

RESOLUTION NO. 5644

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 LOCATED ON THE SOUTHEAST CORNER OF CHANDLER HEIGHTS ROAD AND 124TH STREET.

WHEREAS, in 2020, the City acquired a temporary drainage easement (the “TDE”) from Laramie Land & Holdings, LLC for the Chandler Heights Road Improvement Project from McQueen Road to Gilbert Road from the owner of the property located on the southeast corner of Chandler Heights Road and 124th Street (the “Property”); and

WHEREAS, the new owner of the Property is Keystone at Hazelwood, LLC, a Delaware limited liability company (the “Owner”), which is in the process of subdividing and engineering the land under the name of Hazelwood; and

WHEREAS, Hazelwood development plans require the revision of the drainage easement; and

WHEREAS, in exchange for the City agreeing to abandon the TDE, the Owner 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 December, 2022.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5644 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of December, 2022, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Dmb

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 "B" and recorded with the Maricopa County Recorder on April 15, 2020 as Docket No. 2020-0322671. 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

DMG

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 and B)
Add'l Signers (other than those named in the notarial certificate.)	None

EXHIBIT "A"
LEGAL DESCRIPTION FOR
APN: 303-54-030B
DRAINAGE EASEMENT

A PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA THOSE LANDS RECORDED IN DOCUMENT 2017-0299847, MARICOPA COUNTY RECORDS (MCR), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 26, BEING A BRASS CAP IN HANDHOLE, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 26 BEING, A BRASS CAP IN HANDHOLE BEARS NORTH 88°48'47" EAST, 2656.93 FEET;

THENCE ALONG THE NORTH LINE OF SAID SECTION 26, NORTH 88°48'47" EAST, 30.00 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°14'51" EAST, 33.00 FEET, TO THE NORTHWEST CORNER OF SAID LANDS AND THE SOUTH RIGHT-OF-WAY LINE OF CHANDLER HEIGHTS ROAD;

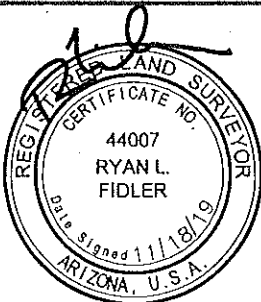
THENCE DEPARTING SAID SOUTH LINE, SOUTH 00°14'51" EAST, 46.01 FEET, TO A POINT ON A LINE WHICH IS PARALLEL WITH AND 79.00 FEET SOUTH, AS MEASURED AT RIGHT ANGLES, FROM THE NORTH LINE OF SAID SECTION 26 AND BEING THE **POINT OF BEGINNING**;

THENCE NORTH 88°48'47" EAST, A DISTANCE OF 25.39 FEET;

THENCE NORTH 01°11'13" WEST, A DISTANCE OF 14.00 FEET;

THENCE NORTH 88°48'37" EAST, A DISTANCE OF 20.00 FEET;

THENCE SOUTH 01°11'13" EAST, A DISTANCE OF 14.00 FEET;



Title: DRAINAGE EASEMENT

RLF Project #: 09009080

City of Chandler Project #: ST1614-201

Section: 26 Township: 2 S Range: 5 E

Date: 11/18/19

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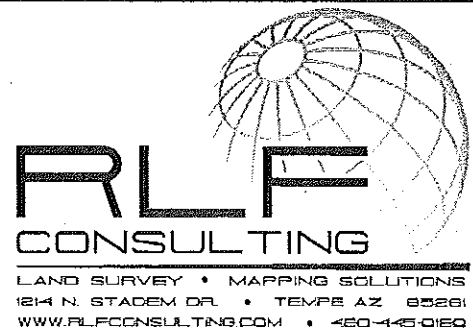


EXHIBIT "A"
LEGAL DESCRIPTION FOR
APN: 303-54-030B
DRAINAGE EASEMENT

THENCE NORTH 88°48'47" EAST, A DISTANCE OF 110.63 FEET;

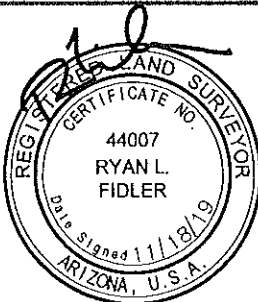
THENCE DEPARTING SAID PARALLEL LINE, SOUTH 01°11'13" EAST, 77.00 FEET;

THENCE SOUTH 88°48'47" WEST, 157.29 FEET, TO A POINT ON THE WEST LINE
OF SAID LANDS;

THENCE DEPARTING SAID PARALLEL LINE ALONG SAID WEST LINE, NORTH
00°14'51" WEST, 77.01 FEET, TO THE **POINT OF BEGINNING**.

