

RESOLUTION NO. 5603

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, APPROVING THE ACQUISITION OF REAL PROPERTY LOCATED AT THE NORTHEAST CORNER OF ALMA SCHOOL ROAD AND KINGBIRD DRIVE REQUIRED FOR THE ALMA SCHOOL ROAD IMPROVEMENT PROJECT ST2004, FOR SIXTY-EIGHT THOUSAND FIVE HUNDRED (\$68,500.00) DOLLARS, PLUS CLOSING AND ESCROW FEES; AUTHORIZING THE CITY'S REAL ESTATE MANAGER TO SIGN, ON BEHALF OF THE CITY, THE PURCHASE AGREEMENT AND ANY OTHER DOCUMENTS NECESSARY TO FACILITATE THE ACQUISITION; AND APPROVING RELOCATION SERVICES AS MAY BE NEEDED AND REQUIRED BY LAW.

WHEREAS, at its December 9, 2019, meeting, the Chandler City Council approved Project ST2004 authorizing improvements to portions of Alma School Road south of the San Tan 202 Freeway to Queen Creek Road (the "Project"); and

WHEREAS, to allow the Project to proceed and be constructed in accordance with its schedule, the City needs to acquire real property in fee from private property owners that is within, adjacent to, or is related to the Project as depicted on the attached Exhibit "A"; and

WHEREAS, Staff has reached an agreement, subject to Council approving this Resolution, with the current owners of the property located at the northeast corner of Alma School Road and Kingbird Drive, RIVAF, LLC, an Arizona limited liability company, as to an undivided 65% interest, and SH & FH, LLC, an Arizona limited liability company, as to an undivided 35% interest, to purchase the property for Sixty-Eight Thousand Five Hundred (\$68,500.00) Dollars, plus closing costs and escrow fees; and

WHEREAS, relocation services and assistance may be necessary as required by law.

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

- Section 1. It is hereby determined that the acquisition of real property located at the northeast corner of Alma School Road and Kingbird Drive needed for the construction of Project ST2004 is in accordance with the previously approved alignment, is for a public and necessary purpose, and is in the best interests of the citizens of Chandler.
- Section 2. The City is authorized and directed to purchase said real property for Sixty-Eight Thousand Five Hundred (\$68,500.00) Dollars, plus closing costs and escrow fees.
- Section 3. The written offer and purchase agreement shall be in a form approved by the Chandler City Attorney prior to being deposited into escrow.

Section 4. Subject to Section 2 above, the City's Real Estate Manager, or any City real estate officer acting on the Manager's behalf, is authorized to make the written offer for said real property and, where accepted, to execute, deliver and deposit into escrow the approved purchase agreement, along with all other documents and instructions necessary to consummate the purchase of said real property.

Section 5. If the property owner, or their tenants, require relocation services or assistance as required by law, Staff is authorized to arrange for such assistance.

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

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5603 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.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY





EXHIBIT "A"
Legal Description
NEW RIGHT-OF-WAY
CITY OF CHANDLER

Job No. 20-1278

November 5, 2020

That part of the Northwest Quarter of Section 9, Township 2 South, Range 5 East, Maricopa County, Arizona as shown on that Record of Survey of "988 West Kingbird Drive Chandler AZ 85286", Book 1343, Page 24, Maricopa County Recorder, more particularly described as follows:

Commencing at the Northwest Corner of said Section 9 as shown on said aforementioned Record of Survey, from which the West Quarter Corner of said Section 9, bears South 0 degrees 12 minutes 10 seconds East, 2642.66 feet;

thence along the west line of said Section 9, South 0 degrees 12 minutes 10 seconds East, 795.52 feet;

thence North 89 degrees 09 minutes 36 seconds East, 11.00 feet the corner of Parcel 1 as described in said aforementioned Record of Survey and at a 11.00-foot east and parallel line with said west Section line and the **POINT OF BEGINNING 1**;

thence along the north line of said Parcel 1, North 89 degrees 09 minutes 36 seconds East, 54.00 feet to a 65.00-foot east and parallel line with said west Section line;

thence along said parallel line, South 0 degrees 12 minutes 10 seconds East, 325.79 feet to the south line of said Parcel 1;

thence along said south line, South 89 degrees 09 minutes 16 seconds West, 54.00 feet to said 11.00 feet parallel line;

thence along said parallel line, North 0 degrees 12 minutes 10 seconds West, 325.79 feet to the **POINT OF BEGINNING 1**.

