

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, VACATING A PORTION OF RIGHT-OF-WAY IN THE 1000 BLOCK OF EAST UNIVERSITY DRIVE.

WHEREAS A.R.S. § 28-7201, *et seq.* provides that a city may dispose of a public roadway or a portion of the roadway that is no longer necessary for public use.

WHEREAS, the City Council has determined that a portion of the right-of-way dedicated in document numbers 1993-0446148 and 1993-0815892, records of Maricopa County, Arizona, as hereafter described and depicted in Exhibit A ("Exhibit A Right-of-Way"), is no longer needed.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1: Right-of-Way Vacated. Pursuant to the provisions of A.R.S. § 28-7205, and subject to the receipt of the consideration and reservations set forth in Section 2 and Section 3 below, the following portion of right of way, known herein as the "Exhibit A Right-of-Way" is no longer necessary and is vacated.

PLEASE REFER TO THE LEGAL DESCRIPTION AND DEPICTION ON **EXHIBIT A** ATTACHED HERETO AND MADE A PART HEREOF FOR THE VACATED RIGHT-OF-WAY

Section 2: Right-of Way Consideration. Pursuant to A.R.S. § 28-7208, the City Council:

A. Directs that title to the above-described Exhibit A Right-of-Way is to go to the property owner of Maricopa County Parcel Number APN: 138-20-001 whose property abuts the Exhibit A Right-of-Way ("Abutting Owner"), but that the transfer of title is conditioned upon the Abutting Owner's payment to the City of Mesa of consideration for the vacated area.

B. After giving due consideration to the Exhibit A Right-of-Way's degree of fragmentation and marketability, and other public benefit received by the City of Mesa in return for the abandoned roadway, finds that the amount of \$13,350.00 for the Exhibit A Right-of-Way, as

determined by an independent appraisal, provides consideration commensurate with the value of the abandoned Exhibit A Right-of-Way.

Section 3: Rights-of Way Reservations. Pursuant to A.R.S. § 28-7205, upon payment of the consideration and recording of this Resolution in the Maricopa County Recorder's records, Title to the vacated Exhibit A Right-of-Way property shall vest in the Abutting Owner, subject to the same encumbrances, liens, limitations, restrictions, and estates as exist on the land to which it accrues.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 1st day of July, 2021.

APPROVED:

Mayor

ATTEST:

City Clerk

EXHIBIT A

LEGAL DESCRIPTION - ROW ABANDONMENT

A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVE BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 23 FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 23 BEARS SOUTH 89 DEGREES 43 MINUTES 42 SECONDS WEST, A DISTANCE OF 2,680.57 FEET;

THENCE ALONG THE NORTH LINE OF SAID SECTION 23, SOUTH 89 DEGREES 43 MINUTES 42 SECONDS WEST, A DISTANCE OF 1,002.25 FEET;

THENCE LEAVING SAID NORTH LINE, SOUTH 00 DEGREES 16 MINUTES 18 SECONDS EAST, A DISTANCE OF 45.00 FEET TO A POINT ON THE PROPOSED SOUTH RIGHT-OF-WAY LINE OF UNIVERSITY DRIVE, SAID POINT BEING THE TRUE POINT OF BEGINNING;

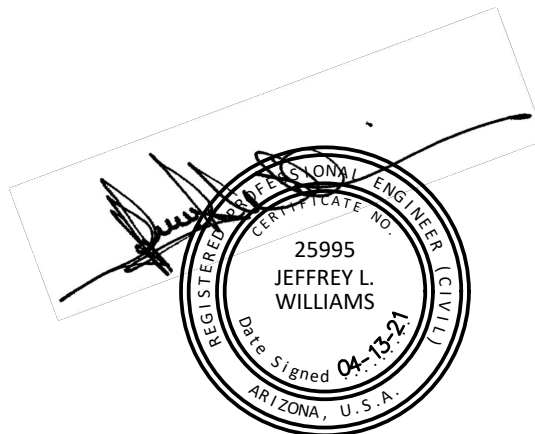
THENCE SOUTH 00 DEGREES 02 MINTUES 34 SECONDS WEST, A DISTANCE OF 20.00 FEET;

THENCE SOUTH 89 DEGREES 43 MINUTES 42 SECONDS WEST, A DISTANCE OF 66.71 FEET;

THENCE NORTH 00 DEGREES 16 MINUTES 18 SECONDS WEST, A DISTANCE OF 20.00 FEET TO A POINT ON SAID FUTURE SOUTH RIGHT-OF-WAY LINE OF UNIVERSITY DRIVE;

THENCE NORTH 89 DEGREES 43 MINUTES 42 SECONDS EAST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 66.82 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1,335.43 FEET, MORE OR LESS.



