

RESOLUTION NO. 5655

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, APPROVING THE ABANDONMENT OF TEMPORARY DRAINAGE EASEMENTS NO LONGER NEEDED FOR PUBLIC USE LOCATED SOUTH OF GERMANN ROAD AT THE SOUTHWEST CORNER OF STEARMAN DRIVE AND DOUGLAS DRIVE.

WHEREAS, Chandler TB III, L.L.C., an Arizona limited liability company (the “Owner”) has submitted to the City of Chandler for review and approval, a minor land division map to consolidate lots 9B and 9C of the Final Plat of Chandler Industrial Business Park as recorded in Book 1513 of maps, page 8 and lot 9DD of Chandler Industrial Business Park – Amended recorded in Book 1591 of maps, page 43, both recorded in the Office of the Maricopa County Recorder (the “Updated Plats”); and

WHEREAS, there are temporary drainage easements dedicated to the City by plat recorded in Book 952 of maps, page 50 (the “Original Plat”) and granted by a separate Drainage Easement instrument 1999-0083378, both in Records of Maricopa County, that encumber lots now known as lots 9A, 9B, 9C, 9DD and 9EE according to the Updated Plats. Collectively, all temporary drainage easements referenced herein are the “TDE;” and

WHEREAS, prior to the approval of the minor land division map the City is requiring the abandonment of the TDE that were dedicated to the City of Chandler in the Original Plat or the Updated Plats or that were granted to the City by a separate Drainage Easement; and

WHEREAS, permanent drainage facilities will be installed by the developer to accommodate the drainage requirements of this third and final phase of the Garage Condos at Chandler Airpark development, and as such, the TDE will no longer be needed and can be abandoned by the City.

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.
- 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 January, 2023.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5655 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of January, 2023, 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 the temporary drainage easements described in the attached Exhibits "A" and "B". 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 _____, 2023.

CITY OF CHANDLER, an Arizona municipal
corporation

By: _____
Mayor Kevin Hartke

STATE OF ARIZONA)
) ss.
County of Maricopa)

Acknowledged before me this ____ day of _____, 2023, 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

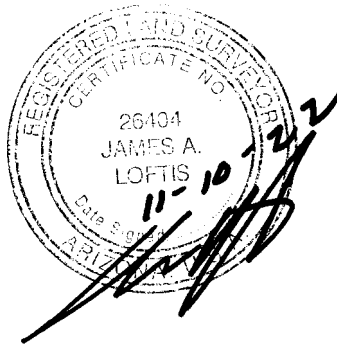
Description of document this notarial certificate is being attached to:	
Type/Title	Abandonment of Easement
Date of Document	
Number of Pages	7 (which includes Exhibit A and B)
Add'l Signers (other than those named in the notarial certificate.)	None

November 10, 2022
3 Engineering Job No. 5071

EXHIBIT A

**LEGAL DESCRIPTION
FOR
TEMPORARY DRAINAGE EASEMENT ABANDONMENT**

All Temporary Drainage Easements dedicated on Lots 9B, 9C, 9D and 9E of the Final Plat of **CHANDLER INDUSTRIAL BUSINESS PARK**, according to the Plat recorded in Book 1513 of Maps, Page 08, records of Maricopa County, Arizona.



