

ORDINANCE NO. O21-37

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ABANDONMENT OF EASEMENTS AT VARIOUS LOCATIONS THROUGHOUT THE CITY AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

WHEREAS, the Glendale City Council took action to accept water easements on private property for various locations on the dates specified in Exhibit 1; and

WHEREAS, subsequent development occurring on these properties has caused water lines to be removed or relocated in the intervening time; and

WHEREAS, the private property owners are requesting the City abandon portions of easements where City water lines have been removed; and

WHEREAS, the City has determined it is in the public interest to abandon the portion of the easements because they are no longer needed for the health, welfare and safety of its citizens.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the real property interests being abandoned are identified on the attached Exhibit 1, Abandonments Table, with locations depicted on Exhibit 2.

SECTION 2. That upon Execution of the Quit Claim Deeds attached to this Ordinance as Attachments 1 - 3, the City hereby abandons any interest it may have in the real property as described in the corresponding legal descriptions. Title to the released property shall vest in the underlying landowners, as provided by law.

SECTION 3. That because the City has determined that it no longer needs an interest in these real properties to protect the health, welfare and safety of its citizens, as provided in A.R.S. §9-402(E), the City is not receiving payment for such abandonments and re-conveyances of the City's interest in the easements to the underlying dominant property owners.

SECTION 4. That the Council hereby authorizes and instructs the City Manager to execute the Quit Claim deeds provided in Attachments 1 - 3, granting and re-conveying the easements to the underlying property owners.

SECTION 5. That the City Clerk is accordingly instructed and authorized to forward a certified copy of this ordinance and its attachments for recording to the Maricopa County Recorder's Office.

SECTION 6. That the provisions of this ordinance shall become effective thirty (30) days after passage of this ordinance by the Glendale City Council.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 11th day of May, 2021.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager

ATTACHMENT 1

When recorded, mail to
Glendale City Clerk
5850 West Glendale Avenue
Glendale, Arizona 85301

QUIT CLAIM DEED

For the consideration of Ten Dollars, and other valuable considerations, the **City of Glendale, an Arizona municipal corporation**, (Grantor) does hereby quitclaim to SWIRE PACIFIC HOLDINGS INC., a Delaware corporation (Grantee) any and all right, title and interest to and in that certain parcel of Real Property situated in Maricopa County and described as follows:

See Attached Description, "Exhibit A"

Dated this _____ day of _____, 2021.

Kevin R. Phelps
City Manager

Exempt Pursuant to A.R.S.§11-1134 (A)(3)

STATE OF ARIZONA)
) ss.
County of Maricopa)

This instrument was acknowledged before me this _____ day of _____, 2021 by Kevin R. Phelps, City Manager for the City of Glendale, who acknowledged that he executed this instrument for the purposes therein contained.

Notary Public

My commission expires:

7845 N 106TH AVE
Ord. No. _____

EXHIBIT "A"
LEGAL DESCRIPTION
WATERLINE EASEMENT ABANDONMENT
SWIRE COCA-COLA, GLENDALE

That portion of a 20' wide Easement for water line purposes, recorded in Document No. 2007-0047308 over Parcel 3 of the Amended Final Plat for a Portion of the Glen-Harbor Air Business Park, Glendale, Arizona, according to Book 682 of Maps, Page 34, Records of Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the Northwest corner of said Parcel 3;

Thence South 00° 44' 57" West, (South 00° 45' 32" West, record) along the West line of said Parcel 3, a distance of 77.37 feet;

Thence East, 84.49 feet to a point on the West line of said waterline easement and the POINT OF BEGINNING;

Thence continuing East, 28.26 feet to a corner of said easement;

Thence South 44° 56' 51" West, along the Easterly line of said easement, a distance of 91.27 feet to a corner of said easement;

Thence South 00° 00' 09" East, continuing along said Easterly line, distance of 448.81 feet;

Thence South 45° 00' 00" West, leaving said Easterly line, distance of 27.33 feet to a point on the Westerly line of said easement;

Thence North 45° 00' 00" West, along said Westerly line, a distance of 0.95 feet to a corner of said easement;

Thence North 00° 00' 09" West, continuing along said Westerly line, distance of 257.50 feet to a corner of said easement;

Thence South 89° 59' 51" West, continuing along said Westerly line, a distance of 10.78 feet to a corner of said easement;

Thence North 00° 00' 09" West, continuing along said Westerly line, distance of 20.00 feet to a corner of said easement;

Thence North 89° 59' 51" East, continuing along said Westerly line, a distance of 10.78 feet to a corner of said easement;

Thence North 00° 00' 09" West, continuing along said Westerly line, distance of 198.24 feet to a corner of said easement;

Thence North 44° 56' 51" East, continuing along said Westerly line, distance of 79.58 feet to the POINT OF BEGINNING.



