

ORDINANCE NO. O23-53

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ABANDONMENT OF CERTAIN RIGHTS-OF-WAY IN THE CITY OF GLENDALE AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

WHEREAS, the Glendale City Council previously accepted rights-of-way for roadway purposes on private property located at two locations within the City on the dates specified in Exhibit 1; and

WHEREAS, the City has determined that portions of these rights-of-way are no longer needed for the operation or expansion of roadways; and

WHEREAS, the private property owners are requesting the City abandon the portions of the rights-of-way and that they be returned to their ownership; and

WHEREAS, the City has determined it is in the public interest to abandon the portions of the rights-of-way 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. 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, 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 24<sup>th</sup> day of October, 2023.

\_\_\_\_\_  
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 **I&G GLENDALE LLC, a Delaware 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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
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 \_\_\_\_\_, 2023 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:

15700 W Glendale Ave  
Ord \_\_\_\_\_

**EXHIBIT A**  
**QUIT CLAIM**  
**CITY OF GLENDALE TO I&G GLENDALE LLC**  
**LEGAL DESCRIPTION**

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6 FROM WHENCE THE SOUTH QUARTER CORNER BEARS SOUTH 89°41'27" WEST, 2641.48 FEET DISTANT THEREFROM;

THENCE SOUTH 89°41'27" WEST, 78.12 FEET;

THENCE NORTH 03°26'10" WEST ALONG A LINE BEING 78.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 72.05 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 03°26'10" WEST, 1218.52 FEET;

THENCE NORTH 89°41'03" EAST, 8.03 FEET;

THENCE SOUTH 46°52'34" EAST, 21.78 FEET;

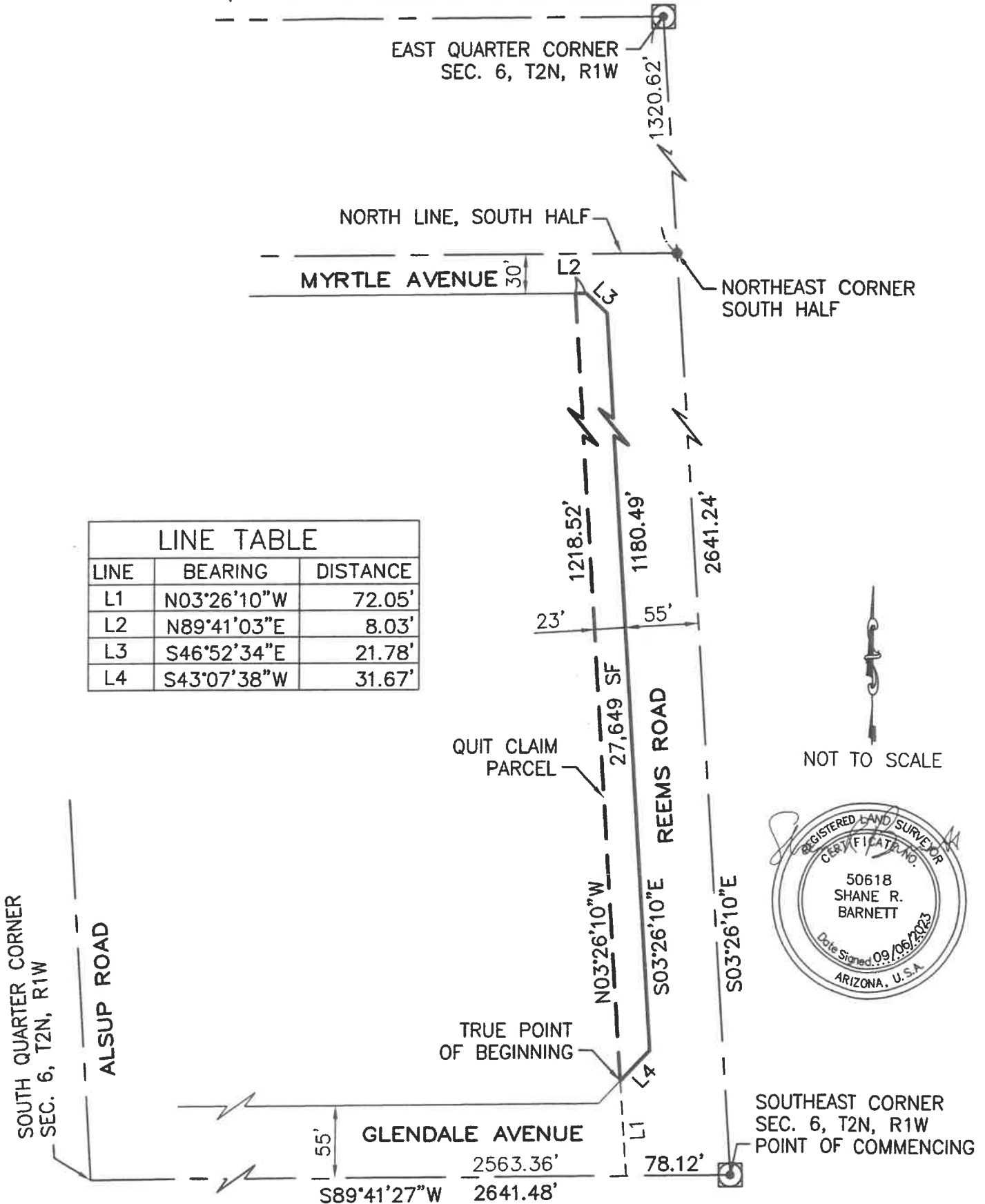
THENCE SOUTH 03°26'10" EAST ALONG A LINE BEING 55.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 1180.49 FEET;