Along with;

That part of the Northwest Quarter of Section 9, Township 2 South, Range 5 East, Maricopa County, Arizona as shown on that Record of Survey of "988 West Kingbird Drive Chandler AZ 85286", Book 1343, Page 24, Maricopa County Recorder, more particularly described as follows:



Commencing at the Northwest Corner of said Section 9 as shown on said aforementioned Record of Survey, from which the West Quarter Corner of said Section 9, bears South 0 degrees 12 minutes 10 seconds East, 2642.66 feet;

thence along the west line of said Section 9, South 0 degrees 12 minutes 10 seconds East, 1321.33 feet;

thence North 89 degrees 09 minutes 16 seconds East, 55.00 feet the corner of Parcel 1 as described in said aforementioned Record of Survey and at a 55.00-foot east and parallel line with said west Section line and the **POINT OF BEGINNING 2**;

thence along the north line of said Parcel, North 89 degrees 09 minutes 16 seconds East, 10.00 feet to a 65.00-foot east and parallel line with said west Section line;

thence along said parallel line, South 0 degrees 12 minutes 10 seconds East, 99.75 feet;

thence South 45 degrees 31 minutes 14 seconds East, 28.13 feet to the south line of said Parcel 1;

thence along said south line, South 89 degrees 09 minutes 42 seconds West, 30.00 feet to said 55.00-foot parallel line;

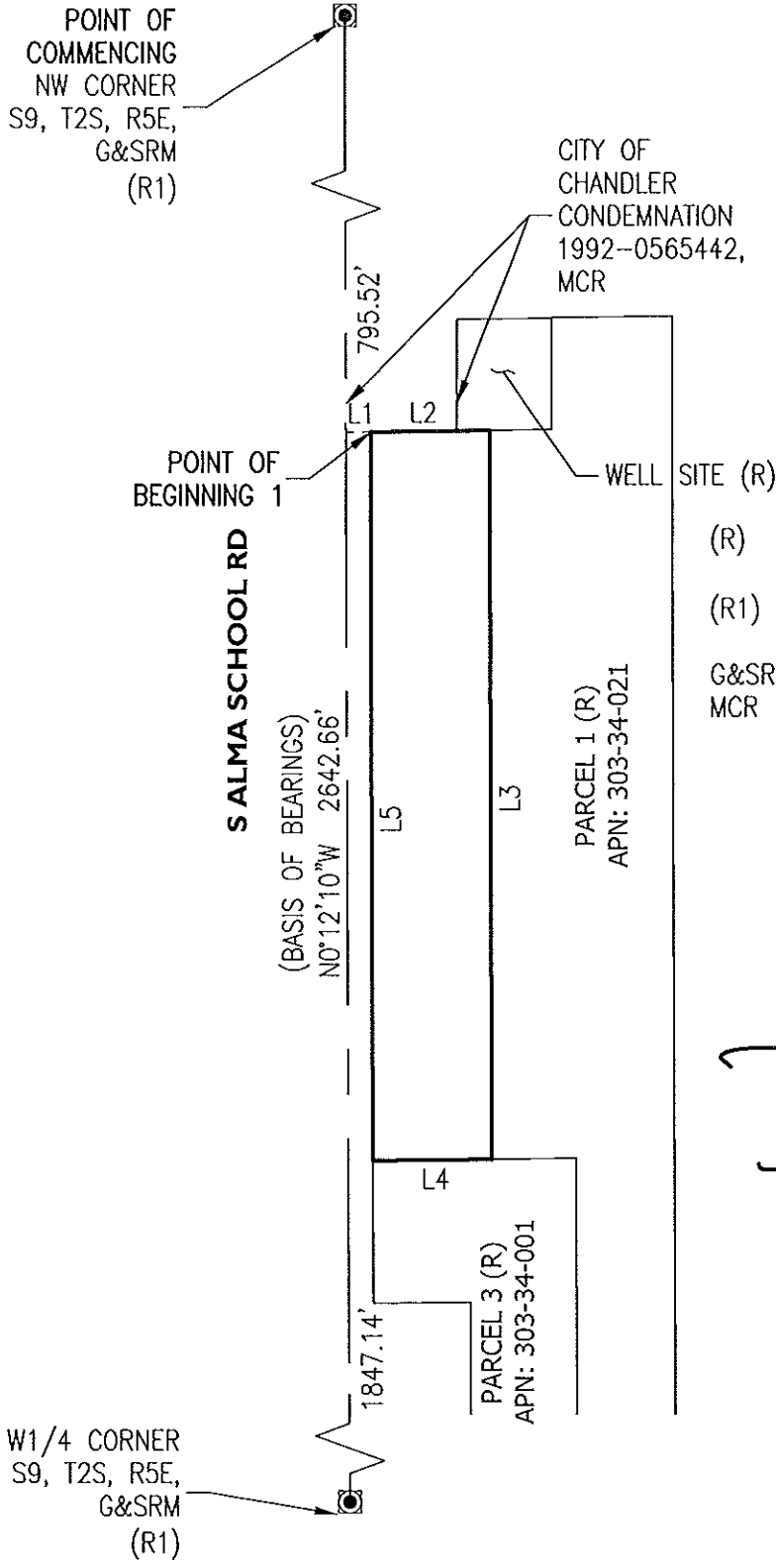
thence along said parallel line, North 0 degrees 12 minutes 10 seconds West, 119.75 feet to the **POINT OF BEGINNING 2**.