NORTHERN AVE

N 89°28'54" E 459.93'

NW COR
PARCEL 3

P.O.B.

20' W.L.E.
BEING DEDICATED
BY SEPARATE INST.

SWIRE PACIFIC HOLDINGS
LOT 1
MINOR LAND DIVISION—LOT SPLIT
FOR AZ INVESTMENT, LLC
BOOK 1317 PAGE 42



20' W.L.E.
2007-0047308
PORTION TO BE
ABANDONED

LINE	BEARING	DISTANCE
L1	S 00°44'57" W	77.37
L2	N 90°00'00" E	84.49
L3	N 90°00'00" E	28.26
L4	S 44°56'51" W	91.27
L5	S 45°00'00" W	27.33
L6	N 45°00'00" W	0.95
L7	S 89°59'51" W	10.78
L8	N 00°00'09" W	20.00
L9	N 89°59'51" E	10.78
L10	N 44°56'51" E	79.58

SWIRE COCA-COLA
PARCEL 3
AMENDED FINAL PLAT FOR A PORTION OF
GLEN-HARBOR AIR BUSINESS PARK
GLENDALE, ARIZONA
BOOK 682 PAGE 34

106TH AVE

EXHIBIT "B"
WATERLINE EASEMENT ABANDONMENT
SWIRE COCA-COLA

BAUER LAND SURVEYING, LLC
PH: 602-499-4104
JOB 1253 / 8-21-20



SCALE 1" = 100'

ATTACHMENT 2

When recorded, mail to
Glendale City Clerk
5850 West Glendale Avenue
Glendale, Arizona 85301

QUIT CLAIM DEED

For the consideration of Ten Dollars, and other valuable considerations, the **City of Glendale, an Arizona municipal corporation**, (Grantor) does hereby quitclaim to CESAR CHAVEZ FOUNDATION, a California non-profit benefit corporation (Grantee) any and all right, title and interest to and in that certain parcel of Real Property situated in Maricopa County and described as follows:

See Attached Description, "Exhibit A"

Dated this _____ day of _____, 2021.

Kevin R. Phelps
City Manager

Exempt Pursuant to A.R.S. §11-1134 (A)(3)

STATE OF ARIZONA)
) ss.
County of Maricopa)

This instrument was acknowledged before me this _____ day of _____, 2021 by Kevin R. Phelps, City Manager for the City of Glendale, who acknowledged that he executed this instrument for the purposes therein contained.

Notary Public

My commission expires:

5619 N 67th Ave
Ord _____

“Exhibit A”

Legal Description

An easement for waterline purposes over, under, and through a portion of the North half of the North half of G.L.O. Lot 2 (sometimes referred to as the North half of the North half of the Southwest quarter of the Northwest quarter) of Section 18, Township 2 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the Northwest corner of said Section 18;

thence South 01° 08' 21" West (assumed bearing) along the West line of the Northwest quarter of said Section 18, a distance of 1318.18 feet to the Northwest corner of said G.L.O. Lot 2;

thence East along the North line of said G.L.O. Lot 2, a distance of 45.01 feet to a point on the East line of the West 45.00 feet of said G.L.O. Lot 2;

thence South 01°08'21" West along the East line of the West 45.00 feet of said G.L.O. Lot 2, a distance of 24.00 feet to the TRUE POINT OF BEGINNING;

thence East a distance of 107.78 feet;

thence North 67°10'00" East a distance of 46.39 feet;

thence East a distance of 264.84 feet;

thence South 67°10'00" East a distance of 54.12 feet;

thence East a distance of 198.98 feet;

thence South a distance of 282.50 feet;

thence North 89°59'42" West a distance of 296.14 feet;

thence South 67°10'18" West a distance of 25.77 feet;

thence North 89°59'42" West a distance of 350.21 feet to a point on the East line of the West 45.00 feet of said G.L.O. Lot 2;

thence North 01°08'21" East along the East line of the West 45.00 feet of said G.L.O. Lot 2, a distance of 20 feet;

thence South 89°59'42" East a distance of 19.19 feet;

thence North 00°00'18" East a distance of 16.00 feet;

thence South 89°59'42" East a distance of 6.00 feet;

thence South 00°00'18" West a distance of 16.00 feet;

