

RESOLUTION NO. 2021-2196

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ESTABLISHMENT OF A PUBLIC STREET FOR A SECTION OF COTTON LANE; PROVIDING RECORDATION CONDITIONS AND REQUIREMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant the power vested in the city of Goodyear ("city") by its Charter and pursuant to A.R.S. § 9-276, the Mayor and Council of the city of Goodyear have the power to establish, construct, improve, regulate vacate, modify roadways open to the public; and

WHEREAS, the city owns a certain parcel of real property consisting of approximately 9.83 acres, located at the southeast corner of Lower Buckeye Road and Cotton Lane which the City purchased in December 2007 from BT Goodyear, LLC, an Arizona limited liability company per the terms of the Development Agreement for the El Cidro development (the "City Property"); and

WHEREAS, Isola Goodyear LLC, an Arizona limited liability company ("Developer") owns and is in the process of developing Isola at El Cidro Ranch, which is generally located north of Elwood Street and along the eastern boundary of the the City Property (the "Isola Property"); and

WHEREAS the Developer intends to subdivide the Isola Property by the recordation of the Final Plat for El Cidro Parcel 5; and

WHEREAS, a portion of the City Property is located within a section of the Cotton Lane alignment; and

WHEREAS, in order to develop the Isola Property the Developer is required to construct a portion of Cotton Lane along the western boundary of the Isola Property; and

WHEREAS, approximately 29,534 square feet (.68 Acre) of the Cotton Lane alignment required for the development of the Isola Property lies within the City Property; and

WHEREAS, the Mayor and Council of the City of Goodyear find and determine that the public health, safety, and welfare require the establishment of a public street in the alignment more particularly described in the legal description, attached hereto as Exhibit A, to be opened to the public and maintained by the city.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. DECLARATION OF RIGHT-OF-WAY

Subject to the conditions and requirements below, the Mayor and Council of the City of Goodyear find and determine that it is in the interest of the public health, safety and welfare of the city to designate and hereby declare as a city Public Street that portion of the Property, more particularly described and depicted in the Exhibit A attached hereto, and by reference, made a part hereof.

SECTION 2. EFFECTIVE DATE OF DECLARATION

The declaration of city Right-of-Way described in Section 1 above shall become effective upon the recordation of this Resolution 2021-2196 and its exhibits with the office of the County Recorder for Maricopa County, Arizona.

SECTION 3. **CONDITIONS AND RECORDATION**

This Resolution 2021-2196 shall not be recorded until all of the following have occurred: (i) all of the conditions necessary for the recordation of the Final Plat for El Cidro Parcel 5 approved this 13th day of December, 2021, have been satisfied; and (ii) the City Engineer or his/her designee has received signed mylars for the Final Plat for El Cidro Parcel 5 and is prepared to and has received direction to record the Final Plat for El Cidro Parcel 5. The City Clerk shall record this Resolution 2021-2196 with the office of the County Recorder for Maricopa County, Arizona after being notified by the City Engineer or his designee that all of the conditions necessary for the recordation of this Resolution 2021-2196 have been satisfied; and immediately following the recordation of this Resolution 2021-2196, the City Clerk shall record the Final Plat referred to herein.

SECTION 4. **EFFECTIVE DATE**

This Resolution shall become effective upon its adoption by the Mayor and Council of the city of Goodyear, Maricopa County.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 20_____.

Georgia Lord, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

EXHIBIT "A"

Legal Description For Right of Way Declaration Isola at El Cidro Ranch

Located in the Northwest Quarter of Section 24, Township 1 North, Range 2 West, Gila and Salt River Meridian, Maricopa County Arizona.

Being a portion of that certain parcel of land as described in document number 2007-1356154, Maricopa County Records, being described as follows:

Commencing at the West Quarter corner of said Section 24;

Thence South 89°45'48" East, along the South line of said Northwest Quarter, a distance of 55.00 feet to the Point of Beginning;

Thence departing said South line, North 00°11'10" East, parallel with and 55.00 feet Easterly, as measured at right angles to the West line of said Northwest Quarter, a distance of 1,405.47 feet;

Thence departing said parallel line, South 89°48'50" East, a distance of 10.00 feet;

Thence South 44°38'56" East, a distance of 47.27 feet;

Thence South 00°48'25" West, a distance of 60.06 feet;

Thence South 45°20'19" West, a distance of 46.09 feet;

Thence South 00°11'12" West, parallel with and 65.00 feet Easterly, as measured at right angles to said West line, a distance of 230.62 feet to the Northerly line of a 100' wide electric easement as recorded in Book 68 of Miscellaneous, Page 92, Maricopa County Records, the centerline of said 100 foot wide easement being established by the location of the existing transmission line towers;

Thence South 71°00'20" East, along said Northerly line, a distance of 35.15 feet to the Easterly line of said parcel;

Thence departing said Northerly line, along the Easterly line of said parcel, the following 3 courses;

Thence South 10°22'00" West, a distance of 109.06 feet;

Thence South 01°23'32" West, a distance of 190.04 feet;

Thence South 00°11'10" West, a distance of 740.11 feet to the South line of said Northwest Quarter;

Thence departing said Easterly line, North 89°45'48" West, along said South line, a distance of 20.00 feet to the Point of Beginning.

Containing 29,534.19 square feet or 0.68 acres, more or less.





N.T.S.

NW COR. SEC. 24,
T 1 N., R 2 W.

EL CIDRO RANCH LLC
APN: 500-06-017E



S. COTTON LANE
N0° 11' 10"E 2644.51'

33' R/W
BK. 3, PG.16, M.C.R.

22' R/W
DOC. NO. 88-0571985, M.C.R.

W 1/4 COR. SEC. 24,
T 1 N., R 2 W.
POINT OF COMMENCEMENT

POINT OF BEGINNING

L3

L4

L5

L6

L7

L8

L9

L10

L11

L12

L1

L2

L3

L4

L5

L6

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L9

100' EASEMENT
FOR ELECTRIC
TRANSMISSION LINES
BK. 68 OF MISC.,
PG. 92, M.C.R.

CITY OF GOODYEAR
APN: 500-06-017A

ISOLA
GOODYEAR LLC
APN: 500-06-017C

S89° 45' 48"E
BASIS OF BEARING

Line Table

Line #	Direction	Length
L1	S89° 45' 48"E	55.00'
L2	N00° 11' 10"E	1405.47'
L3	S89° 48' 50"E	10.00'
L4	S44° 38' 56"E	47.27'
L5	S00° 48' 25"W	60.06'
L6	S45° 20' 19"W	46.09'
L7	S00° 11' 12"W	230.62'
L8	S71° 00' 20"E	35.15'
L9	S10° 22' 00"W	109.06'
L10	S01° 23' 32"W	190.04'
L11	S00° 11' 10"W	740.11'
L12	N89° 45' 48"W	20.00'

EXHIBIT

ISOLA AT EL CIDRO RANCH

RIGHT OF WAY DECLARATION
CITY OF GOODYEAR

Project No. 0909

Date: 10/07/21



civil engineering • surveying • urban planning

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