

RESOLUTION R25-10-12

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF EL MIRAGE, ARIZONA, MEMORIALIZING THE ABANDONMENT OF CERTAIN PUBLIC UTILITY EASEMENTS LOCATED WITHIN PORTIONS OF TAX PARCELS 501-45-985A AND 501-45-986A.

WHEREAS, pursuant to Arizona Revised Statutes § 9-402(E) and El Mirage City Code § 152.230, the City has the authority to abandon easements that the City no longer needs; and

WHEREAS, certain public utility easements (“Easements”) were dedicated to the City via the Final Plat recorded in Book 1556, Page 16 of the Maricopa County Recorder’s Office, and are more particularly described in Exhibits A and B, attached hereto and incorporated by reference; and

WHEREAS, the Easements were originally dedicated for the purpose of installing public utilities along 129th Avenue and a portion of Butler Drive; and

WHEREAS, the rights-of-way of 129th Avenue and the relevant portion of Butler Drive were subsequently abandoned by the City pursuant to Ordinance O24-05-03, recorded as Document No. 2024-0296132 in the Maricopa County Recorder’s Office; and

WHEREAS, Ordinance O24-05-03 referenced the City’s abandonment of the Easements, subject to final consent from Arizona Public Service ("APS"); and

WHEREAS, APS has provided such consent in a letter dated August 19, 2025, attached hereto as Exhibit C; and

WHEREAS, the City has determined that it no longer needs the Easements for any present or foreseeable public utility purpose, and desires to memorialize the abandonment now that the abandonment conditions have been satisfied;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of El Mirage, Arizona, as follows:

1. Section 1. The City of El Mirage hereby confirms and memorializes that it no longer retains any interest in the Easements described in Exhibits A and B, and said Easements are hereby declared abandoned and of no further public use.

2. Section 2. The City Manager, or designee, is authorized to execute any and all documents necessary to effectuate the intent of this Resolution, including but not limited to recording this Resolution.

[Signatures on the following page]

APPROVED this ____ day of _____, 2025.

Alexis A. Hermosillo, Mayor

ATTEST:

APPROVED AS TO FORM:

Jill A. Boltz, City Clerk

Justin Pierce, City Attorney

EXHIBIT A

Legal Description and Exhibit for the 8-foot Public Utility Easement on the South Side of original Butler Drive alignment and the East Side of original 129th Avenue alignment located adjacent to APN 501-45-985A

EXHIBIT A

LEGAL DESCRIPTION FOR PARCEL 7 P.U.E. ABANDONMENT

THE PUBLIC UTILITY EASEMENT LOCATED WITHIN PARCEL 7, COPPERWING LOGISTICS CENTER, ACCORDING TO BOOK 1556 OF MAPS, PAGE 16 AND BEING SITUATED WITHIN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 7;

THENCE SOUTH 00° 00' 15" WEST, 8.00 FEET;

THENCE NORTH 89° 10' 32" WEST, 1170.67 FEET;

THENCE SOUTH 45° 25' 14" WEST, 21.39 FEET;

THENCE SOUTH 00° 01' 00" WEST, 2428.29 FEET TO A POINT ON THE SOUTH LINE OF PARCEL 7;

THENCE NORTH 89° 10' 38" WEST, 8.00 FEET TO THE SOUTHWEST CORNER OF PARCEL 7;

THENCE NORTH 00° 01' 00" EAST, ALONG THE WEST LINE OF PARCEL 7, 2431.53 FEET;

THENCE NORTH 45° 25' 14" EAST, 28.08 FEET TO THE NORTH LINE OF PARCEL 7;

THENCE SOUTH 89° 10' 32" EAST, ALONG SAID NORTH LINE, 1173.90 FEET TO THE **POINT OF BEGINNING**.

CONTAINS 29,015 SQUARE FEET OR 0.666 ACRES.



