

RESOLUTION NO. 2024-2415

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING SECTIONS OF 175th AVENUE AND ELWOOD STREET UNNECESSARY FOR PUBLIC ROADWAY AND VACATING THE ROADWAY; PROVIDING FOR THE RECORDATION OF THE RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATES OF THE ABANDONMENT AND THE RESOLUTION.

WHEREAS, WHEREAS, in 1987 AMCOR Investments, a California corporation conveyed to the City of Goodyear by Quit Claim Deed recorded in the official records of the Maricopa County, Arizona Recorder as Instrument No. 1987 0196721 property for sections of what was to be developed as South 175th Avenue and W. Elwood Street (formerly Dunlap); and

WHEREAS, the city received an application to abandon the portion of the property conveyed for S. 175th Avenue and W. Elwood Street (formerly Dunlap) as more particularly described in Exhibit "A" attached hereto and incorporated herein (the "Abandonment Area"); and

WHEREAS, the Abandonment Area has not been used as a public right-of-way, and no street improvements have been constructed within the Abandonment Area; and

WHEREAS, City engineering staff has confirmed that the Abandonment Area is not needed for public right-of-way; and

WHEREAS, Owner provided the city received utility clearances confirming there are no existing public utilities within the Abandonment Area; and

WHEREAS, pursuant to A.R.S. § 28-7202, the Mayor and Council of the City of Goodyear are vested with the power to determine and find that a public roadway or portion thereof is unnecessary for public use as a roadway; and

WHEREAS, the Mayor and Council of the City of Goodyear find and determine that the portion of S. 175th Avenue and W. Elwood Street alignments described in Exhibit "A" is unnecessary for public roadway purposes; and

WHEREAS, the market value of the City's interest in the property legally described and depicted in Exhibit A is nominal and the City will receive consideration for the abandonment of such interests in the form of tax revenues gained by the development of the adjacent property, the elimination of the City's responsibility for such rights-of-ways and relief from potential liability for property damages, injury or death that may occur in the abandoned public roadway.

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

SECTION 1. The Mayor and Council of the City of Goodyear find and determine that the portion of the S. 175th Avenue alignment and the W. Elwood Street alignment, as more particularly described Exhibit "A" attached hereto and incorporated herein by reference is unnecessary for public roadway purposes and is hereby vacated pursuant to A.R.S. § 28-7205.

SECTION 2. The public roadway shall be vacated as provided for in Section 1 and this vacation shall become effective upon the recordation of this Resolution 2024-2415 and Exhibit A attached hereto with the office of the County Recorder for Maricopa County, Arizona.

SECTION 3. Pursuant to A.R.S. § 28-7205, title to the property being vacated and abandoned herein shall vest, subject to all existing encumbrances, liens, limitations, restrictions and estates, to the owners of record of the land abutting the property as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference as of the date this Resolution is recorded.

SECTION 4. The City Clerk shall record this Resolution 2024-2415 and Exhibit A attached hereto with the office of the County Recorder for Maricopa County, Arizona within ten (10) days of the effective date of this Resolution.

SECTION 2. Resolution 2024-2415 shall be effective upon the date of its adoption by the Mayor and Council of the City of Goodyear.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 2024.

Joe Pizzillo, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

June 6, 2024

EXHIBIT A
LEGAL DESCRIPTION FOR EL CIDRO
RIGHT-OF-WAY ABANDONMENT

That part of Section 23, Township 1 North, Range 2 West, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the Cotton Picker Spindle marking the West Quarter Corner of said Section 23, from which the Maricopa County Department of Transportation Brass Cap in a hand hole marking the Southwest Corner of said Section 23 bears South 00°11'46" West, a distance of 2,636.39 feet;

Thence South 89°43'14" East, along the North line of the Southwest Quarter of said Section 23, a distance of 2,585.78 feet to the True Point of Beginning;

Thence continuing South 89°43'14" East, along said North line, a distance of 65.00 feet to the calculated Center of said Section 23;

Thence North 00°12'45" East, along the West line of the Northeast Quarter of said Section 23, a distance of 20.13 feet to a point on a 470.00 foot radius non-tangent curve, whose center bears South 12°17'35" East;

Thence Easterly, departing said West line and along said curve, through a central angle of 12°33'11", a distance of 102.97 feet;

Thence South 89°44'24" East, a distance of 206.43 feet;

Thence South 44°44'24" East, a distance of 28.28 feet;

Thence South 89°44'24" East, a distance of 50.00 feet;

Thence North 45°15'36" East, a distance of 28.28 feet;

Thence South 89°44'24" East, a distance of 404.16 feet to the beginning of a tangent curve of 470.00 foot radius, concave Northerly;

Thence Easterly, along said curve, through a central angle of 10°00'00", a distance of 82.03 feet;