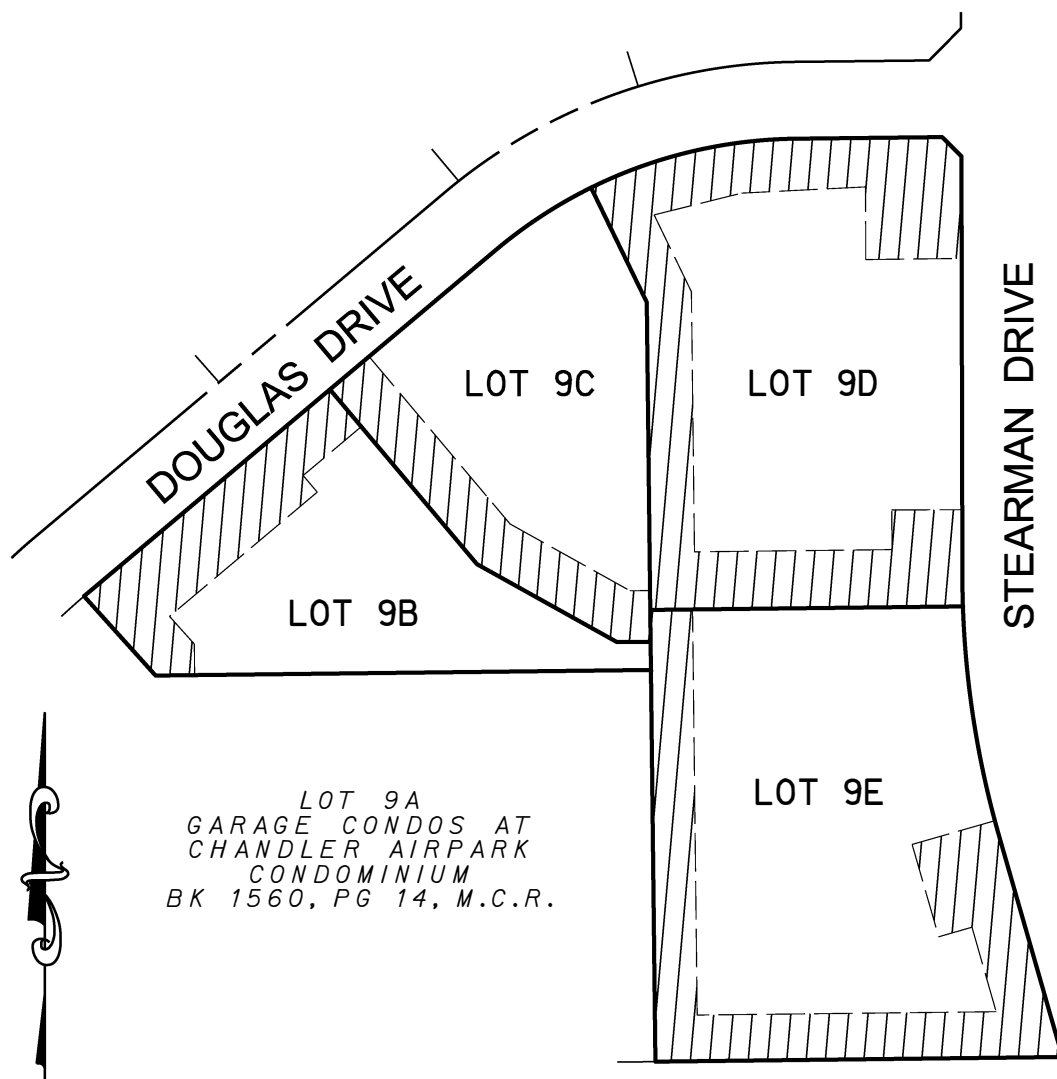
DRAINAGE EASEMENT ABANDONMENT EXHIBIT A

CHANDLER INDUSTRIAL BUSINESS PARK

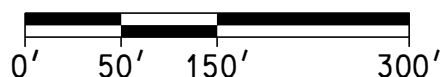
LEGEND



TEMPORARY DRAINAGE
EASEMENT (DE) PER BK
1513, PG 8, M.C.R. TO BE
ABANDONED



SCALE: 1" = 150'



300 engineering

planning civil engineering surveying

3 ENGINEERING, LLC

6370 E. THOMAS ROAD, SUITE # 200 - SCOTTSDALE, ARIZONA 85251

PHONE: (602) 334-4387 - FAX: (602) 490-3230



PROJECT NO.: 5071
DATE: 11/11/22

November 21, 2022
3 Engineering Job No. 5071

**EXHIBIT B
LEGAL DESCRIPTION
FOR
TEMPORARY DRAINAGE EASEMENT ABANDONMENT**

All Temporary Drainage Easements dedicated on Lots 9, 10 and 14 of the Final Plat of **CHANDLER AIRPORT BUSINESS PARK**, according to the Plat recorded in Book 952 of Maps, Page 50, records of Maricopa County, Arizona.

AND

That certain Temporary Drainage Easement described in Instrument 1999-0083378, records of Maricopa County, Arizona.