thence South 89°59'42" East a distance of 200.33 feet;

thence North 00°00'18" East a distance of 6.00 feet;

thence South 89°59'42" East a distance of 6.00 feet;

thence South 00°00'18" West a distance of 6.00 feet;

thence South 89°59'42" East a distance of 28.00 feet;

thence North 00°00'18" East a distance of 6.00 feet;

thence South 89°59'42" East a distance of 6.00 feet;

thence South 00°00'18" West a distance of 6.00 feet;

thence South 89°59'42" East a distance of 69.00 feet;

thence North 00°00'18" East a distance of 6.00 feet;

thence South 89°59'42" East a distance of 6.00 feet;

thence South 00°00'18" West a distance of 6.00 feet;
thence South 89°59'42" East a distance of 5.26 feet;
thence North 67°10'18" East a distance of 25.77 feet;
thence South 89°59'42" East a distance of 76.84 feet;
thence North 00°00'18" East a distance of 17.00 feet;
thence South 89°59'42" East a distance of 6.00 feet;
thence South 00°00'18" West a distance of 17.00 feet;
thence South 89°59'42" East a distance of 107.33 feet;
thence North 00°00'18" East a distance of 14.00 feet;
thence South 89°59'42" East a distance of 6.00 feet;
thence South 00°00'18" West a distance of 14.00 feet;
thence South 89°59'42" East a distance of 84.00 feet;
thence North a distance of 110.42 feet;
thence West a distance of 12.00 feet;
thence North a distance of 6.00 feet;
thence East a distance of 12.00 feet;
thence North a distance of 126.08 feet;
thence West a distance of 77.00 feet;
thence South a distance of 8.00 feet;
thence West a distance of 6.00 feet;
thence North a distance of 8.00 feet;
thence West a distance of 100.02 feet;
thence North 67°10'00" West a distance of 42.71 feet;
thence South a distance of 8.57 feet;
thence West 6.00 a distance of 6.00 feet;
thence North a distance of 11.10 feet;
thence North 67°10'00" West a distance of 4.90 feet;
thence West a distance of 123.49 feet;
thence South a distance of 8.00 feet;
thence West a distance of 6.00 feet;
thence North a distance of 8.00 feet;
thence West a distance of 127.00 feet;
thence South 22°50'00" East a distance of 12.59 feet;
thence South 67°10'00" West a distance of 6.00 feet;
thence North 22°50'00" West a distance of 12.69 feet;
thence South 67°10'00" West a distance of 40.63 feet;
thence West a distance of 112.22 feet to a point on the East line of the West
45.00 feet of said G.L.O. Lot 2;
thence North 01°08'21" East along the East line of the West 45.00 feet of said
G.L.O. Lot 2, a distance of 20.00 feet to the TRUE POINT OF BEGINNING.

ATTACHMENT 3

When recorded, mail to
Glendale City Clerk
5850 West Glendale Avenue
Glendale, Arizona 85301

QUIT CLAIM DEED

For the consideration of Ten Dollars, and other valuable considerations, the **City of Glendale, an Arizona municipal corporation**, (Grantor) does hereby quitclaim to BDW Holdings, LLC, a Arizona limited liability company (Grantee) any and all right, title and interest to and in that certain parcel of Real Property situated in Maricopa County and described as follows:

See Attached Description, "Exhibit A"

Dated this _____ day of _____, 2021.

Kevin R. Phelps
City Manager

Exempt Pursuant to A.R.S.§11-1134 (A)(3)

STATE OF ARIZONA)
) ss.
County of Maricopa)

This instrument was acknowledged before me this _____ day of _____, 2021 by Kevin R. Phelps, City Manager for the City of Glendale, who acknowledged that he executed this instrument for the purposes therein contained.

Notary Public

My commission expires:

9244 W Glendale Ave
Ord. No. _____

'Exhibit A'

**EASEMENT RELEASE EXHIBIT
LOT 1, EN FUEGO AT WESTGATE
GLENDALE, ARIZONA**



Date: 9/14/20
Job No.: 2015-017
Page 1 of 2

AN EASEMENT LOCATED WITHIN LOT 1, "EN FUEGO AT WESTGATE" AS RECORDED IN BOOK 1530 PAGE 22, RECORDS OF MARICOPA COUNTY, ARIZONA, RESIDING WITHIN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1;

THENCE SOUTH 01 DEGREE 47 MINUTES 10 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 20.00 FEET;

THENCE DEPARTING SAID EAST LINE SOUTH 88 DEGREES 13 MINUTES 23 SECONDS WEST, A DISTANCE OF 94.50 FEET;

