Parcel E, Parcel F and E. Serenity Avenue, Eastmark Commercial Core, recorded in Book 1552, page 46, MCR, lying within Section 22, Township 1 South, Range 7 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the southwest corner of said Section 22, a 3-inch Maricopa County Department of Transportation (MCDOT) brass cap in handhole, stamped T1S R7E S21 S22 S27 S28 RLS 36914, from which the west quarter corner of said section, a 3-inch brass cap in handhole, bears North 00°15'50" West (basis of bearing), a distance of 2635.72 feet;

THENCE along the west line of said section, North 00°15'50" West, a distance of 645.89 feet;

THENCE leaving said west line, North 89°44'10" East, a distance of 90.00 feet, to the southwest corner of said certain Drainage Easement and the **POINT OF BEGINNING**;

THENCE along the westerly line of said certain Drainage Easement, North 00°15'50" West, a distance of 66.17 feet;

THENCE South 89°44'10" West, a distance of 10.00 feet;

THENCE North 45°15'50" West, a distance of 12.49 feet, to the northwest corner of said certain Drainage Easement;

THENCE leaving said westerly line, along the north line of said certain Drainage Easement, North 89°44'10" East, a distance of 58.83 feet, to the northeast corner of said certain Drainage Easement;

THENCE leaving said north line, along the east line of said certain Drainage Easement, South 00°15'50" East, a distance of 75.00 feet, to the southeast corner of said certain Drainage Easement;

Exhibit B
Legal Description
Eastmark Commercial Core
Drainage Easement Abandonment

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THENCE leaving said east line, along the south line of said certain Drainage Easement, South 89°44'10" West, a distance of 40.00 feet, to the **POINT OF BEGINNING**.

Containing 3,127 square feet or 0.0718 acres, more or less.

Subject to existing right-of-ways and easements.

This parcel description is based on client provided information and is located within an area surveyed by Wood, Patel & Associates, Inc. during the month of June, 2018. Any monumentation noted in this parcel description is within acceptable tolerance (as defined in Arizona Boundary Survey Minimum Standards dated 02/14/2002) of said positions based on said survey.

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ELLSWORTH ROAD

N00°15'50"W 2635.72' (BASIS OF BEARING)

1989.83'

645.89'

WEST 1/4 CORNER OF
SECTION 22, T1S, R7E
3" BCH

PARCEL E
EASTMARK COMMERCIAL CORE
BK 1552, PG 46, MCR
DMB MESA PROVING GROUNDS LLC
APN 304-32-886

EX 65' R/W

BK 1407, PG 1, MCR

EX 69' R/W

BK 1552, PG 46, MCR

POB

N89°44'10"E 90.00'

EX 75' R/W

BK 1407, PG 1, MCR

EX DRAINAGE EASEMENT
BK 1376, PG 8, MCR

SERENITY AVENUE

PARCEL F
EASTMARK COMMERCIAL CORE
BK 1552, PG 46, MCR
DMB MESA PROVING GROUNDS LLC
APN 304-32-887

SOUTHWEST CORNER
SECTION 22, T1S, R7E
3" MCDOT BCH
STAMPED T1S R7E S21
S22 S27 S28 RLS 36914
POC

SOUTH 1/4 CORNER
SECTION 22, T1S, R7E
3" MC ACF
STAMPED T1S R7E
S22 S27 RLS 36563 2002

RAY ROAD

WOOD
PATEL



EXPIRES 09-30-23

EXHIBIT "B"

EASTMARK COMMERCIAL CORE
DRAINAGE EASEMENT ABANDONMENT

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NOT TO SCALE

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LINE TABLE		
LINE	BEARING	DISTANCE
L1	N00°15'50"W	66.17'
L2	S89°44'10"W	10.00'
L3	N45°15'50"W	12.49'
L4	N89°44'10"E	58.83'
L5	S89°44'10"W	40.00'