Thence South 79°44'24" East, a distance of 69.87 feet;

Thence South 36°30'34" West, a distance of 95.96 feet to a point on a line which is parallel with and 65.00 feet Southerly, as measured at right angles, from the North line of the Southeast Quarter of said Section 23;

Thence North 89°43'14" West, along said parallel line, a distance of 831.36 feet to a point on a line which is parallel with and 65.00 feet Easterly, as measured at right angles, from the West line of said Southeast Quarter;

Legal Description for
El Cidro
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Thence South $00^{\circ}12'45''$ West, along last said parallel line, a distance of 1049.24 feet;

Thence South $41^{\circ}24'30''$ West, departing said parallel line, a distance of 98.69 feet to a point on said West line;

Thence North $00^{\circ}12'45''$ East, along said West line, a distance of 528.44 feet to a point on the South line of the North Half of the North Half of the Southwest Quarter of said Section 23;

Thence North $89^{\circ}41'54''$ West, along said South line, a distance of 65.00 feet to a point on a line which is parallel with and 65.00 feet Westerly, as measured at right angles, from the East line of said Southwest Quarter;

Thence North $00^{\circ}12'45''$ East, along said parallel line, a distance of 660.11 feet to the True Point of Beginning.

Containing 200,443 Square Feet or 4.602 Acres, more or less.



EL CIDRO
RIGHT-OF-WAY ABANDONMENT

S89°43'14.4602" E 2,585.78

BOUNDARY

S89°43'14.46" E 65.00

N00°12'45.30" E 20.13

RB = S12°17'35.37" E

R = 470.00

A = 102.97

C = 102.77

CB = N83°59'00.29" E

D = 12°33'11.31"

T = 51.69

RB = N00°15'35.95" E

S89°44'24.04" E 206.43

S44°44'24.04" E 28.28

S89°44'24.04" E 50.00

N45°15'35.96" E 28.28

S89°44'24.04" E 404.16

RB = S00°15'35.96" W

R = 470.00

A = 82.03

C = 81.93

CB = S84°44'24.04" E

D = 09°59'60.00"

T = 41.12

RB = N10°15'35.96" E

S79°44'24.04" E 69.87

S36°30'33.66" W 95.96

N89°43'14.46" W 831.36

S00°12'45.30" W 1049.24

S41°24'30.01" W 98.69

N00°12'45.30" E 528.44

N89°41'53.80" W 65.00

N00°12'45.30" E 660.11

to

Area = 200443 4.602 AC

Closing course: 136°34'48.30" 0.011379

Misclosure: 1/385,427

North Error: 0.008265

East Error: 0.007821



CITRUS ROAD

S00°11'46"W 2636.39'

POINT OF COMMENCEMENT
WEST 1/4 CORNER, SECTION 23
TOWNSHIP 1 NORTH, RANGE 2 WEST
FOUND COTTON PICKER SPINDLE

S89°43'14"E
2585.78'

TRUE POINT
OF BEGINNING

CENTER, SECTION 23
CALCULATED POSITION

 = RIGHT-OF-WAY
ABANDONMENT AREA



SOUTHWEST CORNER, SECTION 23
TOWNSHIP 1 NORTH, RANGE 2 WEST
FOUND MCDOT BRASS CAP IN HAND HOLE



SCALE 1" = 250'

EXHIBIT

4550 North 12th Street
Phoenix, Arizona 85014
Phone 602-264-6831
<http://www.cvlci.com>

EL CIDRO

RIGHT-OF-WAY ABANDONMENT



1 OF 2

LINE TABLE		
NO.	BEARING	LENGTH
L1	S89°43'14"E	65.00'
L2	N00°12'45"E	20.13'
L3	S89°44'24"E	206.43'
L4	S44°44'24"E	28.28'
L5	S89°44'24"E	50.00'
L6	N45°15'36"E	28.28'
L7	S89°44'24"E	404.16'
L8	S79°44'24"E	69.87'

LINE TABLE		
NO.	BEARING	LENGTH
L9	S36°30'34"W	95.96'
L10	N89°43'14"W	831.36'
L11	S00°12'45"W	1049.24'
L12	S41°24'30"W	98.69'
L13	N00°12'45"E	528.44'
L14	N89°41'54"W	65.00'
L15	N00°12'45"E	660.11'

CURVE TABLE						
NO.	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD-BEARING
C1	102.97'	470.00'	012°33'11"	51.69'	102.77'	N83°59'00"E
C2	82.03'	470.00'	010°00'00"	41.12'	81.93'	S84°44'24"E



SCALE 1" = 250'	EL CIDRO	
EXHIBIT		
4550 North 12th Street Phoenix, Arizona 85014 Phone 602-264-6831 http://www.cvlci.com	RIGHT-OF-WAY ABANDONMENT	2 OF 2