CONTAINING 12,342 SQUARE FEET OR 0.283 ACRES, MORE OR LESS.

SUBJECT TO EXISTING RIGHTS-OF-WAY AND EASEMENTS.



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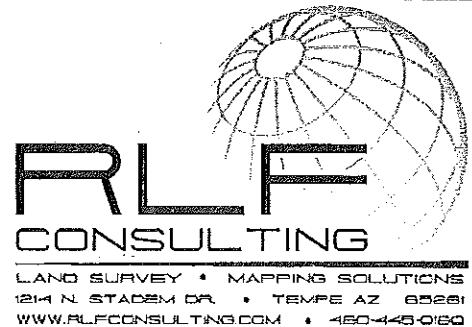
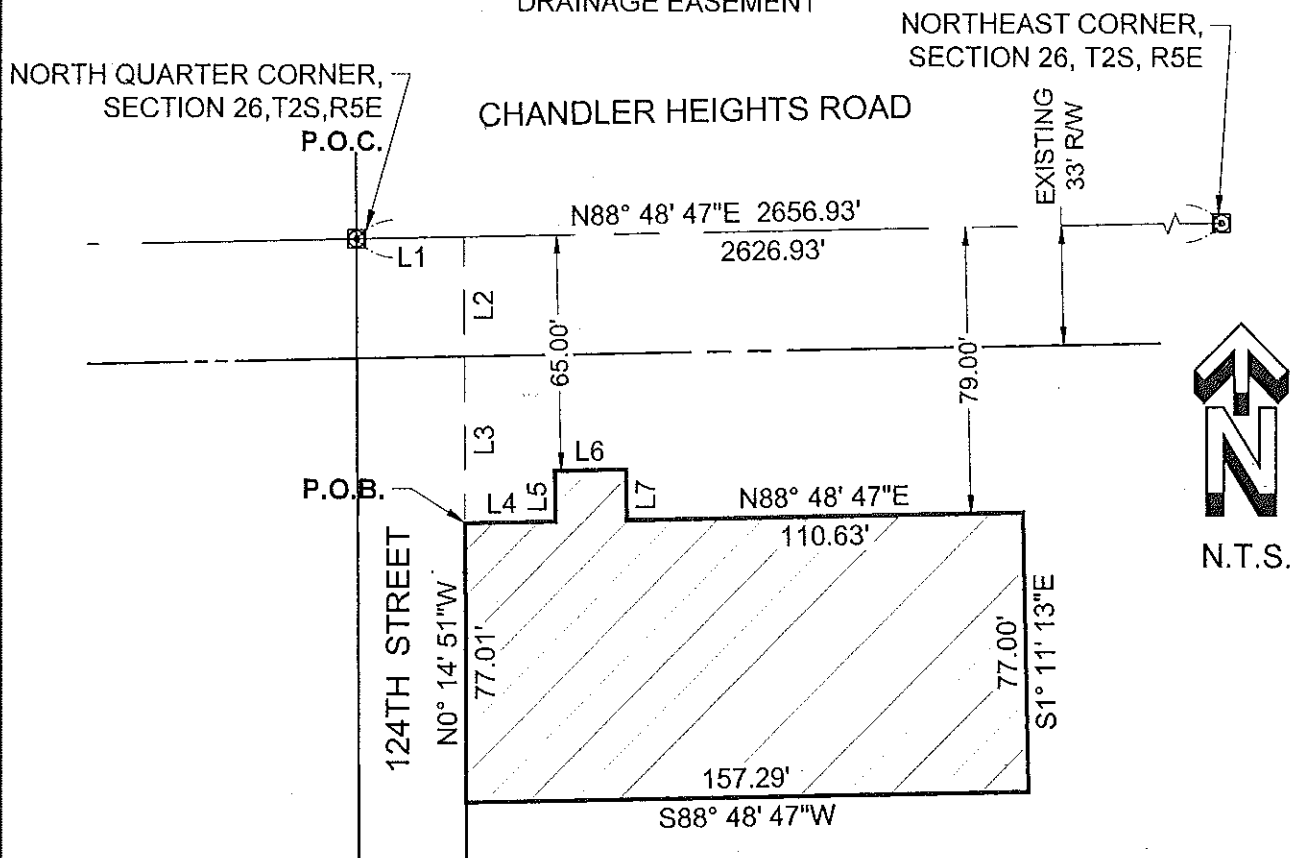


