

ORDINANCE NO. 5040

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA DECLARING CERTAIN REAL PROPERTY AS NO LONGER NECESSARY FOR USE AS A PUBLIC ROADWAY; AND VACATING A PORTION OF THE SOUTH SIDE OF WILLIS ROAD BETWEEN MCQUEEN ROAD AND HAMILTON STREET TO THE ABUTTING PROPERTY OWNER; AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO COMPLETE THE ABANDONMENT.

WHEREAS, A.R.S. § 28-7201 *et seq.*, provides for the disposition of unnecessary public roadways; and

WHEREAS, A.R.S. § 28-7205 specifically provides for the vacating of unnecessary public roadway so as to allow title to vest according to law; and

WHEREAS, pursuant to a development agreement approved by the Chandler City Council at its December 6, 2021 meeting, the City agreed to vacate and abandon a portion of the south side of Willis Road between McQueen Road and Hamilton Street to the abutting property owner; and,

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

Section 1. That the certain portion of the south side of Willis Road between McQueen Road and Hamilton Street as more particularly described in Exhibit “A”, attached hereto and incorporated herein by reference (the “Roadway”), is determined to be no longer necessary for public use as roadway, and has no public use or no market value.

Section 2. The Roadway is hereby declared abandoned and vacated, so that title to the Roadway will vest, subject to the same encumbrances, liens, limitations, restrictions and estates as exist on the land to which it accrues, in accordance with law.

Section 3. The vacating of the Roadway is not intended to vacate or extinguish any rights-of-way or easements for existing water, sewer, gas or similar pipelines and appurtenances, and for canals, laterals ditches and appurtenances, and for electric, telephone and similar lines and appurtenances, and the same, if there are any, will continue as they existed prior to this vacating of the Roadway.

Section 4. The action taken herein to vacate the Roadway is done solely to dispose of the City’s interest, if any, in the Roadway, subject to the terms and conditions stated in this Ordinance, and the City of Chandler does not warrant, either expressly or by implication, that it holds title or any other interest in the Roadway.

Section 5. The Mayor of the City of Chandler, Arizona, is hereby authorized to sign, on behalf of the City, all documents required and necessary to complete the abandonment and vacation of the Roadway, including this Ordinance and the vacation plat.

Section 6. The City Clerk is directed to cause this Ordinance No. 5040 to be recorded in the Office of the Maricopa County Recorder after the effective date of this Ordinance. The vacation of the Roadway shall take effect upon recordation of this Ordinance No. 5040.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 202__.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 202__.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 5040 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

DWG

Published in the Arizona Republic on:

EXHIBIT "A"
(Legal Description and Drawing)

October 12, 2022
Project # 050864-01-001

**LEGAL DESCRIPTION
RIGHT-OF-WAY ABANDONMENT**

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 3, FROM WHICH POINT THE SOUTHEAST CORNER OF SAID SECTION 3, BEING MARKED BY A BRASS CAP IN HAND HOLE, BEARS SOUTH 00°17'37" EAST (BASIS OF BEARINGS), A DISTANCE OF 2648.95 FEET;

THENCE SOUTH 88°54'49" WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 94.43 FEET;

THENCE SOUTH 00°43'52" EAST, A DISTANCE OF 33.00 FEET TO THE SOUTH LINE OF THE NORTH 33 FEET OF SAID SOUTHEAST QUARTER, SAID POINT BEING THE **POINT OF BEGINNING**

THENCE SOUTH 42°01'11" EAST, A DISTANCE OF 9.27 FEET TO THE SOUTH LINE OF THE NORTH 40 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 88°54'49" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1312.90 FEET;

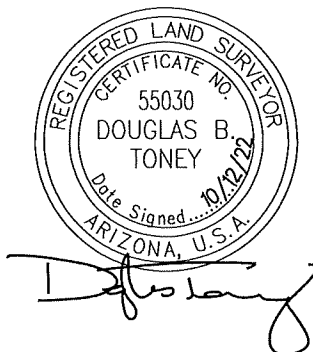
THENCE NORTH 01°05'11" WEST, A DISTANCE OF 10.00 FEET TO THE SOUTH LINE OF THE NORTH 30 FEET OF SAID NORTHEAST QUARTER;

