

ORDINANCE NO. 5015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING THE ABANDONMENT OF A TEMPORARY ACCESS EASEMENT ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF CHANDLER BOULEVARD AND PLEASANT DRIVE.

WHEREAS, Chandler Sunset LH, LLC (“Owner”) is in the process of subdividing property located at the northeast corner of Chandler Boulevard and Pleasant Drive (the “Property”) under the name of St. Moritz Townhomes, a replat of Tract D of Tyson Manor Unit Four recorded in Book 223, Page 48 in the Maricopa County Recorder’s Office (the “Plat”); and

WHEREAS, the Property is encumbered by a temporary access easement that was granted to the City of Chandler in 1992 and recorded as Maricopa County Recorder’s Document No. 1992-0685428 (the “Easement”); and

WHEREAS, Owner will dedicate to the City of Chandler a new emergency ingress and egress easement as required by the Plat (the “Dedication”); and

WHEREAS, Owner requests that the City abandon the Easement after recording the Dedication as it will no longer be needed for public use.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona, as follows:

- Section 1. That the City of Chandler is authorized to abandon the Easement after recording the Dedication.
- Section 2. That the document used to abandon the Easement shall be in substantially the form approved by the City Attorney attached as Exhibit “A” and made a part of this Ordinance.
- Section 3. That the Mayor of the City of Chandler is hereby authorized to execute and deliver all documents necessary to abandon the Easement.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2022.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day
of _____, 2022.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 5015 was duly passed and
adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the
____ day of _____, 2022, and that a quorum was present thereat.

MAYOR

APPROVED AS TO FORM:

CITY ATTORNEY



Published:

EXHIBIT "A"
(ABANDONMENT OF EASEMENT M.C.R DOC NO. 1992-0685428)

When recorded, mail to
City Clerk's Office
City of Chandler
Mail Stop 606
P.O. Box 4008
Chandler, AZ. 85244-4008

ABANDONMENT OF EASEMENT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, CITY OF CHANDLER, an Arizona municipal corporation ("City"), does hereby abandon any and all interest that it may have in that certain temporary access easement legally described in Exhibit "A" and recorded with the Maricopa County Recorder on December 2, 1992 as Document No. 1992-0685428. This abandonment is not intended to abandon any interest that City may have in any portion of the subject real property arising by virtue of any other instrument recorded with the Maricopa County Recorder, including without limitation, any deed, easement other than the aforementioned easement, or final order of condemnation.

Dated this _____ day of _____, 2022.

CITY OF CHANDLER, an Arizona municipal
corporation

By: _____
Mayor Kevin Hartke

STATE OF ARIZONA)
) ss.
County of Maricopa)

Acknowledged before me this ____ day of _____, 2022, by Kevin Hartke,
Mayor of the City of Chandler.

Notary Public

APPROVED AS TO FORM:

City Attorney



A.R.S. § 41-313(C) DISCLOSURES

Description of document this notarial certificate is being attached to:	
Type/Title	Abandonment of Easement
Date of Document	
Number of Pages	3 (which includes Exhibit A)
Add'l Signers (other than those named in the notarial certificate.)	None

EXHIBIT "A"

That portion of the Southwest quarter of Section 28, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Commencing at the Southwest corner of said Section 28;
Thence North $89^{\circ} 58' 50''$ East along the South line of said Section 28, a distance of 1145.30 feet;

Thence North $00^{\circ} 04' 00''$ East, a distance of 68.00 feet to the North Right of Way of Chandler Blvd;

Thence North $00^{\circ} 04' 00''$ East, a distance of 42.00 feet to the Point of Beginning;

Thence North $89^{\circ} 56' 00''$ West, a distance of 50.00 feet;

Thence along a curve to the left through a central angle of $32^{\circ} 00' 00''$, with a radius of 45.00 feet, and a arc length of 25.13 feet to a point of reverse curve;

Thence along a curve to the right through a central angle of $277^{\circ} 30' 22''$ with a radius of 45.00 feet, and a arc length of 217.95 feet to a point of reverse curve;

Thence along a curve to the left through a central angle of $86^{\circ} 03' 03''$, with a radius of 45.00 feet and a arc length of 67.58 feet;

Thence South $00^{\circ} 04' 00''$ West, 26.50 feet to the Point of Beginning.

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