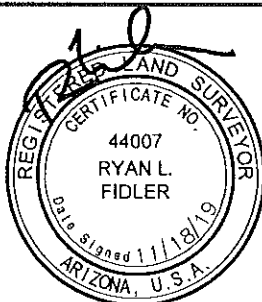
EXHIBIT "B"
LEGAL EXHIBIT FOR
APN: 303-54-030B
DRAINAGE EASEMENT



APN: 303-54-030B
OWNER: LARAMIE LAND HOLDINGS LLC
DOC. NO. 2017-0299847 M.C.R.

THIS EXHIBIT IS FOR GRAPHICAL REPRESENTATION
ONLY TO BE USED IN CONJUNCTION WITH THE
ATTACHED LEGAL DESCRIPTION AND DOES NOT
CONSTITUTE A BOUNDARY SURVEY.

BASIN INFO
VOLUME ATTRIBUTED TO ROADWAY
FRONTAGE = 7,594 CF
TOTAL VOLUME REQUIRED = 7,594 CF
TOTAL VOLUME PROVIDED = 8,378 CF
BASIN INFORMATION PROVIDED BY
KIMLEY-HORN.



Title: DRAINAGE EASEMENT

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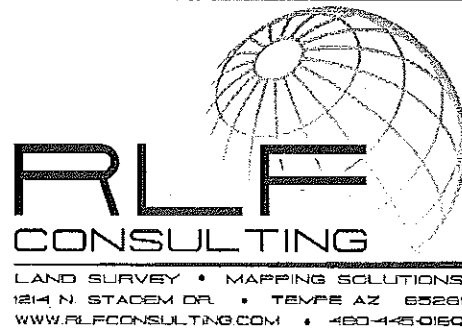
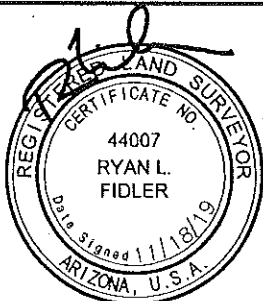


EXHIBIT "B"
LEGAL EXHIBIT FOR
APN: 303-54-030B
DRAINAGE EASEMENT

LINE TABLE		
LINE	LENGTH	BEARING
L1	30.00	N88° 48' 47"E
L2	33.00	S0° 14' 51"E
L3	46.01	S0° 14' 51"E
L4	25.39	N88° 48' 47"E
L5	14.00	N1° 11' 13"W
L6	20.00	N88° 48' 37"E
L7	14.00	S1° 11' 13"E



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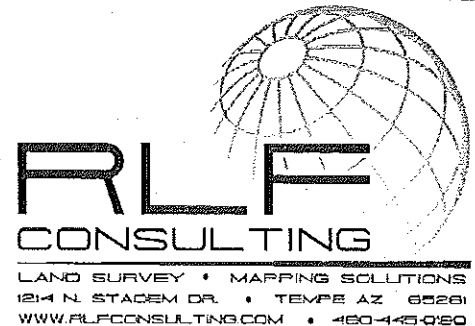


EXHIBIT "C"
CLOSURE REPORT FOR
APN: 303-54-030B
DRAINAGE EASEMENT

CLOSURE

N88°48'47" E 25.39

N01°11'13" W 14.00

N88°48'37" E 20.00

S01°11'13" E 14.00

N88°48'47" E 110.63

S01°11'13" E 77.00

S88°48'47" W 157.29

N00°14'51" W 77.01

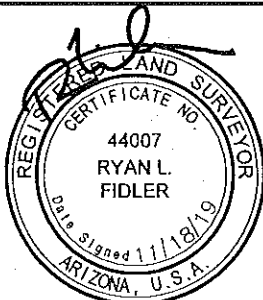
Area = 12342 0.283 AC

Closing course: 93°36'26" 0.007396

Precision: 1/66973

North Error: 0.000465

East Error: 0.007381



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