

RESOLUTION NO. 5625

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER,
ARIZONA, APPROVING THE ABANDONMENT OF A TEMPORARY
DRAINAGE EASEMENT NO LONGER NEEDED FOR PUBLIC USE ON THE
SOUTH SIDE OF CHANDLER HEIGHTS ROAD BETWEEN SALT CEDAR
STREET AND 130TH STREET.

WHEREAS, in 2020, the City acquired a temporary drainage easement (the “TDE”) for the Chandler Heights Road Improvement Project from McQueen Road to Gilbert Road from the owner of the property located on the south side of Chandler Heights Road between Salt Cedar Street and 130th Street (the “Property”); and

WHEREAS, the new owner of the Property is Cachet Homes, which is in the process of subdividing and engineering the land under the name of McKinley Glenn; and

WHEREAS, Cachet Homes development plans require moving the TDE to the east from its current location; and

WHEREAS, in exchange for the City agreeing to the abandonment of the TDE, Cachet Homes will dedicate to the City a new permanent drainage easement that will accept drainage volumes that the TDE was designed to accept for the Chandler Heights Improvement Project from McQueen Road to Gilbert Road.

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

- Section 1. Authorizes the City of Chandler to abandon the TDE after the City’s acceptance and recordation of a new permanent drainage easement.
- Section 2. Approves the document used to abandon the TDE in the form approved by the City Attorney and attached hereto as Exhibit “A” and made a part of this Resolution.
- Section 3. Authorizes the Mayor of the City of Chandler to execute and deliver all documents necessary to abandon the TDE.

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

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5625 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of September, 2022, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

DMG

EXHIBIT "A"

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 a temporary drainage easement described in the attached Exhibit "A" and recorded with the Maricopa County Recorder on July 6, 2020 as Docket No. 2020-0595958. 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

Dub

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"
APN 303-55-986
TEMPORARY DRAINAGE EASEMENT

A PORTION OF LAND WITHIN THAT CERTAIN PROPERTY DESCRIBED IN DOCKET 12238, PAGE 1530, MARICOPA COUNTY RECORDS (MCR), LYING WITHIN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 25 BEING A BRASS CAP IN HANDHOLE, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 25 BEING A BRASS CAP IN HANDHOLE BEARS NORTH 89°16'40" EAST (BASIS OF BEARING), A DISTANCE OF 2628.72 FEET;

THENCE ALONG THE NORTH LINE OF SECTION 25, NORTH 89°16'40" EAST, A DISTANCE OF 657.18 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°13'41" EAST, A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF CHANDLER HEIGHTS ROAD;

THENCE DEPARTING SAID SOUTH LINE, SOUTH 00°13'41" EAST, A DISTANCE OF 46.00 FEET, TO THE POINT OF BEGINNING;

THENCE NORTH 89°16'40" EAST, A DISTANCE OF 133.30 FEET;

THENCE NORTH 00°43'20" WEST, A DISTANCE OF 14.00 FEET;

THENCE NORTH 89°16'40" EAST, A DISTANCE OF 43.28 FEET;

THENCE SOUTH 00°43'20" EAST, A DISTANCE OF 84.00 FEET;

THENCE SOUTH 00°43'20" EAST, A DISTANCE OF 70.00 FEET;

THENCE SOUTH 89°16'40" WEST, A DISTANCE OF 177.19 FEET;

THENCE NORTH 00°13'41" WEST, A DISTANCE OF 70.00 FEET TO THE POINT OF BEGINNING;

CONTAINING 12988 SQUARE FEET OR 0.298 ACRES, MORE OR LESS.