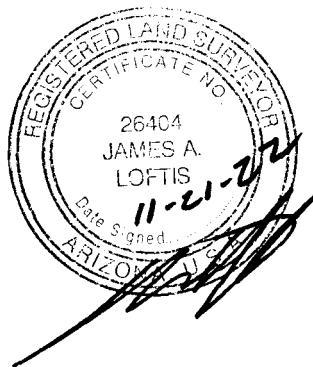
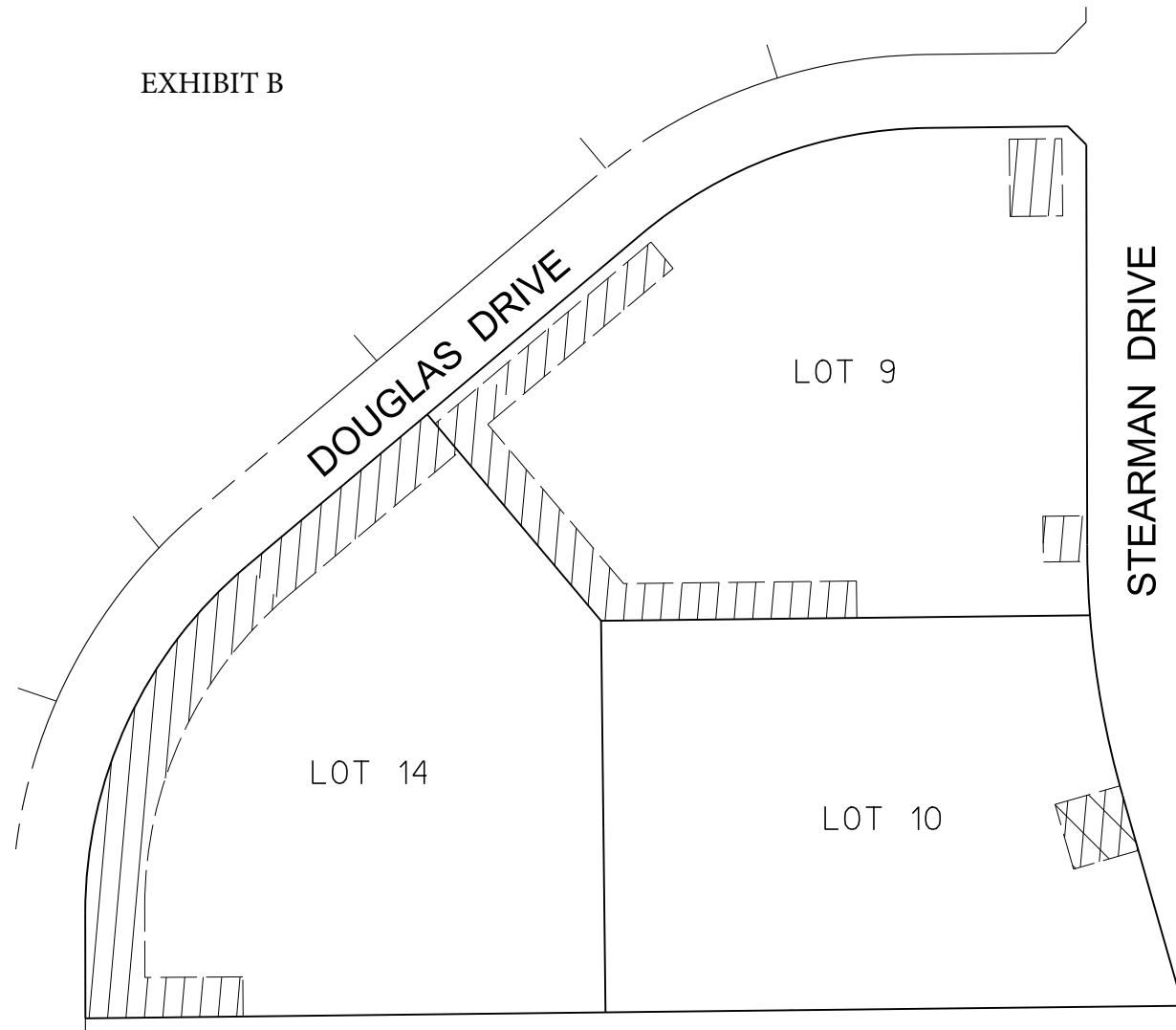
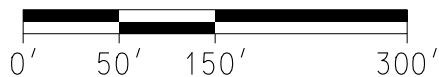


EXHIBIT B



SCALE: 1" = 150'



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3 ENGINEERING, LLC

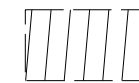
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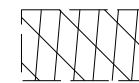
DRAINAGE EASEMENT ABANDONMENT EXHIBIT