THENCE SOUTH 43°07'38" WEST, 31.67 TO THE TRUE POINT OF BEGINNING.

CONTAINING 27,649 SF MORE OR LESS.



**EXHIBIT A**  
**QUIT CLAIM**  
**CITY OF GLENDALE TO I&G GLENDALE LLC**



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N03°26'10"W	72.05'
L2	N89°41'03"E	8.03'
L3	S46°52'34"E	21.78'
L4	S43°07'38"W	31.67'



**EXHIBIT A**  
**QUIT CLAIM**  
**CITY OF GLENDALE TO I&G GLENDALE LLC**  
**CLOSURE**

Course: N 03-26-10 W	Distance: 1218.52
Course: N 89-41-03 E	Distance: 8.03
Course: S 46-52-34 E	Distance: 21.78
Course: S 03-26-10 E	Distance: 1180.49
Course: S 43-07-38 W	Distance: 31.67

Perimeter: 2460.49

Area: 27648.71 0.63 acres

Mapcheck Closure – (Uses listed courses & COGO Units)

Error of Closure: 0.005

Course: S 39-47-59 E

Precision 1: 523956.67



## 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 GOLDEN RIDGE HOMEOWNERS ASSOCIATION, an Arizona non-profit 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"**

Grantor shall retain a water and sewer easement to install, repair, operate, maintain and remove water and sewer lines and appurtenances ("facilities") upon, over and under the surface of the property as described on **Exhibit "B"**.

Grantor shall retain a public utility easement as described on **Exhibit "C"**.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
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 \_\_\_\_\_, 2023 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:

69<sup>th</sup> Avenue & Lawrence Lane  
Ord \_\_\_\_\_

EXHIBIT A  
LEGAL DESCRIPTION  
RIGHT-OF-WAY ABANDONEMENT

THAT PORTION OF 69TH AVENUE LYING BETWEEN LAWRENCE LANE ON THE NORTH, ALICE AVENUE ON THE SOUTH, LOT 55 ON THE WEST AND TRACT B ON THE EAST AS SHOWN ON THE FINAL PLAT OF "WESTPARK MANOR", RECORDED IN BOOK 479, PAGE 29, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

