

ORDINANCE NO. O22-39

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 THE 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; and

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

WHEREAS, the City has determined it is in the public interest to abandon the portion of the easements as listed on Exhibit 1 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.

SECTION 2. That upon execution of the Quit Claim Deeds attached to this Ordinance as Attachments 1 - 2, the City hereby abandons any interest it may have in the real property 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 - 2, 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 14th day of June, 2022.

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 **LIBERTAD GLENDALE LLC** (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 _____, 2022.

Kevin R. Phelps
City Manager

ATTEST:

Julie K. Bower, City Clerk (Seal)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

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 _____, 2022 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:

6529 W Ocotillo Rd
Ord _____

**LEGAL DESCRIPTION
ABANDONED WATER LINE EASEMENT**

A PORTION OF THAT WATER LINE EASEMENT DESCRIBED IN DOCUMENT NUMBER 1984-0129270, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 2 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

AN EASEMENT 20' WIDE, LYING 10' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF LOT 3, BLOCK 7, ORCHARD ADDITION, ACCORDING TO BOOK 3 OF MAPS, PAGE 30, MARICOPA COUNTY RECORDS;

THENCE NORTH 89°01'17" EAST, ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 442.42 FEET TO THE EAST LINE OF THE WEST THREE-QUARTERS OF SAID LOT 3;

THENCE SOUTH 00°23'02" WEST, ALONG SAID EAST LINE, A DISTANCE OF 14.00 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89°01'17" WEST, A DISTANCE OF 30.00 FEET TO THE **POINT OF TERMINUS**; AND

COMMENCING AT THE NORTHWEST CORNER OF LOT 3, BLOCK 7, ORCHARD ADDITION, ACCORDING TO BOOK 3 OF MAPS, PAGE 30, MARICOPA COUNTY RECORDS;

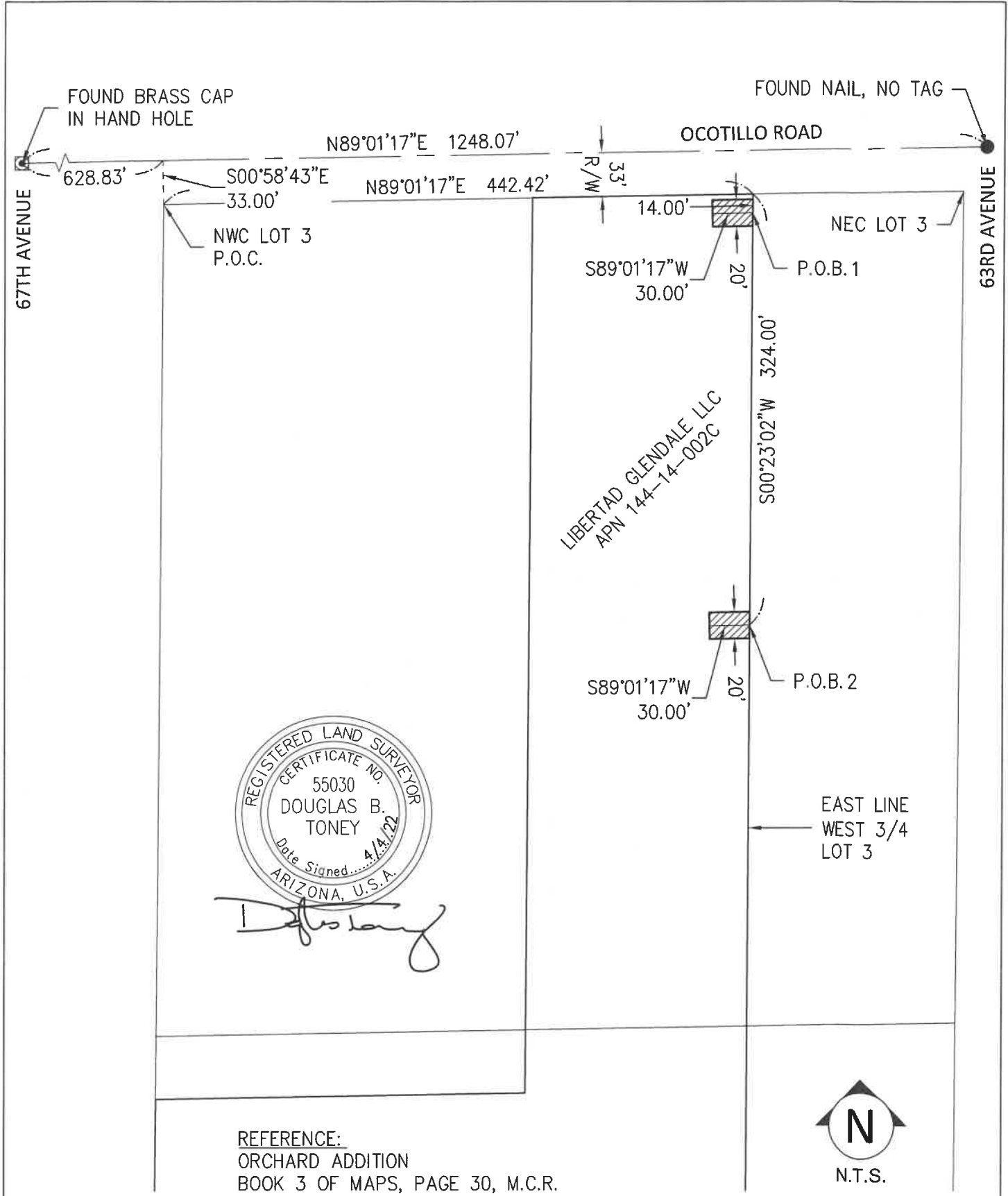
THENCE NORTH 89°01'17" EAST, ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 442.42 FEET TO THE EAST LINE OF THE WEST THREE-QUARTERS OF SAID LOT 3;

