

RESOLUTION NO. 2022-2206

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 BULLARD AVENUE; PROVIDING RECORDATION CONDITIONS AND AN EFFECTIVE DATE FOR THE ESTABLISHMENT OF THE PUBLIC STREET; PROVIDING AN EXPIRATION DATE AND AN EFFECTIVE DATE OF RESOLUTION 2022-2206.

WHEREAS, pursuant to 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 .063 acres, located on the east side of Bullard Avenue south of Yuma Road, which the City operates as a well site (the "City Property"); and

WHEREAS, CIP 18 CRE City Center Airpark Owner LLC, a Delaware limited liability company ("Developer") owns property generally located at southeast corner of Bullard Avenue and Yuma Road (the "Airpark Property") and is in the process of developing a logistics center to be known as Airpark Logistics Center upon the Airpark Property; and

WHEREAS, the Developer intends to subdivide the Airpark Property by the recordation of the Final Plat for Airpark Logistics Center; and

WHEREAS, the development plan calls for the construction of a turn-lane from Bullard Avenue into the Airpark Property over a portion of the City Property; and

WHEREAS, the Developer has agreed to: (i) convey additional property to the City for the city's well site, a public utility easement around the outer boundaries of the reconfigured well site, and an access easement to access the reconfigured well site; (ii) construct a wall around the reconfigured well site that provides a walk-in gate on the west side of the reconfigured well site; (iii) construct improvements within the access easement; (iv) terminate any PUEs located within the reconfigured well site, including the relocation of any existing utilities within the terminated PUE areas; and (v) to take actions to plat a single lot for the reconfigured well site; and

WHEREAS, based on the foregoing, 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 2022-2206 and its exhibits with the office of the County Recorder for Maricopa County, Arizona.

SECTION 3. CONDITIONS AND RECORDATION

This Resolution 2022-2206 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 Airpark Logistics Center approved this 24th day of January, 2022, have been satisfied; and (ii) the City Engineer or his/her designee has received signed mylars for the Final Plat for Airpark Logistics Center and is prepared to and has received direction to record the Final Plat for Airpark Logistics Center.

The City Clerk shall record this Resolution 2022-2206 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 2022-2206 have been satisfied; and immediately following the recordation of this Resolution 2022-2206, the City Clerk or her designee shall record the final plat referred to herein.

SECTION 4 EXPIRATION

If this Resolution 2022-2206 is not recorded within 90 days of the date of its adoption, it shall not be recorded and the property described in Exhibit A attached hereto shall remain as part of the City's well site.

SECTION 5. 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____.

Joe Pizzillo, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

EXHIBIT “A”

(On the following pages)

RIGHT-OF-WAY LEGAL DESCRIPTION

A PORTION OF LAND LYING WITHIN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 17, A BRASS CAP STAMPED "CITY OF GOODYEAR", FROM WHICH THE NORTH QUARTER CORNER THEREOF, BEARS SOUTH 89 DEGREES 26 MINUTES 24 SECONDS EAST, A DISTANCE OF 2587.46 FEET;

THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, SOUTH 1 DEGREES 40 MINUTES 30 SECONDS EAST, A DISTANCE OF 577.89 FEET TO AN IRON BAR (NO CAP);

THENCE LEAVING SAID EAST LINE, NORTH 72 DEGREES 44 MINUTES 46 SECONDS WEST, A DISTANCE OF 60.64 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 68 DEGREES 57 MINUTES 17 SECONDS WEST, A DISTANCE OF 25.58 FEET TO A POINT ON A LINE 65 FEET EAST OF AND PARALLEL WITH THE CENTERLINE OF BULLARD AVENUE, ALSO TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWEST, FROM WHICH THE RADIUS POINT BEARS NORTH 63 DEGREES 03 MINUTES 09 SECONDS WEST, A DISTANCE OF 1110.80 FEET;