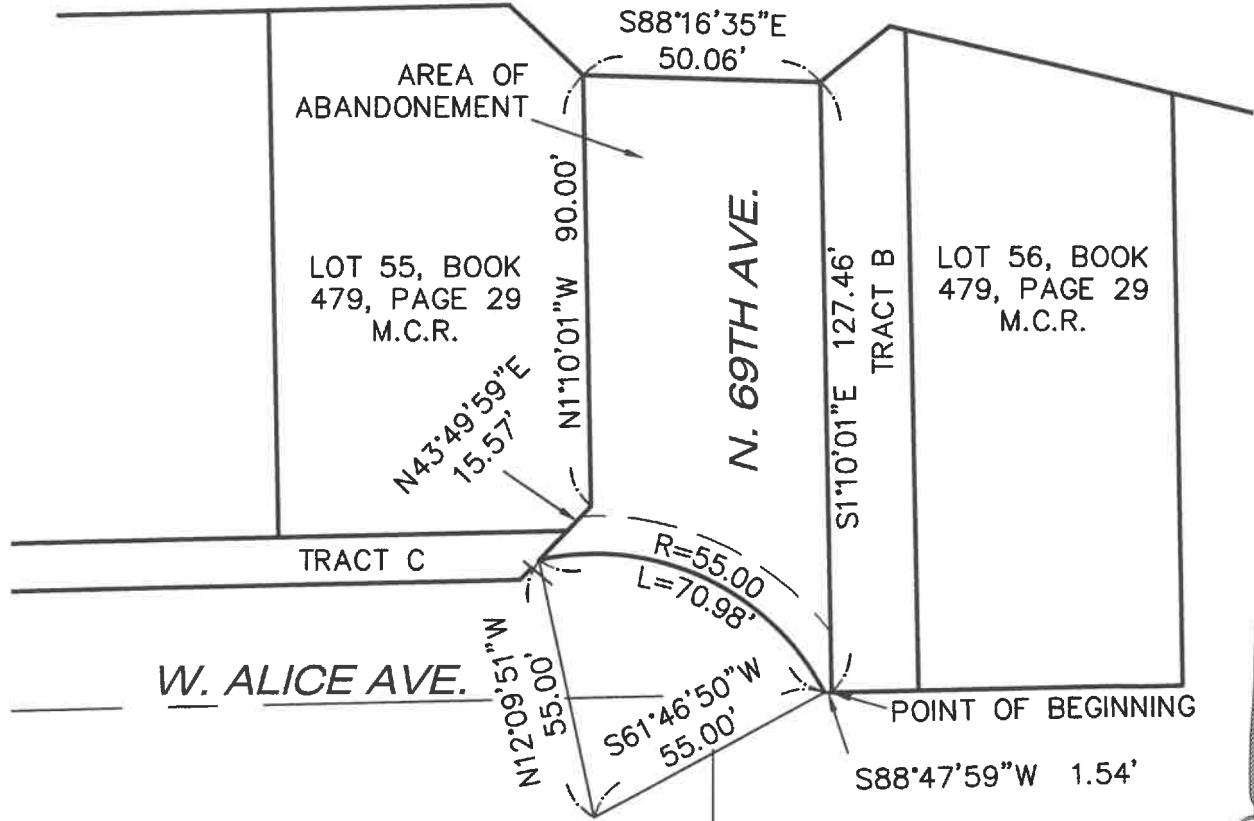
BEGINNING AT THE SOUTHWEST CORNER OF TRACT B OF THE SAID WESTPARK MANOR; THENCE SOUTH 88 DEGREES 47 MINUTES 59 SECONDS WEST, A DISTANCE OF 1.54 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIAL BEARING OF SOUTH 61 DEGREES 46 MINUTES 50 SECONDS WEST, A RADIUS OF 55.00 FEET, A CENTRAL ANGLE OF 73 DEGREES 56 MINUTES 40 SECONDS, AN ARC LENGTH OF 70.98 FEET TO A POINT ON THE EASTERLY LINE OF TRACT C OF THE SAID WESTPARK MANOR; THENCE NORTH 43 DEGREES 49 MINUTES 59 SECONDS EAST, A DISTANCE OF 15.57 FEET TO A POINT ON THE EAST LINE OF LOT 55 OF THE SAID WESTPARK MANOR; THENCE NORTH 01 DEGREES 10 MINUTES 01 SECONDS WEST ALONG THE SAID EASTERLY LINE, A DISTANCE OF 90.00 FEET; THENCE SOUTH 88 DEGREES 16 MINUTES 35 SECONDS EAST, A DISTANCE OF 50.06 FEET TO A POINT ON THE WEST LINE OF THE SAID TRACT B WESTPARK MANOR; THENCE SOUTH 01 DEGREES 10 MINUTES 01 SECONDS EAST ALONG THE SAID WEST LINE, A DISTANCE OF 127.46 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 5,456 S.F. OR 0.125 ACRES MORE OR LESS



*Jeffrey M. Flahart*

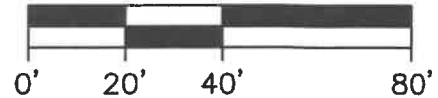
W. LAWRENCE LN.



