

RESOLUTION NO. 2022-2258

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING AS PUBLIC RIGHT-OF-WAY CITY-OWNED PROPERTY LOCATED WITHIN A SECTION OF THE HARRISON STREET ALIGNMENT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the power vested in the City of Goodyear ("City") and 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 8.63 acres, located at the northeast corner of Citrus Road and Harrison Street, which the City purchased in November 2007 from Silva Farming Enterprises, LLLP, an Arizona limited liability limited partnership as future fire station site ("City Property"); and

WHEREAS, Meritage Homes of Arizona, Inc., an Arizona corporation ("Developer") owns and is in the process of developing the Silva Trails residential development, which is generally located north of Harrison Street and along the eastern boundary of the City Property (the "Silva Trails Property"); and

WHEREAS the Developer intends to subdivide the Silva Trails Property by the recordation of the Silva Trails at West Goodyear - Phase 1 Final Plat; and

WHEREAS, a portion of the City Property is located within a section of the Harrison Street alignment; and

WHEREAS, in order to develop the Silva Trails Property the Developer is required to construct the north half of Harrison Street along the south boundary of the Silva Property, and a pavement taper that will connect the section of Harrison Street the Developer is constructing to the existing south-half of Harrison Street located between Citrus Road and the section of Harrison Street along the southern boundary of the Silva Trials Property; and

WHEREAS, the pavement taper is to be constructed within approximately 9,899 square feet (.227 Acre) of the Harrison Street alignment located within the City Property.

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

SECTION 1. FINDINGS

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 declare that real property, more particularly described and depicted in the Exhibit A attached hereto, and by reference, made a part hereof as a public street.

SECTION 2. DECLARATION OF RIGHT-OF-WAY.

The City of Goodyear, an Arizona municipal corporation, as owner of that real property more particularly described and depicted in Exhibit "A" attached hereto and by reference made a part hereof, hereby declares such property to be right-of-way for a public street and to be maintained by the City of Goodyear.

SECTION 4. CONDITIONS AND RECORDATION

This Resolution 2022-2258 shall not be recorded until all of the following have occurred: (i) all of the conditions necessary for the recordation of the Silva Trails at West Goodyear - Phase 1 Final Plat approved this 18th day of July, 2022 have been satisfied; and (ii) the City Engineer or his/her designee has received signed mylars for the Silva Trails at West Goodyear – Phase 1 Final Plat and is prepared to and has received direction to record the Silva Trails at West Goodyear – Phase 1 Final Plat. The City Clerk shall record this Resolution 2022-2258 with the office of the County Recorder for Maricopa County, Arizona after being notified by the City Engineer or his designee that all the conditions necessary for the recordation of this Resolution 2022-2258 have been satisfied; and immediately following the recordation of this Resolution 2022-2258, the City Clerk shall record the Final Plat referred to herein.

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 _____, 2022.

Joe Pizzillo, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney



Erick Welch

EXHIBIT "A"

**LEGAL DESCRIPTION
FOR
SILVA TRAILS
RIGHT OF WAY DEDICATION**

That portion of the Northwest Quarter of Section 11, Township 1 North, Range 2 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and more particularly described as follows:

COMMENCING at a found Maricopa County Highway Department of Transportation brass cap in a hand hole at the West Quarter Corner of said Section 11, from which a found Maricopa County Department of Transportation brass cap in hand hole at the Northwest Corner of Section 11 bears North 00 degrees 13 minutes 52 seconds East a distance of 2,643.34 feet, said line being the West line of said Northwest Quarter and the basis of bearing for this description;

Thence along the South line of the Northwest Quarter, South 89 degrees 41 minutes 01 seconds East a distance of 337.00 feet to the POINT OF BEGINNING;

Thence North 00 degrees 18 minutes 59 seconds East a distance of 30.00 feet to a point on a line parallel with and 30.00 feet distant from said South line of the Northwest Quarter;

Thence along said parallel line, South 89 degrees 41 minutes 01 seconds East a distance of 329.96 feet to a point;