THENCE SOUTHWESTERLY, 63.44 FEET ALONG THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY THROUGH A CENTRAL ANGLE OF 3 DEGREES 16 MINUTES 20 SECONDS;

THENCE LEAVING SAID PARALLEL LINE, ON A NON-TANGENT LINE, SOUTH 87 DEGREES 49 MINUTES 44 SECONDS WEST, A DISTANCE OF 11.86 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWEST, FROM WHICH THE RADIUS POINT BEARS NORTH 59 DEGREES 26 MINUTES 58 SECONDS WEST, A DISTANCE OF 1110.80 FEET;

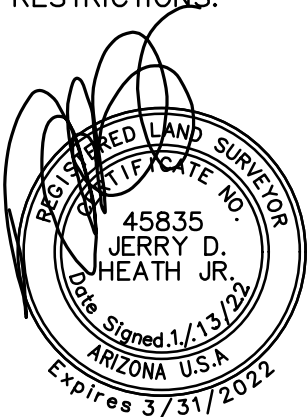
THENCE NORTHEASTERLY, 69.23 FEET ALONG THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY THROUGH A CENTRAL ANGLE OF 3 DEGREES 36 MINUTES 11 SECONDS;

THENCE SOUTH 63 DEGREES 02 MINUTES 39 SECONDS EAST, A DISTANCE OF 26.96 FEET TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PARCEL CONTAINS A COMPUTED AREA OF 824 SQUARE FEET (0.019 ACRES) MORE OR LESS AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY OF RECORD OR OTHERWISE.

THE DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE ANY SUBDIVISION REGULATION OF THE STATE, COUNTY AND/OR MUNICIPALITY OR ANY LAND DIVISION RESTRICTIONS.

PAGE 1 OF 2



TITLE: **XB11**
SCALE: 1"=100'
DATE: 1/13/22
DESC: PROPOSED
RIGHT-OF-WAY

HUNTER
ENGINEERING

10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

CIVIL AND SURVEY

PROJ.NO LGEC282

NORTHWEST CORNER SECTION 16 &
NORTHEAST CORNER SECTION 17
FND BRASS CAP STAMPED "CITY OF GOODYEAR"
S89°26'24"E 2587.46'(M)

(POINT OF COMMENCEMENT)

YUMA ROAD

S89°21'01"E 2638.41'
(BASIS OF BEARING)

S0°33'31"W
58.78'

FND BRASS
CAP STEM

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	$\Delta = 2^{\circ}17'30''$	1110.80'	44.43'
C2	$\Delta = 3^{\circ}36'11''$	1100.80'	69.23'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S68°57'17"W	25.58'
L2	S87°49'44"W	11.86'
L3	S63°02'39"E	26.96'
L4	N72°44'46"W	60.64'
L5	S63°03'09"E	55.00'

EAST LINE OF THE NORTHEAST QUARTER
OF SECTION 17, T.1N., R.1W.

LOT 1

PROPOSED FINAL PLAT
AIRPARK LOGISTICS CENTER

130' R/W
PER DOC NO.
2014-0550110
M.C.R.

RADIAL BEARING
N59°26'58"W

(POINT OF BEGINNING)

FND IRON BAR
CAP ILLEGIBLE

N64°47'08"W 400.32'

BULLARD AVE.
 $\Delta = 67^{\circ}59'41''$ R=1045.80'
L=1241.08'

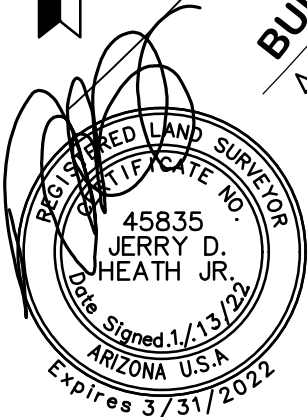
**PROPOSED
RIGHT-OF-WAY**

824 SQ.FT.±
0.019 ACRES±

LOT 2

PROPOSED FINAL PLAT
AIRPARK LOGISTICS CENTER

PAGE 2 OF 2



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