*Jeffrey M. Flahart*



SCALE: 1" = 40'



**Flahart Brothers Companies, Inc.**



1747 N. Acacia  
 Mesa, Arizona 85213  
 (602) 376-8630

EXHIBIT "A"

THIS EXHIBIT IS INTENDED TO ACCOMPANY A LEGAL DESCRIPTION

DATE: 10/11/19

JOB NO.: 1011-19

DRAWN BY: JMF

CHECKED BY: JMF

EXHIBIT B  
LEGAL DESCRIPTION  
WATER AND SEWER EASEMENT

THAT PORTION OF 69TH AVENUE LYING BETWEEN LAWRENCE LANE ON THE NORTH, ALICE AVENUE ON THE SOUTH, LOT 55 ON THE WEST AND TRACT B ON THE EAST AS SHOWN ON THE FINAL PLAT OF "WESTPARK MANOR", RECORDED IN BOOK 479, PAGE 29, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT B OF THE SAID WESTPARK MANOR; THENCE NORTH 88 DEGREES 16 MINUTES 35 SECONDS WEST, A DISTANCE OF 8.51 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 10 MINUTES 01 SECONDS EAST A DISTANCE OF 105.96 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 63.00 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30 DEGREES 50 MINUTES 06 SECONDS, AN ARC LENGTH OF 33.90 FEET; THENCE NORTH 01 DEGREES 10 MINUTES 01 SECONDS WEST A DISTANCE OF 92.58 FEET; THENCE SOUTH 88 DEGREES 16 MINUTES 35 SECONDS EAST, A DISTANCE OF 30.04 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 2,928 S.F. OR 0.067 ACRES MORE OR LESS.