TERRAMARK

LAND SURVEYING

24654 N. LAKE PLEASANT PKWY #103-163
PEORIA, AZ 85383
P. 480-440-1748
F. 623-777-1782

www.terramarksurveying.com

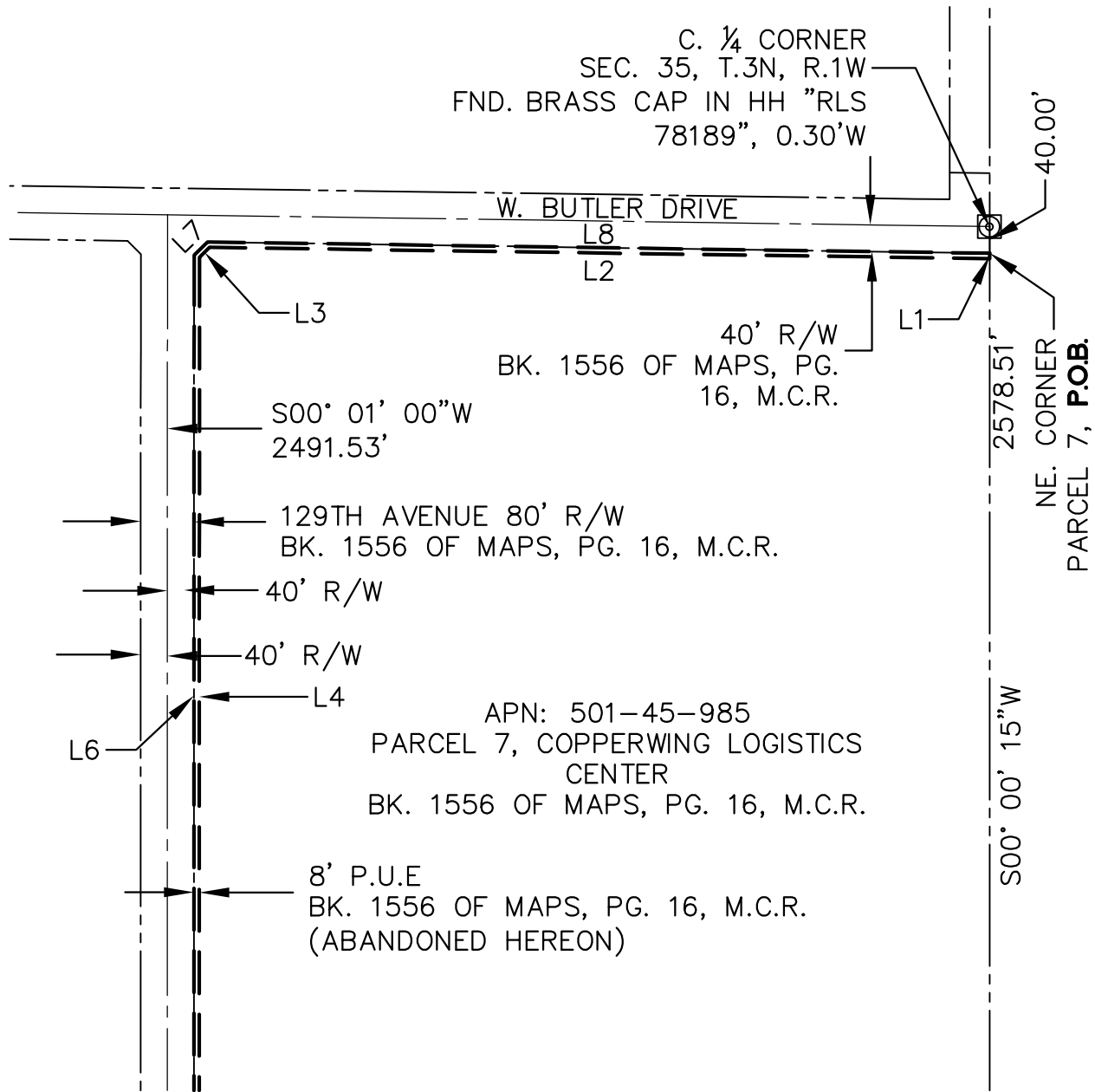
PROJ. NO.: 999338

PROJ. NAME.: PARCEL 7-8

PAGE: 1 OF 4

DATE: 04/30/24

EXHIBIT FOR PARCEL 7 P.U.E. ABANDONMENT



SEE 3 OF 4

SCALE
1" = 250'



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APN: 501-45-985
PARCEL 7, COPPERWING LOGISTICS
CENTER
BK. 1556 OF MAPS, PG. 16, M.C.R.

40' R/W

40' R/W

L4

L6

129TH AVENUE 80' R/W
BK. 1556 OF MAPS, PG. 16, M.C.R.

8' P.U.E
BK. 1556 OF MAPS, PG. 16, M.C.R.
(ABANDONED HEREON)

L5

2578.51'

S00° 00' 15"W

S. 1/4 CORNER

SEC. 35, T.3N, R.1W
CALCULATED PER BK. 1556 OF
MAPS, PG. 16, M.C.R.

