

ORDINANCE NO. O22-55

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ABANDONMENT OF RIGHT-OF-WAY AND EASEMENTS AT 7118 WEST AUGUSTA AVENUE AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.

WHEREAS, the Glendale City Council previously accepted right-of-way and public utility easements on private property located at 7118 West Augusta Avenue within the City on the dates specified in Exhibit 1; and

WHEREAS, Santokh Real Estate Group, LLC is requesting the City abandon portions of the right-of-way and public utility easement; and

WHEREAS, Santokh Real Estate Group, LLC proposes to incorporate the abandoned areas into the adjacent Villa Dolce development; and

WHEREAS, the City has determined it is in the public interest to abandon the portions of the right-of-way and 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 identified on the attached Exhibit 1, Abandonments Table, shall be abandoned.

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 this real property. Title to said property shall vest in the underlying landowners, as provided by law.

SECTION 3. That 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). Because the City no longer needs such portions of these rights-of-way and easements, the abandoned property is being reconveyed without receiving payment.

SECTION 4. That the Council hereby authorizes and instructs the City Manager to execute the Quit Claim deeds provided in Attachments 1 - 2, and any other documents necessary to reconvey title to the property owners identified in Exhibit 1.

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 23<sup>rd</sup> day of August, 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 **SANTOKH REAL ESTATE GROUP, LLC**, an 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 \_\_\_\_\_, 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:

7118 W. Augusta  
Ord \_\_\_\_\_

# EXHIBIT A

## RIGHT OF WAY ABANDONMENT

### LEGAL DESCRIPTION

AN EXISTING RIGHT OF WAY TO BE ABANDONED, LOCATED BETWEEN LOTS 1, 2, 3 AND 4 OF "NORTHERN GATEWAY COMMERCE CENTER PARK" ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 912 OF MAPS, PAGE 19, LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1;

THENCE ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, SOUTH 01°53'15" WEST (BASIS OF BEARING), A DISTANCE OF 312.31 FEET; THENCE LEAVING SAID EAST LINE, NORTH 88°06'45" WEST, A DISTANCE OF 55.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 2, SAID POINT BEING THE POINT OF BEGINNING;

THENCE LEAVING SAID SOUTH LINE, SOUTH 01°53'35" WEST, A DISTANCE OF 50.01 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 4; THENCE ALONG THE NORTH LINE OF SAID LOT 4, NORTH 88°55'39" WEST, A DISTANCE OF 102.77 FEET TO A POINT OF TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 16.00 FEET, AND A CENTRAL ANGLE OF 51°36'07"; THENCE ALONG SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 14.41 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 283°11'24"; THENCE ALONG SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 247.13 FEET TO A POINT OF REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 16.00 FEET AND A CENTRAL ANGLE OF 51°36'07"; THENCE ALONG SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 14.41 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID POINT LYING ON THE SOUTH LINE OF SAID LOT 2; THENCE ALONG SOUTH LINE OF SAID LOT 2, SOUTH 88°55'39" EAST, A DISTANCE OF 103.48 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 13,225 SQ. FT. (0.304 ACRES) OF LAND MORE OR LESS.



RIGHT OF WAY ABANDONMENT

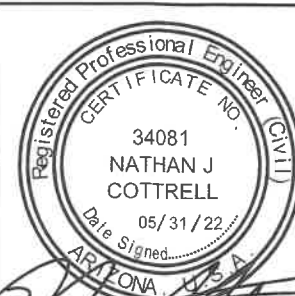
13,225 SQ. FT.