THENCE SOUTH 00°23'02" WEST, ALONG SAID EAST LINE, A DISTANCE OF 324.00 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89°01'17" WEST, A DISTANCE OF 30.00 FEET TO THE **POINT OF TERMINUS**.

CONTAINING 1,200 SQ.FT. OR 0.0275 ACRES, MORE OR LESS.





SHEET 1 OF 1	DATE: 4/4/22	EXHIBIT ABANDONED WATER LINE EASEMENT			Bowman CONSULTING 1600 N Desert Drive, #210 Tempe, AZ 85281 Phone: (480) 629-8830 Fax: (480) 629-8841 www.bowman.com
		BY: DT	CHK:	QC:	
BCG PROJECT NO: 090833-01 TASK: 001 CLIENT REF NO:					

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 **GLENDALE FIRST CHURCH OF THE NAZARENE** (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 _____, 2022.

Kevin R. Phelps
City Manager

ATTEST:

Julie K. Bower (Seal)

APPROVED AS TO FORM:

City Attorney

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 _____, 2022 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:

5902 W Cactus
Ord _____

EXHIBIT

DESCRIPTION OF ABANDONED PORTION OF WATER EASEMENT

A PORTION OF THAT 20 FOOT WATER EASEMENT AS RECORDED IN DOCUMENT NO. 2000-0844334, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3-INCH CITY OF GLENDALE BRASS CAP IN HANDHOLE (0.60' DOWN) MARKING THE SOUTHEAST CORNER OF SAID SECTION 18 FROM WHICH A 3-INCH CITY OF GLENDALE BRASS CAP IN HANDHOLE (0.80' DOWN) MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 18 BEARS SOUTH 88 DEGREES 56 MINUTES 22 SECONDS WEST 2634.13 FEET, SAID DESCRIBED LINE BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE SOUTH 88 DEGREES 56 MINUTES 22 SECONDS WEST 593.04 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF THAT 20 FOOT WATER EASEMENT AS RECORDED IN DOCUMENT NO. 2000-0844334, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00 DEGREES 00 MINUTES 19 SECONDS WEST 55.01 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF THE SOUTH 55.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE CONTINUING NORTH 00 DEGREES 00 MINUTES 19 SECONDS WEST 219.24 FEET ALONG SAID WEST LINE;

THENCE NORTH 46 DEGREES 49 MINUTES 41 SECONDS EAST 76.74 FEET ALONG THE NORTHWEST LINE OF SAID WATER EASEMENT TO THE POINT OF BEGINNING;

THENCE NORTH 43 DEGREES 10 MINUTES 19 SECONDS WEST 65.00 FEET;

THENCE NORTH 46 DEGREES 49 MINUTES 41 SECONDS EAST 20.00 FEET;

THENCE SOUTH 43 DEGREES 10 MINUTES 19 SECONDS EAST 65.00 FEET TO THE NORTHWEST LINE OF SAID WATER EASEMENT;

THENCE SOUTH 46 DEGREES 49 MINUTES 41 SECONDS WEST 20.00 FEET ALONG SAID NORTHWEST LINE TO THE POINT OF BEGINNING.