THENCE SOUTH 01 DEGREE 47 MINUTES 10 SECONDS EAST, A DISTANCE OF 154.00 FEET;

THENCE NORTH 88 DEGREES 12 MINUTES 50 SECONDS EAST, A DISTANCE OF 12.51 FEET;

THENCE NORTH 01 DEGREE 34 MINUTES 13 SECONDS WEST, A DISTANCE OF 14.01 FEET;

THENCE NORTH 88 DEGREES 12 MINUTES 50 SECONDS EAST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 01 DEGREE 34 MINUTES 13 SECONDS EAST, A DISTANCE OF 14.01 FEET;

THENCE NORTH 88 DEGREES 12 MINUTES 50 SECONDS EAST, A DISTANCE OF 71.99 FEET TO A POINT ON SAID EAST LINE;

THENCE SOUTH 01 DEGREE 47 MINUTES 10 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 24.00 FEET;

THENCE DEPARTING SAID EAST LINE SOUTH 88 DEGREES 12 MINUTES 50 SECONDS WEST, A DISTANCE OF 162.08 FEET;

THENCE NORTH 01 DEGREE 47 MINUTES 10 SECONDS WEST, A DISTANCE OF 24.00 FEET;

THENCE NORTH 88 DEGREES 12 MINUTES 50 SECONDS EAST, A DISTANCE OF 31.26 FEET;

THENCE NORTH 01 DEGREE 15 MINUTES 38 SECONDS WEST, A DISTANCE OF 16.58 FEET;

THENCE NORTH 88 DEGREES 12 MINUTES 50 SECONDS EAST, A DISTANCE OF 16.17 FEET;

THENCE NORTH 01 DEGREE 47 MINUTES 10 SECONDS WEST, A DISTANCE OF 137.42 FEET;

THENCE SOUTH 88 DEGREES 13 MINUTES 23 SECONDS WEST, A DISTANCE OF 76.31 FEET;

THENCE SOUTH 01 DEGREE 46 MINUTES 37 SECONDS EAST, A DISTANCE OF 18.02 FEET;

THENCE SOUTH 88 DEGREES 13 MINUTES 23 SECONDS WEST, A DISTANCE OF 10.00 FEET;

'Exhibit A" Cont

THENCE NORTH 01 DEGREE 46 MINUTES 37 SECONDS WEST, A DISTANCE OF 18.02 FEET;

THENCE SOUTH 88 DEGREES 13 MINUTES 23 SECONDS WEST, A DISTANCE OF 52.40 FEET;

THENCE SOUTH 72 DEGREES 44 MINUTES 10 SECONDS WEST, A DISTANCE OF 4.29 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1, AND BEING THE POINT OF A NON-TANGENT CURVE CONCAVE TO THE WEST, WITH A CHORD BEARING OF NORTH 15 DEGREES 36 MINUTES 37 SECONDS WEST, A CHORD DISTANCE OF 20.01 FEET;

THENCE NORTHERLY ALONG SAID WEST LINE AND ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 1,555.00 FEET TO THE LEFT, THROUGH A CENTRAL ANGLE OF 00 DEGREES 44 MINUTES 14 SECONDS, A DISTANCE OF 20.01 FEET;

THENCE DEPARTING SAID WEST LINE NORTH 72 DEGREES 44 MINUTES 10 SECONDS EAST, A DISTANCE OF 6.43 FEET;

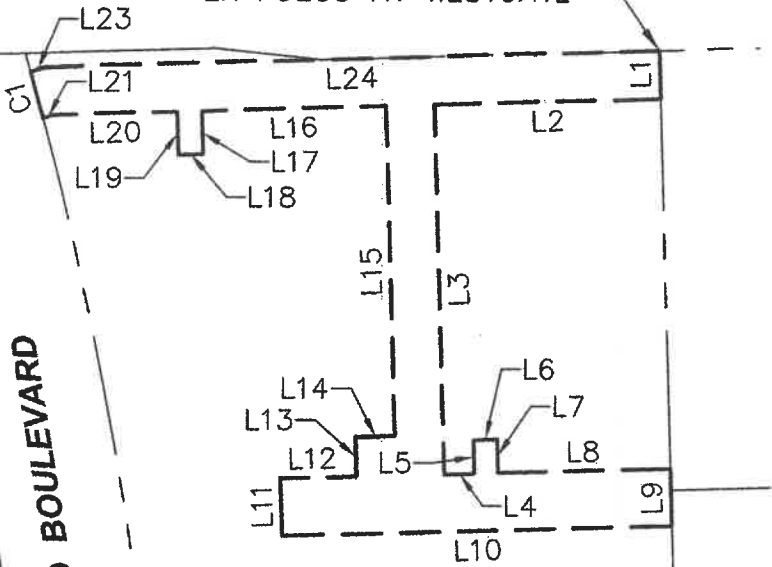
THENCE NORTH 88 DEGREES 13 MINUTES 23 SECONDS EAST, A DISTANCE OF 255.93 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 12,758 SQUARE FEET OR 0.293 ACRES, MORE OR LESS.



