

## **ORDINANCE NO. 5138**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, APPROVING THE ABANDONMENT OF A RETENTION BASIN EASEMENT LOCATED ON THE EAST SIDE OF 56<sup>TH</sup> STREET BETWEEN RAY ROAD AND CHANDLER BOULEVARD THAT IS NO LONGER NEEDED FOR PUBLIC USE.

WHEREAS, Envision 56, LLC, an Arizona limited liability company, is creating a Minor Land Division (“MLD”) for their property that is located on the east side of 56<sup>th</sup> Street between Ray Road and Chandler Boulevard that relocates the existing retention basin to another location on the property.

WHEREAS, as a result of this relocation, the existing retention basis is no longer needed for public use; and

WHEREAS, the developer will dedicate a new retention basin on the property to the City of Chandler by way of the MLD they are recording.

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

- Section 1. That the retention basin described in Exhibit “A” attached hereto and made a part of this Ordinance (designated as the “Drainage Easement”) is determined to be no longer necessary for public use.
- Section 2. That the Partial Drainage Easement is hereby declared abandoned and all rights under the Drainage Easement as to the Partial Drainage Easement will cease upon the effective date of this Ordinance.
- Section 3. That the document used to abandon the Drainage Easement is approved in a form approved by the City Attorney and substantially as attached hereto as Exhibit “B” and made a part of this Ordinance.
- Section 4. That the Mayor of the City of Chandler is authorized to execute and deliver all documents necessary to abandon the Drainage Easement described in Exhibit “A.”
- Section 5. That the City Clerk shall cause the original or a certified copy of this Ordinance to be recorded in the Office of Maricopa County Recorder after the effective date of this Ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 5138 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

DMG

Published in the Arizona Republic on:

EXHIBIT “A”

000

STATE OF ARIZONA,

I hereby certify that the wit  
Instrument was filed and recd.

County of \_\_\_\_\_, 19\_\_\_\_.

In Docket No. \_\_\_\_\_, Page \_\_\_\_\_ of the \_\_\_\_\_

of \_\_\_\_\_

Compared.

Photostated:

When recorded mail to:

Hook Engineering  
101 So. Roosevelt, #4  
Chandler, AZ  
85224

Witness my hand and official seal.

Fee: \$ \_\_\_\_\_

I.R.S.: \$ \_\_\_\_\_

COUNTY RECORDER

DEPUTY RECORDER

**EASEMENT**

For the consideration of Ten Dollars, and other valuable considerations, I or we,

E. Garth &amp; M. Elaine Lamb, husband &amp; wife

hereby grant to the City of Chandler, Arizona, a municipal corporation

its successors and assigns, a permanent easement and right-of-way for the following  
purposes, namely:

Construction and operation of a storm water retention basin.

in, over, under and across the following real property situated in Maricopa County,  
Arizona:Beginning at the West Quarter Corner of Section 28, Township 1 South,  
Range 4 East of the Gila and Salt River Base and Meridian, Maricopa  
County, Arizona; thence South along the West line of said Section 28  
a distance of 1,302 feet; thence East 55 feet to the TRUE POINT OF  
BEGINNING; thence continuing East 15 feet; thence North along a line  
parallel to and 70 feet East of said West line of Section 28 a distance  
of 65 feet; thence West 15 feet; thence South along a line parallel and  
55 feet East of said West line of Section 28 a distance of 65 feet to  
the TRUE POINT OF BEGINNING.RECORDED IN OFFICIAL RECORDS  
OF MARICOPA COUNTY, ARIZONA

DEC 18 1985 - 11 00

KENTH POLEYIS, County Recorder

FEE 5.00 PGS 1

HR.

Dated this 14th day of December, 1985E. Garth LambMrs. E. Garth LambSTATE OF ARIZONA

ss

County of MARICOPA

This instrument was acknowledged before me

this 14th day of December, 1985

by

Charles C. Sutz

Notary Public

My Commission will expire June 10, 1988

EXHIBIT “B”

## ABANDONMENT OF EASEMENT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, the CITY OF CHANDLER, an Arizona municipal corporation, ("City") does hereby abandon any and all interest that it may have in that certain Drainage Easement ("DE") as described in Exhibit "A," and recorded as document No. 1985-0598804 Records of Maricopa County, Arizona, attached hereto as Exhibit "B." This abandonment is not intended to abandon any other interest the 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, or easement other than the aforementioned easement, or final order of condemnation.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_.

CITY OF CHANDLER, an Arizona  
municipal corporation

By: \_\_\_\_\_  
Mayor Kevin Hartke

State of Arizona        )  
                                  ) ss  
County of Maricopa    )

Acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_, by Kevin Hartke, Mayor of the City of Chandler.

\_\_\_\_\_  
Notary Public

My Commission Expires:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

DMG