CONTAINING 1,300 SQUARE FEET, MORE OR LESS



 SUPERIOR SURVEYING SERVICES, INC.	2122 W. Lone Cactus Dr. Ste. 11, Phoenix, AZ 85027 623-869-0223 (office) 623-869-0726 (fax) www.superiorsurveying.com info@superiorsurveying.com
	DATE: 4/27/2022

EXHIBIT
 DEPICTION OF ABANDONED
 PORTION OF WATER EASEMENT

LINE	BEARING	DISTANCE
L1	N 00°00'19" W	55.01'
L2	N 00°00'19" W	219.24'
L3	N 46°49'41" E	76.74'
L4	N 43°10'19" W	65.00'
L5	N 46°49'41" E	20.00'
L6	S 43°10'19" E	65.00'
L7	S 46°49'41" W	20.00'

SOUTH 1/4 CORNER
 SECTION 18, T-3N, R-2E
 FOUND 3" CITY OF GLENDALE
 BRASS CAP IN HANDHOLE
 (0.80' DOWN)

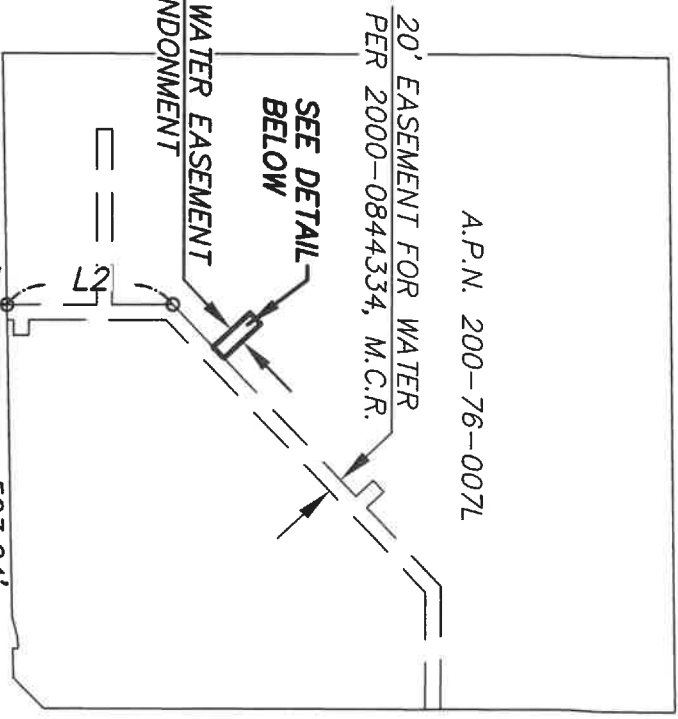
NOT TO SCALE

2041.09'

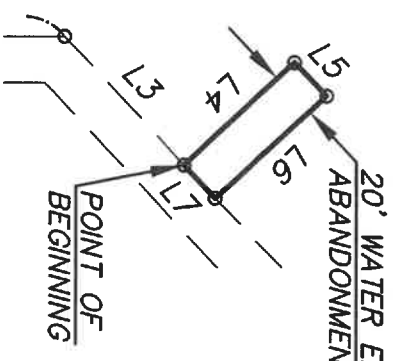
W. CACTUS ROAD

593.04'

SOUTHEAST CORNER
 SECTION 18, T-3N, R-2E
 FOUND 3" CITY OF GLENDALE
 BRASS CAP IN HANDHOLE
 (0.60' DOWN)



N. 59TH AVENUE



DETAIL



David S. Klein



DATE: 4/27/2022

JOB NO.: 202101068-EX-B

2122 W. Lone Cactus Dr., Ste. 11
 Phoenix, AZ 85027
 623-869-0223 (office)
 623-869-0726 (fax)
 www.superiorsurveying.com
 info@superiorsurveying.com

EXHIBIT 1

ABANDONMENTS TABLE FOR ORDINANCE NO. _____

ATTACHMENT NO.		
1	Grantee Name	LIBERTAD GLENDALE LLC
	Development/Project	LIBERTAD APARTMENTS
	Location	6529 West Ocotillo Road
	Purpose	Waterline Easement Abandonment
	Conveyance Document	Quit Claim Deed
	Originating Document	Conveyance of Easement #1984-129270, 3/29/84
2	Grantee Name	GLENDALE FIRST CHURCH OF THE NAZARENE
	Development/Project	GLENDALE NAZARENE CHURCH
	Location	5902 West Cactus Road
	Purpose	Waterline Easement Abandonment
	Conveyance Document	Quit Claim Deed
	Originating Document	Conveyance of Easement, 2000-0844334, 11/2/2000