Said overall portion of land contains 18,991 square feet, or 0.4360 acre, more or less, and being subject to any easements, restrictions, and/or rights-of-ways of record or otherwise.

This description shown hereon is not to be used to violate subdivision regulations of the State, County and/or Municipality, or any other land division restrictions.



EXHIBIT "A"

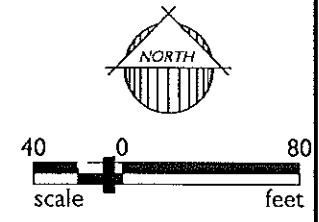
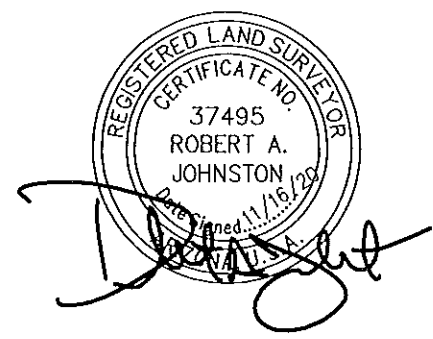


LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°09'36"E	11.00'
L2	N89°09'36"E	54.00'
L3	S00°12'10"E	325.79'
L4	S89°09'16"W	54.00'
L5	N00°12'10"W	325.79'

(R) SPECIAL WARRANTY DEED, 2016-0660445, MCR.

(R1) RECORD OF SURVEY, 2017-0698351, MCR

G&SRM GILA AND SALT RIVER MERIDIAN
MCR MARICOPA COUNTY RECORDER



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20-1278

NEW RIGHT-OF-WAY
CITY OF CHANDLER

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1130 N. Alma School Rd.
Ste. 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EXHIBIT "A"

POINT OF
COMMENCING
NW CORNER
S9, T2S, R5E,
G&SRM
(R1)

POINT OF
BEGINNING 2

10' NEW
R/W

S ALMA SCHOOL RD

(BASIS OF BEARINGS)
N0°12'10"W 2642.66'

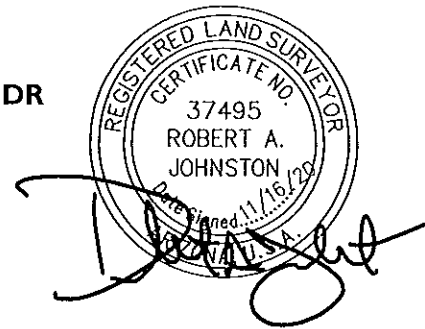
W1/4 CORNER
S9, T2S, R5E,
G&SRM
(R1)