0.304 ACRES

DATE: 5-31-22  
SCALE:  
SHEET 1 OF 2

CHECKED BY: NJC  
DRAWN BY: MGO  
PROJECT #: 7021069

EXH. A



NORTHEAST CORNER OF THE NORTHWEST 1/4  
OF SEC. 1, T.2N, R.1E

NORTHERN AVENUE  
POINT OF COMMENCEMENT

65'  
R/W

S1°53'15"W 312.31'  
(BASIS OF BEARING)

LOT 1  
912/19

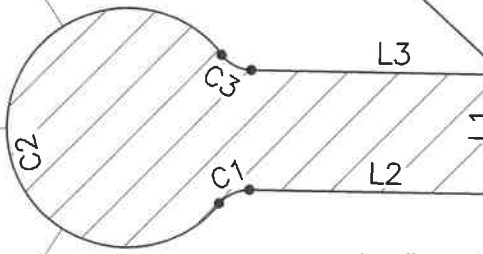
LOT 2  
912/19

N88°06'45"W  
55.00'

N46°28'48"E  
21.36'

POINT OF BEGINNING

LINE TABLE		
LINE#	LENGTH	DIRECTION
L1	50.01'	S01°53'35"W
L2	102.77'	N88°55'39"W
L3	103.48'	S88°55'39"E



LOT 3  
912/19

LOT 4  
912/19

S43°31'12"E  
21.06'

71st AVENUE

40'  
R/W

CURVE TABLE

CURVE#	LENGTH	RADIUS	DELTA	CHORD
C1	14.41'	16.00	51°36'07"	S65°17'07"W 13.93'
C2	247.13'	50.00	283°11'24"	N1°04'46"E 62.12'
C3	14.41'	16.00	51°36'07"	S63°07'35"E 13.93'



NORTH  
1"=80'



RIGHT OF WAY ABANDONMENT

13,225 SQ. FT.

0.304 ACRES

DATE: 5-31-22  
SCALE: 1"=80'  
SHEET 2 OF 2

CHECKED BY: NJC  
DRAWN BY: MGO  
PROJECT #: 7021069

EXH. A



*[Handwritten signature]*

**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 **SANTOKH REAL ESTATE GROUP, LLC**, an 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 \_\_\_\_\_, 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:

7118 W. Augusta  
Ord \_\_\_\_\_

# EXHIBIT A

## 8' P.U.E. ABANDONMENT

### LEGAL DESCRIPTION

AN EXISTING 8' P.U.E. TO BE ABANDONED THAT IS LOCATED BETWEEN LOTS 2 AND 4 OF "NORTHERN GATEWAY COMMERCE CENTER PARK" ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 912 OF MAPS, PAGE 19, LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EXISTING 8' PUBLIC UTILITY EASEMENT AROUND THE CUL-DE-SAC PER SAID PLAT ARE WEST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2;

THENCE SOUTH 01°53'15" WEST ALONG THE EAST LINE OF SAID LOT AND ALSO ALONG THE WESTERLY RIGHT OF WAY LINE OF 71st AVENUE, A DISTANCE OF 197.63 FEET;

THENCE NORTH 88°06'45" WEST, A DISTANCE OF 8.00 FEET TO A POINT ON AN EXISTING 8' P.U.E.;

THENCE SOUTH 46°29'46" WEST, ALONG SAID P.U.E., A DISTANCE OF 14.79 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 01°45'12" WEST, A DISTANCE OF 66.00 FEET TO A POINT ON AN EXISTING P.U.E. AND POINT OF TERMINATION.

THIS PARCEL CONTAINS 3,912 SQ. FT. (0.090 ACRES) OF LAND MORE OR LESS.



PUBLIC UTILITY EASEMENT  
ABANDONMENT

3,912 SQ. FT.