S89° 10' 38"E (NORTHERN PARKWAY) 135' R/W 2634.75'

SW. CORNER
SEC. 35, T.3N, R.1W
CALCULATED PER BK. 1556 OF
MAPS, PG. 16, M.C.R.

SCALE

1" = 250'



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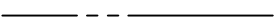

PROJ. NAME.: PARCEL 7-8

PAGE: 3 OF 4

DATE: 04/30/24

LINE TABLE		
LINE	LENGTH	BEARING
L1	8.00'	S0° 00' 15"W
L2	1170.67'	N89° 10' 32"W
L3	21.39'	S45° 25' 14"W
L4	2428.29'	S0° 01' 00"W
L5	8.00'	N89° 10' 38"W
L6	2431.53'	N0° 01' 00"E
L7	28.08'	N45° 25' 14"E
L8	1173.90'	S89° 10' 32"E

LEGEND

	FOUND BRASS CAP IN HANDHOLE
	BREAKLINE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
R/W	RIGHT-OF-WAY
P.U.E.	PUBLIC UTILITY EASEMENT
	P.U.E. (ABANDONED)
	BOUNDARY LINE
	CENTERLINE



EXPIRES 03/31/26



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PROJ. NO.: 999338

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EXHIBIT B

Legal Description and Exhibit for the 8-foot Public Utility Easement on the South Side of original Butler Drive alignment and the West Side of original 129th Avenue alignment located adjacent to APN 501-45-986A

EXHIBIT B

LEGAL DESCRIPTION FOR PARCEL 8 P.U.E. ABANDONMENT

A PORTION OF THE PUBLIC UTILITY EASEMENT LOCATED WITHIN PARCEL 8, COPPERWING LOGISTICS CENTER, ACCORDING TO BOOK 1556 OF MAPS, PAGE 16 AND BEING SITUATED WITHIN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 35;

THENCE SOUTH 89° 10' 32" EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, 108.75 FEET;

THENCE SOUTH 00° 02' 08" WEST, 40.00 FEET TO A POINT ON THE NORTH LINE OF PARCEL 8 AND TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89° 10' 32" EAST, ALONG SAID NORTH LINE, 1230.68 FEET;

THENCE SOUTH 44° 34' 46" EAST, 28.48 FEET TO A POINT ON THE EAST LINE OF PARCEL 8;

THENCE SOUTH 00° 01' 00" WEST, ALONG SAID EAST LINE, 2431.53 FEET TO THE SOUTHEAST CORNER OF PARCEL 8;

THENCE NORTH 89° 10' 38" WEST, ALONG THE SOUTH LINE OF PARCEL 8, 8.00 FEET;

THENCE NORTH 00° 01' 00" EAST, 2428.14 FEET;

THENCE NORTH 44° 34' 46" WEST, 21.92 FEET;

THENCE NORTH 89° 10' 32" WEST, 1227.29 FEET;

THENCE NORTH 00° 02' 08" EAST, 8.00 TO THE **POINT OF BEGINNING**.

CONTAINS 29,472 SQUARE FEET OR 0.676 ACRES.