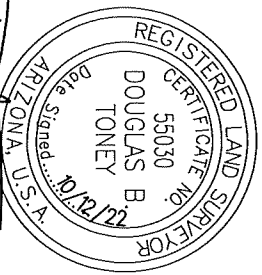
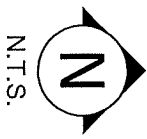
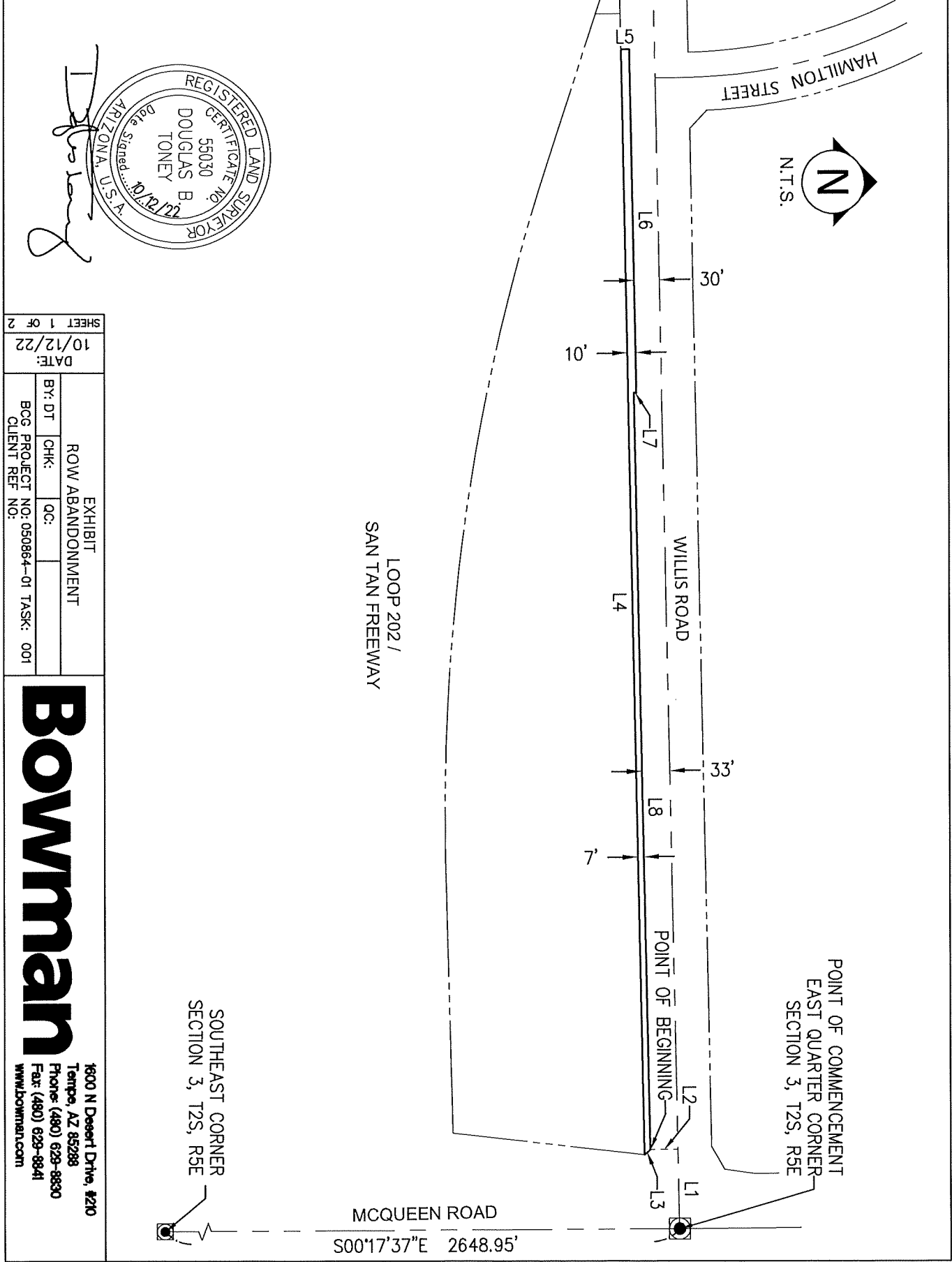
THENCE NORTH 88°54'49" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 407.58 FEET TO THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 00°19'57" EAST, ALONG SAID WEST LINE, A DISTANCE OF 3.00 FEET TO THE SOUTH LINE OF THE NORTH 33 FEET OF SAID SOUTHEAST QUARTER;

THENCE NORTH 88°54'49" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 899.30 FEET THE **POINT OF BEGINNING**.

CONTAINING 10,392 SQ.FT. OR 0.2386 ACRES, MORE OR LESS.





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EXHIBIT			
ROW ABANDONMENT			
BY: DT	CHK:	QC:	
BCG PROJECT NO: 050864-01 TASK: 001			
CLIENT REF NO:			

1600 N Desert Drive, #210

Tempe, AZ 85288

Phone: (480) 629-8830

Fax: (480) 629-8841

www.bowman.com

Bowman

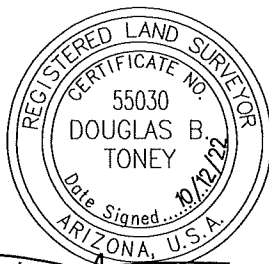
LOOP 202 /
SAN TAN FREEWAY

SOUTHEAST CORNER
SECTION 3, T2S, R5E

POINT OF COMMENCEMENT
EAST QUARTER CORNER
SECTION 3, T2S, R5E

MCQUEEN ROAD
S00°17'37"E 2648.95'

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	94.43'	S88°54'49"W
L2	33.00'	S00°43'52"E
L3	9.27'	S42°01'11"E
L4	1312.90'	S88°54'49"W
L5	10.00'	N01°05'11"W
L6	407.58'	N88°54'49"E
L7	3.00'	S00°19'57"E
L8	899.30'	N88°54'49"E



[Handwritten signature]

SHEET 2 OF 2	DATE: 10/12/22	EXHIBIT ROW ABANDONMENT				Bowman	1600 N Desert Drive, #210 Tempe, AZ 85281 Phone: (480) 629-8830 Fax: (480) 629-8841 www.bowman.com
		BY: DT	CHK:	QC:			
		BCG PROJECT NO: 050864-01 TASK: 001 CLIENT REF NO:					