

RESOLUTION NO. 2023-2325

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 SOUTH 173rd AVENUE 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 .0081 acres, generally located west of 173rd Avenue and approximately 325 feet south of W. Lower Buckeye Road ("City Property"); and

WHEREAS, 29SC Cotton Property, LLC a Delaware Limited Liability Company ("Developer") owns and is in the process of developing a residential development known as Artesian Casitas, which is generally located at the southwest corner of W. Lower Buckeye Road and 173rd Avenue along the western boundary of the City Property (the "Artesian Casitas Property"); and

WHEREAS, a portion of the City Property is located within a section of the 173rd Avenue alignment; and

WHEREAS in connection with the development of the Artesian Casitas Property, the Developer will be improving sections of the western half of 173rd Avenue, including the section of the 173rd Avenue alignment located within the City Property; and

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 3. RECORDATION

This City Clerk is hereby directed to record this Resolution with the Maricopa County Recorder's Office.

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 _____, 2023.

Joe Pizzillo, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

May 10, 2023
Project # 050908-02-001

EXHIBIT A
LEGAL DESCRIPTION
RIGHT-OF-WAY DEDICATION

THAT PORTION OF LOT 1 OF "GOODYEAR SITE 12", ACCORDING TO BOOK 1679 OF MAPS, PAGE 19, MARICOPA COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 23;

THENCE NORTH 89°45'34" WEST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1323.04 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23;

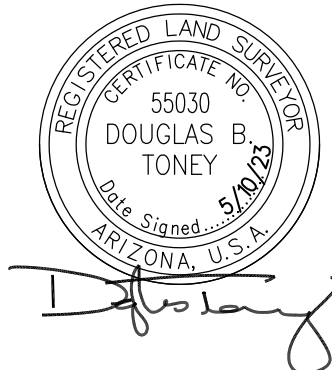
THENCE SOUTH 00°11'58" WEST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 215.03 FEET TO THE MOST NORTHERLY CORNER OF SAID LOT 1, SAID POINT BEING THE **POINT OF BEGINNING** AND ALSO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE EASTERLY AND HAVING A RADIUS OF 540.00 FEET;

THENCE SOUTHERLY ALONG THE EAST LINE OF SAID LOT 1 AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 16°26'03", AN ARC DISTANCE OF 154.89 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, CONCAVE EASTERLY AND HAVING A RADIUS POINT WHICH BEARS NORTH 73°45'55" EAST, A RADIAL DISTANCE OF 930.00 FEET;

THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°40'10", AN ARC DISTANCE OF 75.79 FEET TO THE WEST LINE OF SAID LOT 1;

THENCE NORTH 00°11'58" EAST, ALONG SAID WEST LINE, A DISTANCE OF 80.28 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 354 SQUARE FEET OR 0.0081 ACRES, MORE OR LESS.



NORTH QUARTER CORNER
SECTION 23, T1N, R2W

NORTHEAST CORNER
SECTION 23, T1N, R2W

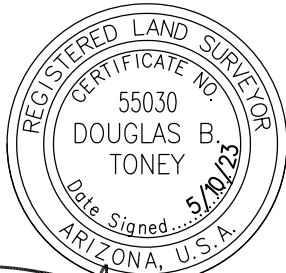
W. LOWER BUCKEYE ROAD

(BASIS OF BEARINGS)

N89°45'34"W 2646.09'

1323.04'

1323.04'



NORTHWEST CORNER
NE4 NE4 SECTION 23

EL CIDRO PHASE 1
PARCEL 3
BOOK 1331, PG 48

POINT OF
BEGINNING

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	80.28'	N00°11'58"E

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	154.89'	540.00'	016°26'03"
C2	75.79'	930.00'	004°40'10"

S00°11'58"W 215.03'

L1

C1

C2

N73°45'55"E
RADIAL

S. 173RD AVENUE

LOT 1, BK 19, PG 19
APN 502-43-028W



N.T.S.

SHEET 1 OF 1	EXHIBIT RIGHT-OF-WAY DEDICATION			
	DATE: 5/10/23	BY: DT	CHK:	QC:
	BCG PROJECT NO: 050908-02 TASK: 001			
	CLIENT REF NO:			

Bowman
CONSULTING

1600 N Desert Drive, #210
Tempe, AZ 85288
Phone: (480) 629-8830
Fax: (480) 629-8841
www.bowman.com