PARCEL 3 (R)
APN: 303-34-001

PARCEL 1 (R)
APN: 303-34-021

W KINGBIRD DR

LINE TABLE		
LINE	BEARING	LENGTH
L6	N89°09'16"E	55.00'
L7	N89°09'16"E	10.00'
L8	S00°12'10"E	99.75'
L9	S45°31'14"E	28.13'
L10	S89°09'42"W	30.00'
L11	N00°12'10"W	119.75'



40 0 80
scale feet

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Commencing at the Northwest Corner of said Section 9 as shown on said aforementioned Record of Survey, from which the West Quarter Corner of said Section 9, bears South 0 degrees 12 minutes 10 seconds East, 2642.66 feet;

thence along the west line of said Section 9, South 0 degrees 12 minutes 10 seconds East, 1121.32 feet;

thence North 89 degrees 09 minutes 16 seconds East, 11.00 feet to a 11.00-foot east and parallel line with said west Section line and the common corner of Parcel 1 and 3 as described in said aforementioned Record of Survey and the **POINT OF BEGINNING**;

thence along the common line of said Parcel 1 and Parcel 3, North 89 degrees 09 minutes 16 seconds East, 54.00 feet to a 65.00-foot east and parallel line with said west Section line;

thence along said parallel line, South 0 degrees 12 minutes 10 seconds East, 200.01 feet to the south line of said Parcel 1;

thence along said south line, South 89 degrees 09 minutes 16 seconds West, 10.00 feet to the west line of said Parcel 1, a 55.00-foot east and parallel line with said west Section line;

thence along said parallel line, North 0 degrees 12 minutes 10 seconds West, 136.46 feet to the corner of said Parcel 1;

thence along the south line of said Parcel 1, South 89 degrees 09 minutes 16 seconds West, 44.00 feet to said 11.00-foot east and parallel line with said west Section line and the west line of said Parcel 1;

thence along said west line, North 0 degrees 12 minutes 10 seconds West, 63.55 feet to the **POINT OF BEGINNING**.

Said overall portion of land contains 4,796 square feet, or 0.1101 acre, more or less, and being subject to any easements, restrictions, and/or rights-of-ways of record or otherwise.

This description shown hereon is not to be used to violate subdivision regulations of the State, County and/or Municipality, or any other land division restrictions.



EXHIBIT "A"

POINT OF
COMMENCING
NW CORNER
S9, T2S, R5E,
G&SRM
(R1)

S ALMA SCHOOL RD

(BASIS OF BEARINGS)

S0°12'10"E 2642.66'(R1)

1521.34'

1121.32'

POINT OF
BEGINNING

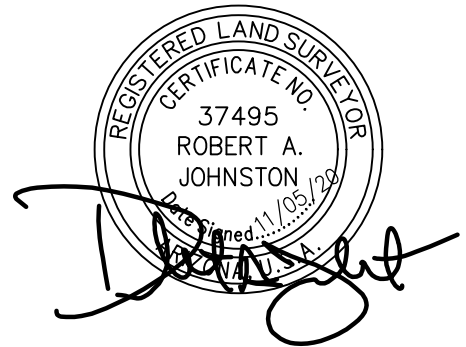
L1 L2
L7
L6
L5
L4
L3 PARCEL 3 (R)
APN: 303-34-001

PARCEL 1 (R)
APN: 303-34-021

W1/4 CORNER
S9, T2S, R5E,
G&SRM
(R1)

LINE TABLE

LINE	BEARING	LENGTH
L1	N89°09'16"E	11.00'
L2	N89°09'16"E	54.00'
L3	S00°12'10"E	200.01'
L4	S89°09'16"W	10.00'
L5	N00°12'10"W	136.46'
L6	S89°09'16"W	44.00'
L7	N00°12'10"W	63.55'



40 0 80
scale feet

20-1278

NEW RIGHT-OF-WAY
CITY OF CHANDLER

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