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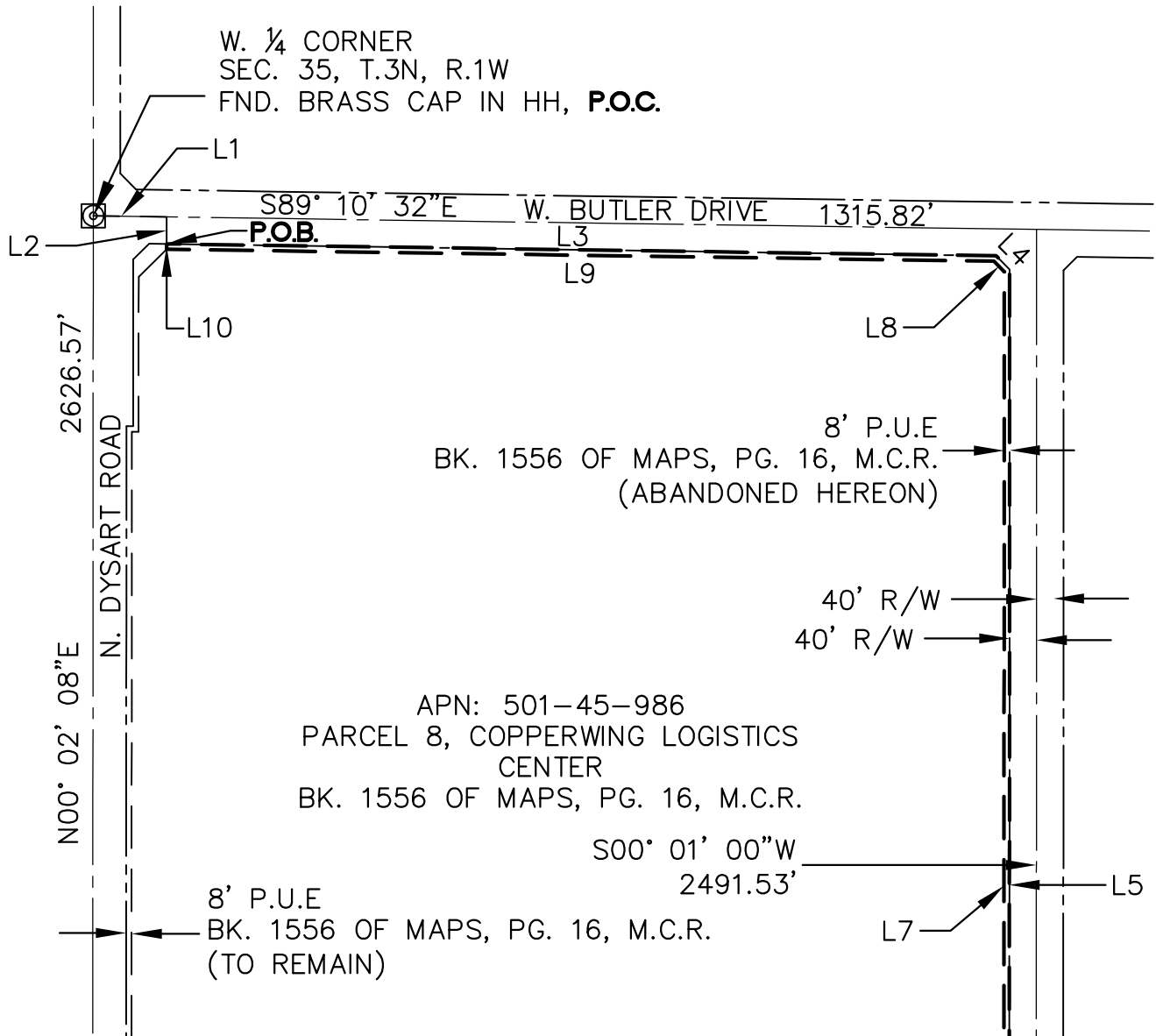
PROJ. NO.: 999338

PROJ. NAME.: PARCEL 7-8

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SCALE
1" = 250'