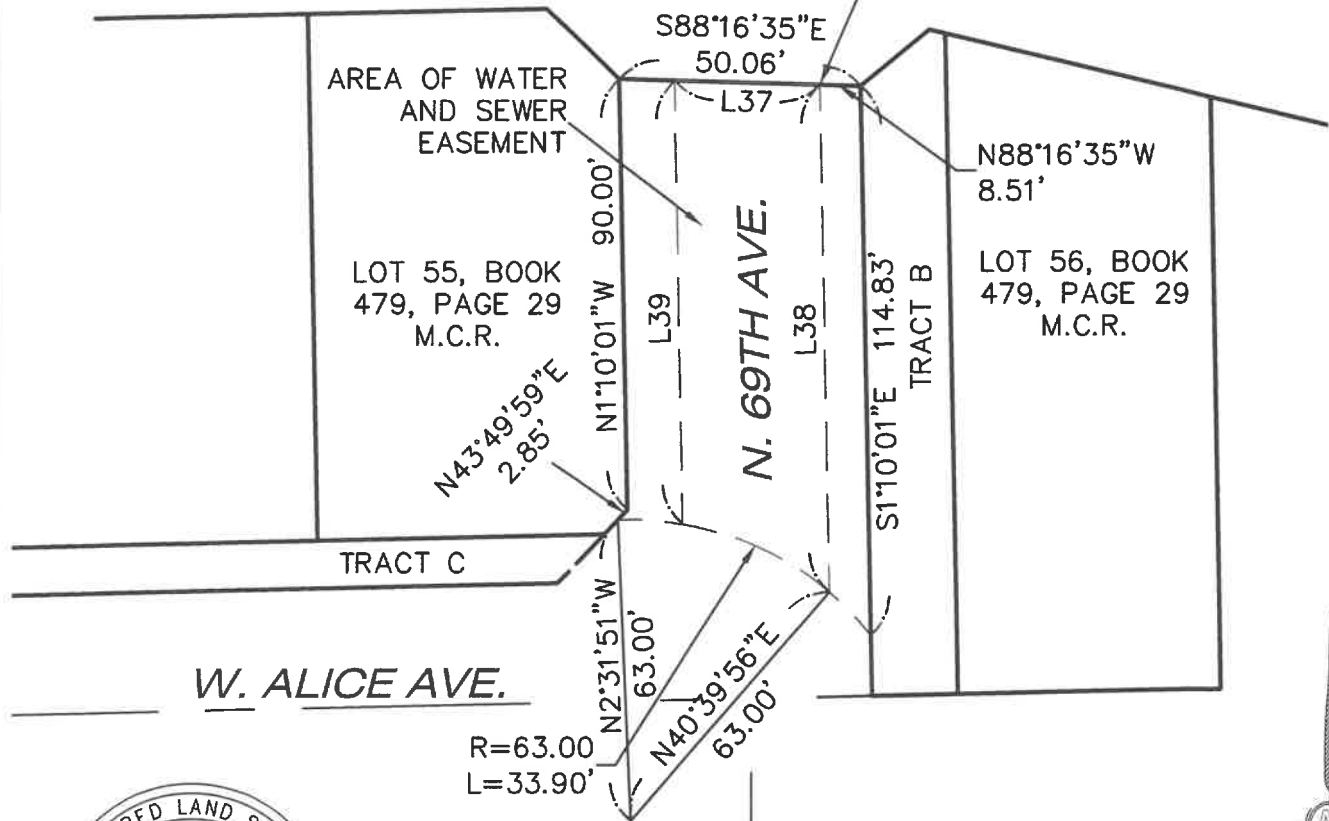
*Jeffrey M. Flahart*

# Parcel Line Table

Line #	Length	Direction
L39	92.58	N1° 10' 01.00"W
L38	105.96	N1° 10' 01.00"W
L37	30.04	S88° 16' 35.03"E

W. LAWRENCE LN.

POINT OF BEGINNING

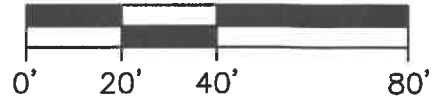


W. ALICE AVE.



*Jeffrey M. Flahart*

SCALE: 1" = 40'



**Flahart Brothers Companies, Inc.**



1747 N. Acacia  
Mesa, Arizona 85213  
(602) 376-8630

## EXHIBIT "B"

THIS EXHIBIT IS INTENDED TO ACCOMPANY A LEGAL DESCRIPTION

DATE: 10/11/19

JOB NO.: 1011-19

DRAWN BY: JMF

CHECKED BY: JMF

EXHIBIT C  
LEGAL DESCRIPTION  
PUBLIC UTILITY EASEMENT

THAT PORTION OF 69TH AVENUE LYING NORTH OF ALICE AVENUE AS SHOWN ON THE FINAL PLAT OF "WESTPARK MANOR", RECORDED IN BOOK 479, PAGE 29, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