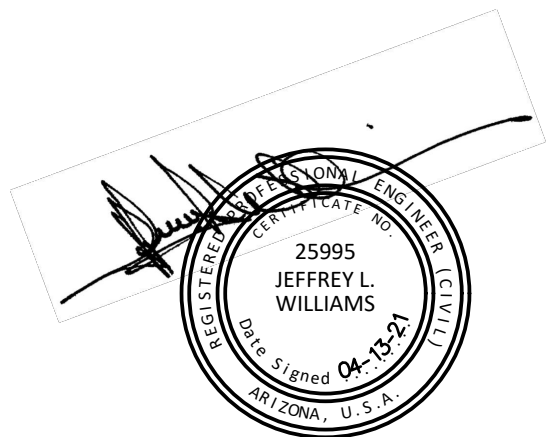
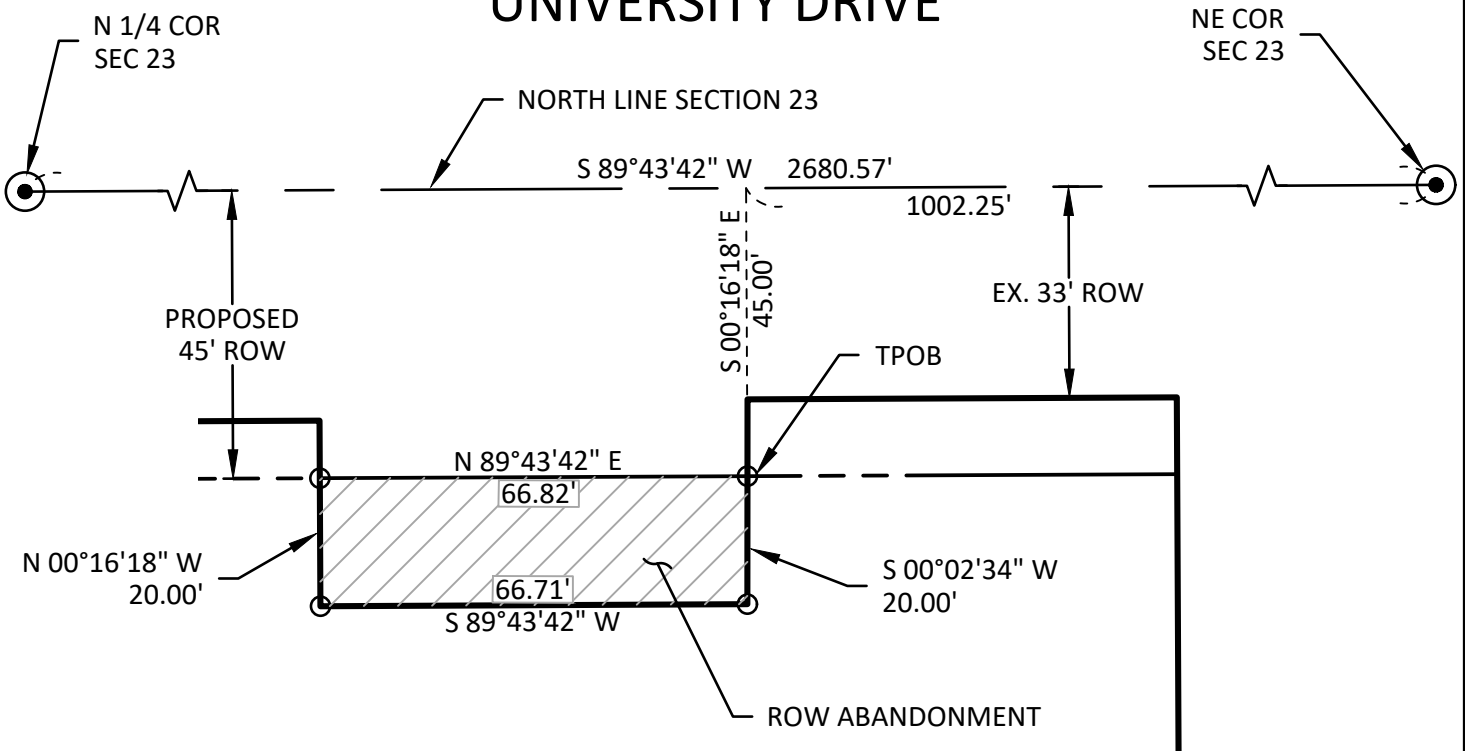
R.B. WILLIAMS & ASSOCIATES, INC.

CONSULTING ENGINEERS

1921 S. ALMA SCHOOL RD., STE 101 PHONE: (480) 424-2352
MESA, ARIZONA 85210 FAX: (480) 424-2353

**LEGAL
DESCRIPTION**

UNIVERSITY DRIVE



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NORTH
 SCALE=1"=30'

EXHIBIT A