**ZANJERO CENTER
LOT 1E-2
BOOK 1466, PAGE 4**

P.O.B.
N.E. CORNER OF LOT 1
EN FUEGO AT WESTGATE



ZANJERO BOULEVARD

**LOT 1
EN FUEGO AT WESTGATE
BOOK 1530, PAGE 22**



GLENDALE AVENUE

SIG

**SURVEY INNOVATION
GROUP, INC**

Ph (480) 922 0780 *Land Surveying Services* Fx (480) 922 0781
22425 N. 16th ST., SUITE 1, PHOENIX, ARIZONA 85024

**EASEMENT RELEASE EXHIBIT
LOT 1 EN FUEGO AT WESTGATE
GLENDALE, ARIZONA**

JOB # 15-017	DWG: W&S ESMT RELEASE	DATE 9/14/20
SCALE: N.T.S.	DRAWN: DSR	CHK: ELS
		SHEET 1 OF 2

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S01°47'10"E	20.00'
L2	S88°13'23"W	94.50'
L3	S01°47'10"E	154.00'
L4	N88°12'50"E	12.51'
L5	N01°34'13"W	14.01'
L6	N88°12'50"E	10.00'
L7	S01°34'13"E	14.01'
L8	N88°12'50"E	71.99'
L9	S01°47'10"E	24.00'
L10	S88°12'50"W	162.08'
L11	N01°47'10"W	24.00'
L12	N88°12'50"E	31.26'
L13	N01°15'38"W	16.58'
L14	N88°12'50"E	16.17'
L15	N01°47'10"W	137.42'
L16	S88°13'23"W	76.31'
L17	S01°46'37"E	18.02'
L18	S88°13'23"W	10.00'
L19	N01°46'37"W	18.02'
L20	S88°13'23"W	52.40'

LINE TABLE		
LINE	DIRECTION	LENGTH
L21	S72°44'10"W	4.29'
L23	N72°44'10"E	6.43'
L24	N88°13'23"E	255.93'

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	0°44'14"	1555.00'	20.01'	N15°36'37"W 20.01'



SIG
SURVEY INNOVATION
GROUP, INC

EASEMENT RELEASE EXHIBIT
LOT 1 EN FUEGO AT WESTGATE
GLENDAL, ARIZONA

Ph (480) 922 0780 *Land Surveying Services* Fx (480) 922 0781
 22425 N. 16th ST., SUITE 1, PHOENIX, ARIZONA 85024

JOB # 15-017	DWG: W&S ESMT RELEASE	DATE 9/14/20
SCALE: N.T.S.	DRAWN: DSR	CHK: ELS
		SHEET 2 OF 2

EXHIBIT 1

ABANDONMENTS TABLE FOR ORDINANCE NO. _____

ATTACHMENT NO.		
1	Grantor Name	SWIRE PACIFIC HOLDINGS INC. dba SWIRE COCA COLA, USA
	Development/Project	SWIRE
	Location	7845 North 106 th Avenue
	Purpose	Water Line Easement Abandonment, not utilized
	Conveyance Document	Quit Claim Deed
	Originating Document	Conveyance, 2007-0047308, 1/9/07 Ordinance 2600, 11/27/07
2	Grantor Name	CESAR CHAVEZ FOUNDATION
	Development/Project	CIELO APARTMENTS
	Location	5619 North 67 th Avenue
	Purpose	Water Line Easement Abandonment, not utilized
	Conveyance Document	Quit Claim Deed
	Originating Document	Conveyance, 1984-0303196, 7/12/84
3	Grantor Name	BDW Holdings, LLC
	Development/Project	En Fuego
	Location	9244 West Glendale Avenue
	Purpose	Water Line Abandonment
	Conveyance Document	Quit Claim Deed
	Originating Document	Final Plat, 2020-0514075, 6/12/20 Special Warranty Deed, 210281097, 02/26/21