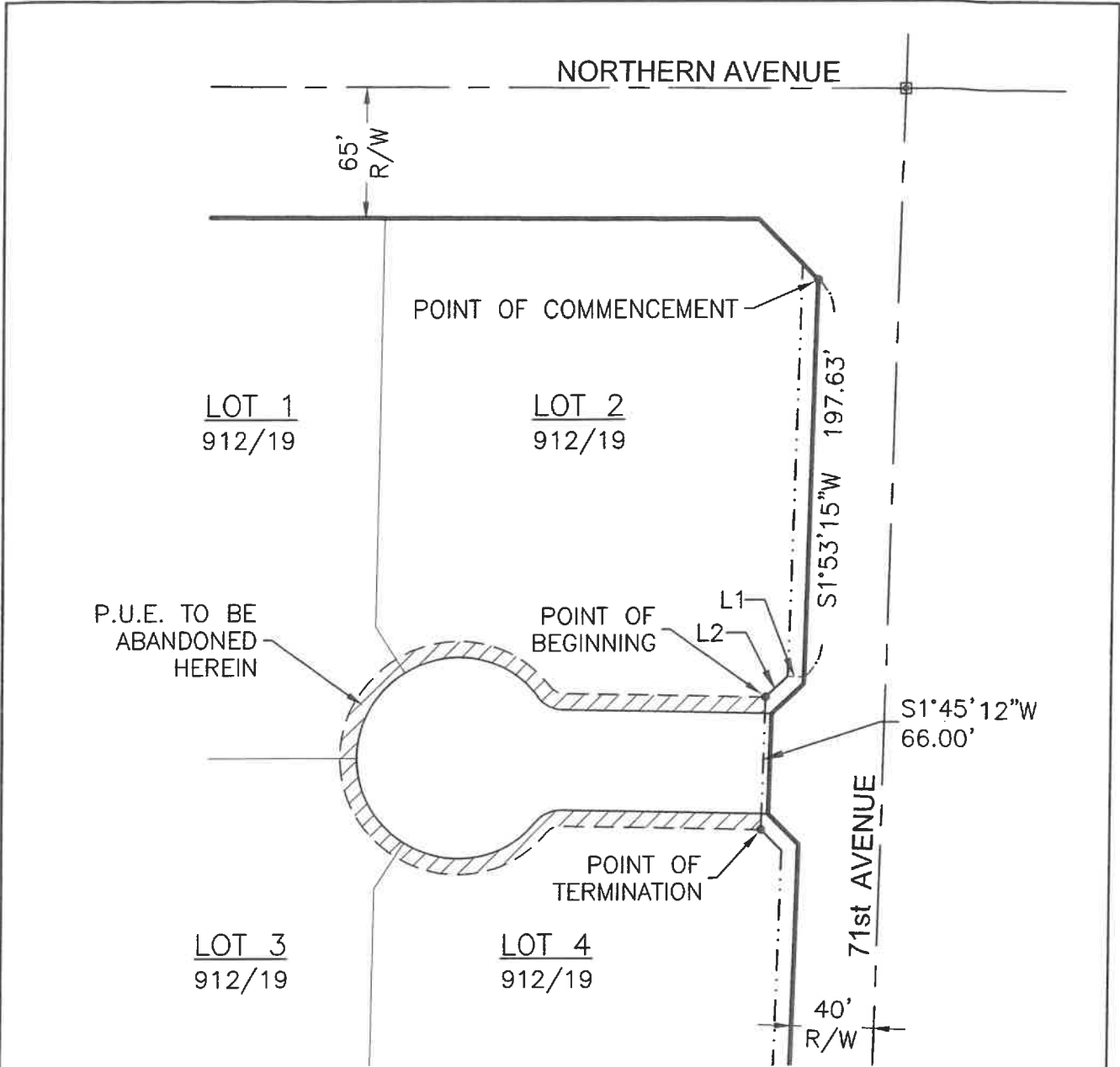
0.090 ACRES

DATE: 4-28-22  
SCALE:  
SHEET 1 OF 2

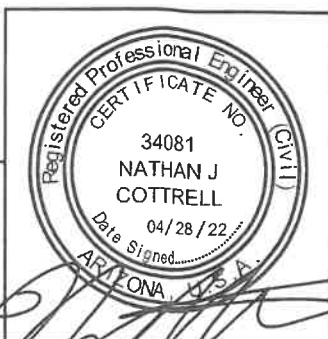
CHECKED BY: NJC  
DRAWN BY: MGO  
PROJECT #: 7021069

EXH. A





LINE TABLE		
LINE#	LENGTH	DIRECTION
L1	8.00'	N88°06'45"W
L2	14.79'	S46°29'46"W



**PUBLIC UTILITY EASEMENT ABANDONMENT**

3,912 SQ. FT.  
0.090 ACRES

DATE: 4-28-22  
SCALE: 1"=80'  
SHEET 2 OF 2

CHECKED BY: NJC  
DRAWN BY: MGO  
PROJECT #: 7021069

**EXH. A**