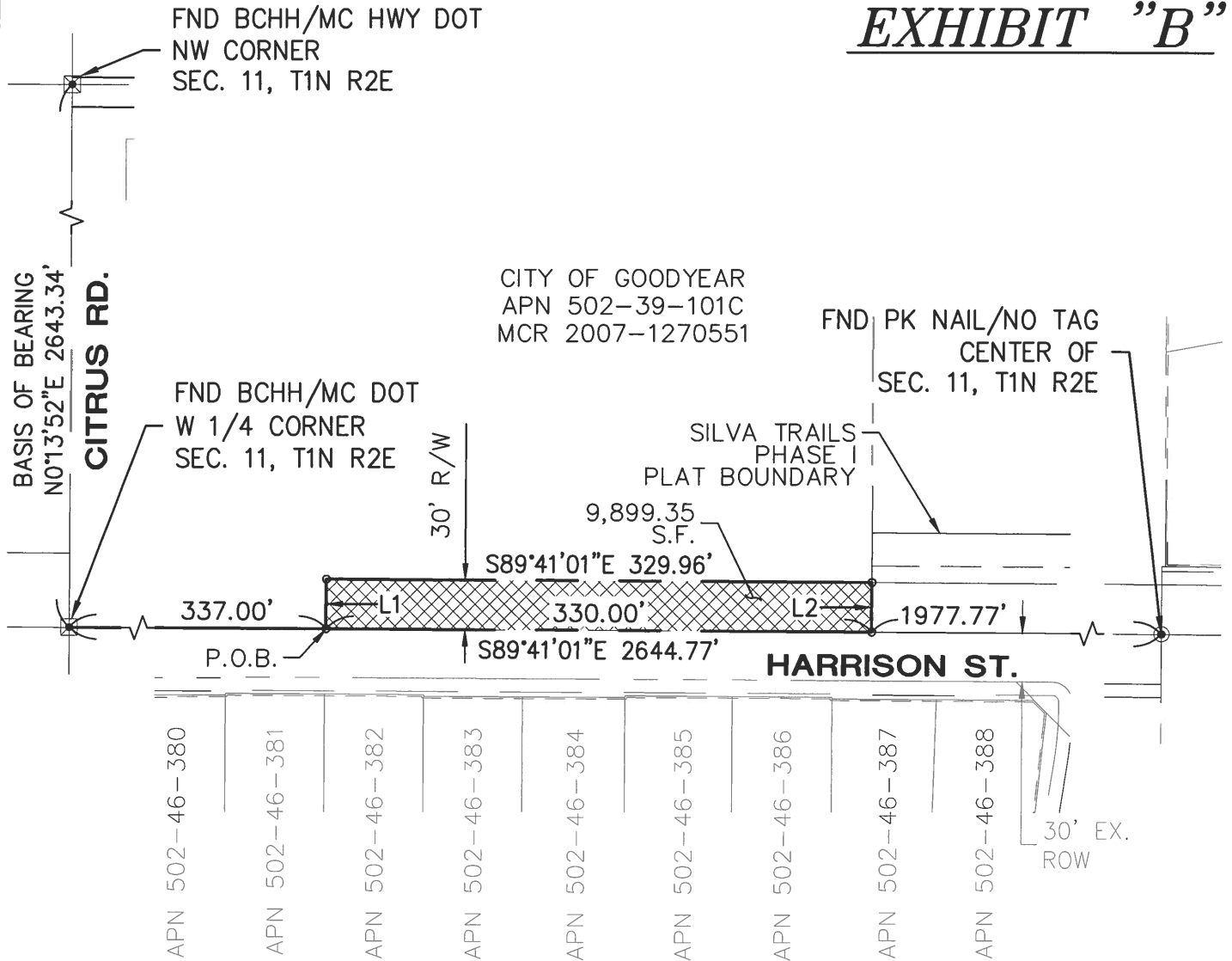
Thence South 00 degrees 13 minutes 52 seconds West a distance of 30.00 feet to a point on said South line of the Northwest Quarter;

Thence along last-mentioned South line, North 89 degrees 41 minutes 01 seconds West a distance of 330.00 feet to the POINT OF BEGINNING.

Containing an area of 9,899 SQUARE FEET, or 0.227 ACRES, more or less.

See attached Exhibit "B"

EXHIBIT "B"



Line Table

Line #	Length	Direction
L1	30.00'	N0°18'59"E
L2	30.00'	S0°13'52"W

LEGEND



RIGHT OF WAY
DEDICATION

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST
QUARTER OF SECTION 11
BEARING N00°13'52"E



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SCALE: N.T.S.



Erick A. Welch

MERITAGE HOMES

CITY OF GOODYEAR

SECTION 11, T1N, R2W

RIGHT OF WAY DEDICATION

DATE: 06/09/21 REV'D:

DRAWN BY: JME/CHK'D: DGF PG: 2 OF 2

FILE: 728004A_HARRISON RofW

Polyline Report

Wed Jun 9 05:40:35 2021

Northing	Easting	Bearing	Distance
89089.205	39436.854	N 00°18'59" E 30.000	
89119.204	39437.020	S 89°41'01" E 329.956	
89117.382	39766.971	S 00°13'52" W 30.000	
89087.382	39766.850	N 89°41'01" W 330.001	
89089.205	39436.854		

Closure Error Distance> 0.00000

Total Distance> 719.956

Polyline Area: 9899 sq ft, 0.2273 acres



A handwritten signature in cursive script that reads "Ericka Welch".

Centerline Report

Wed Jun 9 05:37:53 2021

Centerline File: P:\700\728.004 - Meritage Homes - SEC of Citrus and Van
Buren\D_PRODUCTION\Survey\S05_Legal Descriptions\Temp Utility Easements\Harrison
St\Harrison R-W Tie Line.cl

Station	Northing	Easting	Bearing	Distance
0+00.000	89091.066	39099.858		
			S 89°41'01" E	337.002'
3+37.002	89089.205	39436.854		



Erick A. Welch