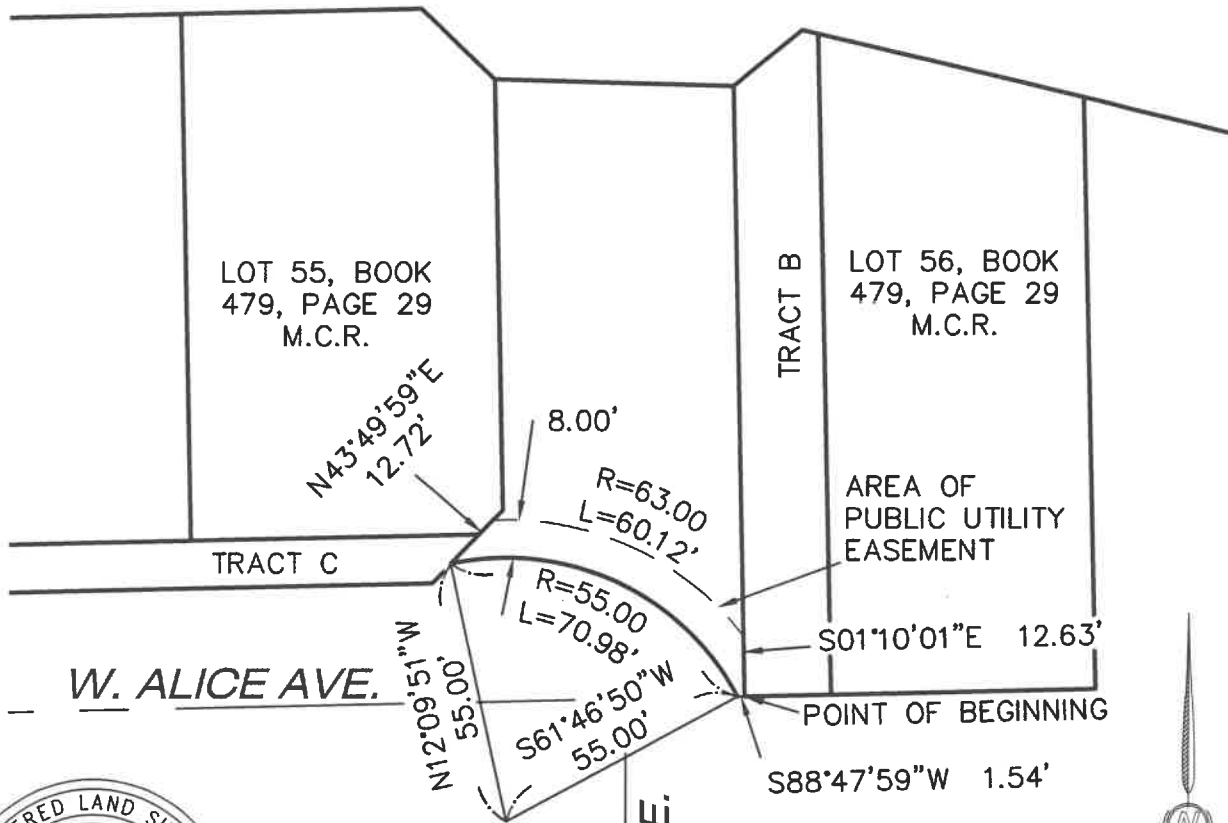
BEGINNING AT THE SOUTHWEST CORNER OF TRACT B OF THE SAID WESTPARK MANOR; THENCE SOUTH 88 DEGREES 47 MINUTES 59 SECONDS WEST, A DISTANCE OF 1.54 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIAL BEARING OF SOUTH 61 DEGREES 46 MINUTES 50 SECONDS WEST, A RADIUS OF 55.00 FEET, A CENTRAL ANGLE OF 73 DEGREES 56 MINUTES 40 SECONDS, AN ARC LENGTH OF 70.98 FEET TO A POINT ON THE EASTERLY LINE OF TRACT C OF THE SAID WESTPARK MANOR; THENCE NORTH 43 DEGREES 49 MINUTES 59 SECONDS EAST, A DISTANCE OF 12.72 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIAL BEARING OF SOUTH 02 DEGREES 31 MINUTES 51 SECONDS EAST, A RADIUS OF 63.00 FEET, A CENTRAL ANGLE OF 54 DEGREES 40 MINUTES 25 SECONDS, AN ARC LENGTH OF 60.12 FEET TO A POINT ON THE WEST LINE OF TRACT B OF THE SAID WESTPARK MANOR THENCE SOUTH 01 DEGREES 10 MINUTES 01 SECONDS EAST ALONG THE SAID WEST LINE, A DISTANCE OF 12.63 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 531 S.F. OR 0.012 ACRES MORE OR LESS

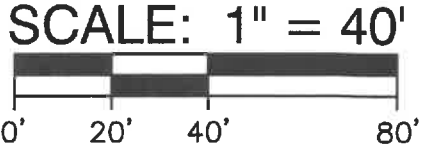


*Jeffrey M Flahart*


W. LAWRENCE LN.



*Jeffrey M Flahart*



N. 69TH AVE.

<p><b>Flahart</b> <b>Brothers</b> <b>Companies, Inc.</b></p>  <p>1747 N. Acacia Mesa, Arizona 85213 (602) 376-8630</p>	EXHIBIT "C"	
	THIS EXHIBIT IS INTENDED TO ACCOMPANY A LEGAL DESCRIPTION	
	DATE: 10/11/19	JOB NO.: 1011-19
	DRAWN BY: JMF	CHECKED BY: JMF