CHANDLER AIRPORT BUSINESS PARK

LEGEND



TEMPORARY DRAINAGE
EASEMENT (DE) PER BK
952, PG 50, M.C.R. TO BE
ABANDONED



DRAINAGE EASEMENT (DE)
PER DOC. NO. 99-83378
M.C.R. TO BE ABANDONED

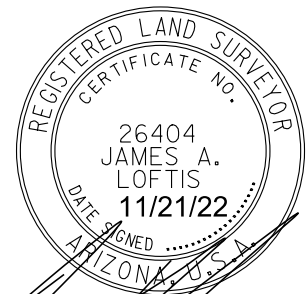
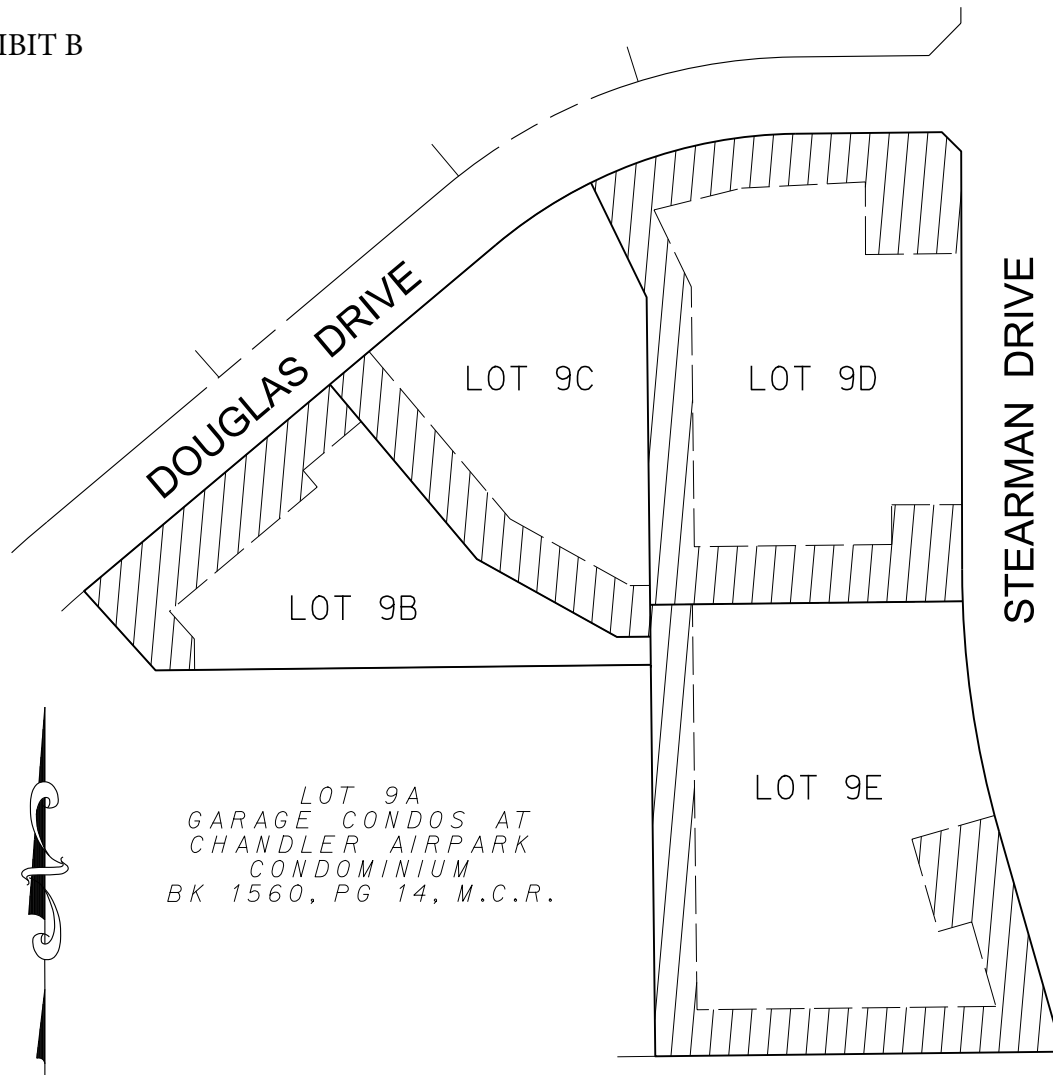
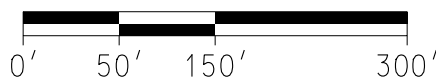


EXHIBIT B



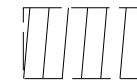
SCALE: 1" = 150'



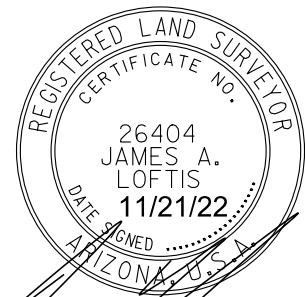
DRAINAGE EASEMENT ABANDONMENT EXHIBIT

CHANDLER INDUSTRIAL BUSINESS PARK

LEGEND



TEMPORARY DRAINAGE
EASEMENT (DE) PER BK
1513, PG 8, M.C.R. TO BE
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