

RESOLUTION NO. 5660

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER,
ARIZONA, APPROVING THE ABANDONMENT OF A PORTION OF THE
TEMPORARY DRAINAGE AND RETENTION EASEMENT NO LONGER
NEEDED FOR PUBLIC USE LOCATED ON THE SOUTHEAST CORNER OF
ARIZONA AVENUE AND BALSAM DRIVE.

WHEREAS, SREG Arizona Ave, LLC ("SREG"), an Arizona limited liability company is developing a Dunkin Donuts Store at the southeast corner of Arizona Avenue and Balsam Drive; and

WHEREAS, SREG needs to reconfigure the site and change the existing temporary drainage and retention easement ("TDE") recorded as instruments 1996-0017487 and 1997-0275300, both in Records of Maricopa County, Arizona, to accommodate its development. As a result, it is necessary to abandon a portion of the above noted TDE that is no longer needed for public use; and

WHEREAS, SREG will grant the City and install a new permanent drainage retention easement to accommodate the drainage requirements of its project.

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 that portion of the existing TDE described in Exhibit "A" attached hereto and made a part of this Resolution.
- Section 2. Approves the document used to abandon that portion of the existing TDE in the form approved by the City Attorney and attached hereto as Exhibit "B" 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 that portion of the existing TDE described in Exhibit "B".

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2023.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5660 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2023, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

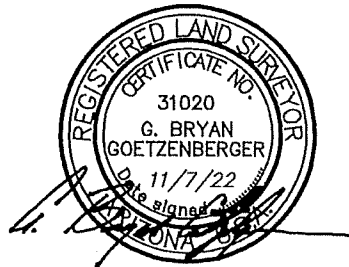
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EXHIBIT "A"

EXHIBIT FOR THE VACATION OF THE DRAINAGE AND RETENTION BASIN EASEMENTS FOR LOT 2B OF "DUNKIN"

Those portions of the DRAINAGE AND RETENTION BASIN EASEMENTS described in the documents recorded in recording numbers 1996-0017487 & 1997-0275300, records of Maricopa County, Arizona, which lie within Lot 2B, DUNKIN, a Minor Land Division Survey recorded in Book 1615 of Maps, Page 43, records of Maricopa County, Arizona.

Comprising 0.125 ACRES or 5,446 square feet, subject to all easements of record.



JOB NO.: 201247
SECTION: 15
TOWNSHIP: 2 SOUTH
RANGE: 5 EAST
DATE: NOVEMBER 7, 2022
SHEET 1 OF 2

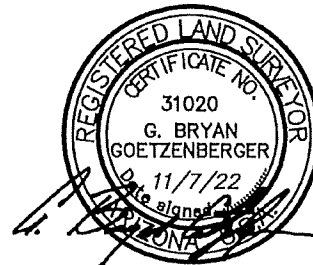
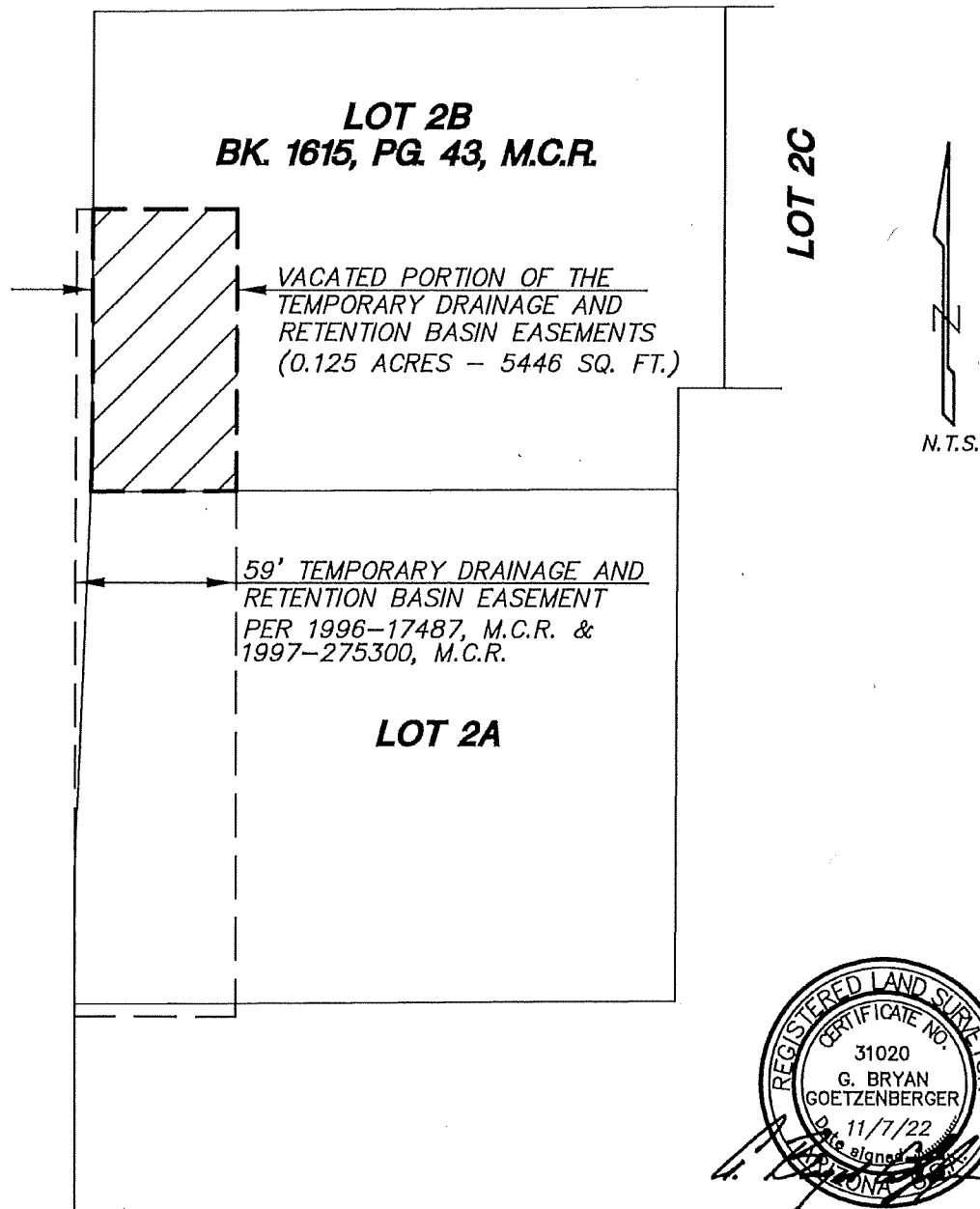


ALLIANCE
LAND SURVEYING, LLC

7800 N. 70th AVENUE
SUITE 104
GLENDALE, AZ 85303
TEL (623) 972-2200
FAX (623) 972-1616

www.allancelandsurveying.com contactus@azals.com

**EXHIBIT FOR TEMPORARY PUBLIC STORMWATER
EASEMENT ABANDONMENT
FOR "DUNKIN"**



JOB NO.: 201247
SECTION: 15
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EXHIBIT “B”

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 I hereby acknowledged, CITY OF CHANDLER, an Arizona municipal corporation, ("City") does hereby abandon any and all interest that it may have as described in Exhibit "A" attached hereto in a portion of that certain temporary drainage and retention easement described and recorded with the Maricopa County Recorder as Document No. 1996-0017487 and No. 1997-0275300. This abandonment is not intended to abandon any other interest 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

My Commission Expires:

APPROVED AS TO FORM:

City Attorney
DUG