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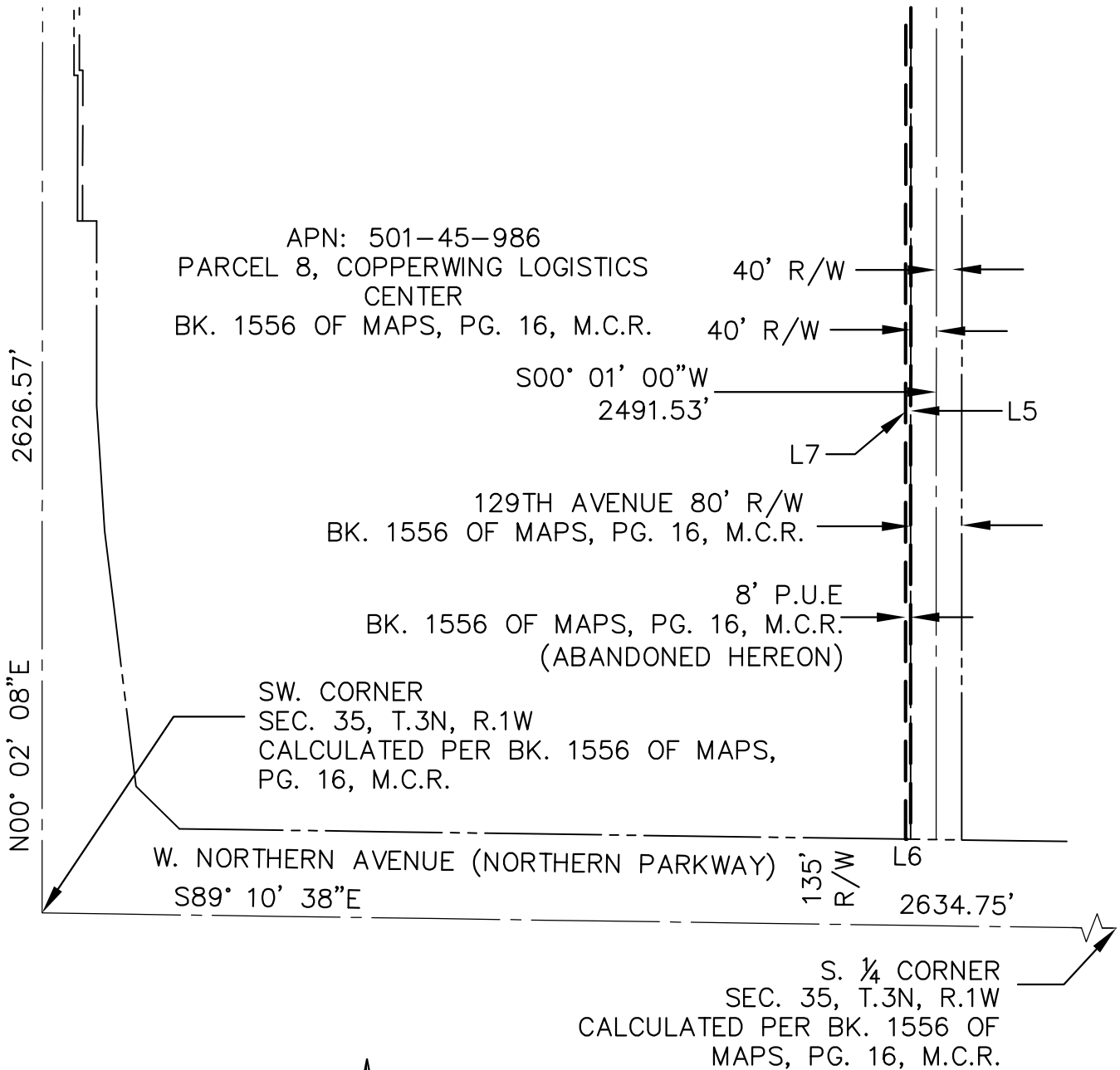
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SCALE
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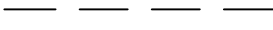

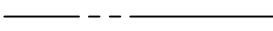

PROJ. NAME.: PARCEL 7-8

PAGE: 3 OF 4

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LINE TABLE		
LINE	LENGTH	BEARING
L1	108.75'	S89° 10' 32"E
L2	40.00'	S0° 02' 08"W
L3	1230.68'	S89° 10' 32"E
L4	28.48'	S44° 34' 46"E
L5	2431.53'	S0° 01' 00"W
L6	8.00'	N89° 10' 38"W
L7	2428.14'	N0° 01' 00"E
L8	21.92'	N44° 34' 46"W
L9	1227.29'	N89° 10' 32"W
L10	8.00'	N0° 02' 08"E

LEGEND

	FOUND BRASS CAP IN HANDHOLE
	BREAKLINE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
R/W	RIGHT-OF-WAY
P.U.E.	PUBLIC UTILITY EASEMENT
	P.U.E. (TO REMAIN)
	P.U.E. (ABANDONED)
	BOUNDARY LINE
	CENTERLINE



EXPIRES 03/31/26



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PROJ. NAME.: PARCEL 7-8

PAGE: 4 OF 4

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EXHIBIT C

APS Release Letter



Land Services
P.O. Box 53933
Phoenix, Arizona 85072
Mail Station 3286

August 19, 2025

Bryce Christo, P.E.
City of El Mirage
10000 N. El Mirage Road
El Mirage, AZ 85335

Re: Consent to Abandonment of Public Utility Easements ("PUEs")
Lots 7 & 8, Copperwing Logistics Center, Book 1556 Page 16 M. C. R.
E & W of N. 129th Avenue & S of W. Butler Drive, El Mirage – Microsoft Corporation
City of El Mirage Ordinance O24-05-03

Dear Bryce,

Arizona Public Service Company ("APS") has been requested to consent to the abandonment of the above-referenced Public Utility Easements ("PUEs") as part of the development of the surrounding property. The APS electric facilities located within these PUEs have now been de-energized and removed; therefore APS now consents to the abandonment of these PUEs.

Should you have any questions regarding this matter, please do not hesitate to contact me at (602) 371-7847 or james.generoso@aps.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Generoso", written over a light blue horizontal line.

James R. Generoso, SR/WA
Senior Land Agent