

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF MESA, MARICOPA COUNTY, ARIZONA,  
ABANDONING THROUGH EXTINGUISHMENT A  
PORTION OF A DRAINAGE EASEMENT LOCATED  
AT 11444 EAST GERMANN 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 portion of a drainage easement recorded in Document No. 2008-0313670, records of Maricopa County, Arizona, located at 11444 East Germann Road, as hereafter described in Exhibit A (“Drainage Easement”), 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 that portion of 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

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

APPROVED:

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Mayor

ATTEST:

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City Clerk

**Exhibit A**  
**Legal Description of Abandonment Area**  
**Germann West CMC Retention Doc. 20080313670**

AN EASEMENT FOR THE PURPOSE OF THE PROVISION OF DRAINAGE FACILITIES SITUATE IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 1, SAID POINT BEING A BRASS CAP IN HAND HOLE STAMPED "MC SEC 1, 6, 7, 12", FROM WHICH THE SOUTH CORNER OF SAID SECTION 1 LIES N.89°38'27"W., A DISTANCE OF 2,632.43 FEET TO A BRASS CAP IN HAND HOLE STAMPED "MC ¼ SEC 1 & 12";

THENCE N.89°38'27"W., ALONG THE SOUTH LINE OF SECTION 1, A DISTANCE OF 1,996.46 FEET; THENCE N.00°21'33"E., A DISTANCE OF 65.02 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF GERMANN ROAD AND THE TRUE POINT OF BEGINNING;

THENCE N.31°02'41"E., A DISTANCE OF 45.97 FEET;

THENCE N.00°00'57"W., A DISTANCE OF 134.19 FEET;

THENCE N.89°55'35"E., A DISTANCE OF 238.18 FEET;

THENCE S.00°00'57"E., A DISTANCE OF 134.43 FEET;

THENCE S.89°59'03"W., A DISTANCE OF 210.84 FEET;

THENCE S.31°02'41"W., A DISTANCE OF 46.18 FEET;

THENCE N.89°38'25"W., A DISTANCE OF 27.24 FEET TO THE TRUE POINT OF BEGINNING.

# GERMANN WEST CMC RETENTION

