

Staff Summary Report



Council Meeting Date: 11/06/08

Agenda Item Number: _____

SUBJECT: This is the **introduction and first public hearing** to adopt an ordinance abandoning an existing Waterline Easement located at 1666 N. McClintock Drive. The second public hearing is scheduled for **November 20th, 2008.**

DOCUMENT NAME: 20081106PWCH09 ABANDONMENT (0901)
ORDINANCE NO. 2008.64

SUPPORTING DOCS: Yes

COMMENTS: Andrew Design Group, Inc. requests the abandonment of an existing Waterline Easement located at 1666 N. McClintock Drive and more particularly described in the attached Exhibit "A" and depicted in Exhibit "A-1". This abandonment is being processed in conjunction with a building expansion of an existing FedEx facility. A new waterline easement has already been dedicated to replace the one being abandoned herein.

PREPARED BY: Larry Shobe, Engineering Services Administrator (x8417)

REVIEWED BY: Andy Goh, Deputy PW Manager/City Engineer (x8896)

APPROVED BY: Glenn Kephart, Public Works Manager (x8779)

LEGAL REVIEW BY: Cynthia McCoy, Assistant City Attorney (x2187)

FISCAL NOTE: N/A

RECOMMENDATION: Adopt Ordinance No. 2008.64 and authorize the Mayor to execute any necessary documents.

ORDINANCE NO. 2008.64

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, ABANDONING AN EXISTING WATERLINE EASEMENT DESCRIBED AND RECORDED IN DOCUMENT 2005-1234750 LOCATED AT 1666 N. MCCLINTOCK DRIVE, AND MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT "A" AND SHOWN IN EXHIBIT "A-1".

WHEREAS, it has been determined that the existing water line easement described on Exhibit "A" and shown on Exhibit "A-1", is no longer required by the City for use as such; and

WHEREAS, it would appear to be in the best interest of the City of Tempe to abandon said easement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1. That the City of Tempe does hereby abandon, relinquish and vacate the existing Waterline Easement as described on the Exhibit "A" and shown on Exhibit "A-1" and hereto attached.

Section 2. That all rights of the City in the easement abandoned shall vest in the record owner(s) of the adjacent property and shall be subject to the same encumbrances, liens, limitations, restrictions, and estates as exist on the land of which the easement is a part.

Section 3. The Mayor is hereby authorized to execute any documents that may be necessary to implement this Ordinance. Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

Ordinance No. 2008.64
Page Two

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA
this _____ day of November, 2008.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney



BRADY • AULERICH & ASSOCIATES, INC.

Civil Engineering • Land Surveying
Construction Staking

C.E. Aulerich	P.L.S.
Dennis H. Brady	P.L.S.
Joseph J. Braham	P.L.S.
Brent L. Henderson	P.E.
Robert N. Hermon	P.E./P.L.S.

EXHIBIT A

LEGAL DESCRIPTION: WATER LINE EASEMENT

A 12.0 foot wide water line easement under and across that certain property described as LOT 1 of RIO SALADO PRODUCTION FACILITY, a subdivision recorded in Book 507 of Maps, Page 35, Maricopa County Records. Said easement being 6.0 feet on each side of the following described centerline:

Commencing at the Northeast corner of Section 11, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

thence South 00° 00' 00" East, along the East line of the Northeast quarter of said Section 11, a distance of 924.01 feet;

thence North 90° 00' 00" West, 60.0 feet to the West right-of-way line of McClintock Drive, also being East line of the said RIO SALADO PRODUCTION FACILITY SUBDIVISION PLAT, said point being the Point of Beginning;

thence North 89° 44' 17" West, 201.03 feet;

thence South 88° 38' 48" West, 32.24 feet to Point "A";

thence continuing South 88° 38' 48" West, 90.0 feet to Point "B";

Unofficial Document

thence continuing South 88° 38' 48" West, 250.50 feet to Point "C";

thence continuing South 88° 38' 48" West, 224.70 Feet;

thence South 01° 21' 12" East, 191.33 feet to Point "D";

thence South 01° 21' 12" East, 185.0 feet;

thence North 88° 38' 48" East, 96.50 feet;

thence South 01° 21' 12" East, 27.0 feet to the South line of said RIO SALADO PRODUCTION FACILITY SUBDIVISION PLAT and the Point of Termination. From said point, the Southeast corner of the said RIO SALADO PRODUCTION FACILITY SUBDIVISION PLAT bears North 88° 38' 48" East, 692.50 feet.

From said Point "A";

thence South 00° 23' 13" West, 184.13 feet to Point "E";

thence continuing South 00° 23' 13" West, 14.24 feet;

thence North 89° 36' 47" West, 53.0 feet to the Point of Termination;

From said Point "E";

thence North 89° 36' 47" West, 23.0 feet to the Point of Termination;

EXHIBIT A

From said Point "E";
thence North $89^{\circ} 36' 47''$ West, 23.0 feet to the Point of Termination;

From said Point "B";
thence South $01^{\circ} 21' 12''$ East, 34.0 feet to the Point of Termination;

From said Point "C";
thence North $01^{\circ} 21' 12''$ West, 29.0 feet;
thence South $88^{\circ} 38' 48''$ West, 13.0 feet to the Point of Termination;

From said Point "D";
thence North $88^{\circ} 38' 48''$ East, 49.0 feet to the Point of Termination.

Also beginning at the Southeast corner of said RIO SALADC PRODUCTION FACILITY SUBDIVISION PLAT;

thence South $88^{\circ} 38' 48''$ West, along the South line of said subdivision, 414.0 feet to the Official Document Point of Beginning;

thence North $01^{\circ} 21' 12''$ West, 23.0 feet to the Point of Termination.



Dennis H. Brady



BRADY•AULERICH & ASSOCIATES, INC.

1030 E. Guadalupe Road

Tempe, Arizona 85283

Phone (602) 839-4000 Fax (602) 345-9259

PROJECT: LEVINE PROPERTIES

DATE: 1-29-04 PAGE 1 OF 2

NE CORNER SECTION 11
T-1N, R-4E FOUND
BRASS CAP IN HANDHOLE

EXHIBIT A 1

NE CORNER PROPERTY

60.01'

122.37'

800.23'

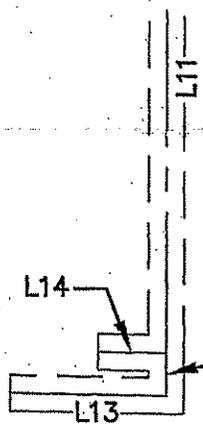
123.78'

L4 L3 L2 L1

POINT OF BEGINNING

L15

MATCH LINE SEE SHEET 1



Unofficial Document

FED-EX SITE

520.14'

397.77'

McCLINTOCK DRIVE

2640.74'

396.36'

S00°00'00"E

RIO SALADO PRODUCTIONS FACILITY
RECORDED IN BOOK 507, PAGE 35 M.C.R.



1"=60'

SE CORNER PROPERTY

414.00'

60.01'

E 1/4 CORNER SECTION 11
T-1N, R-4E FOUND BRASS
CAP IN HANDHOLE

1320.37'



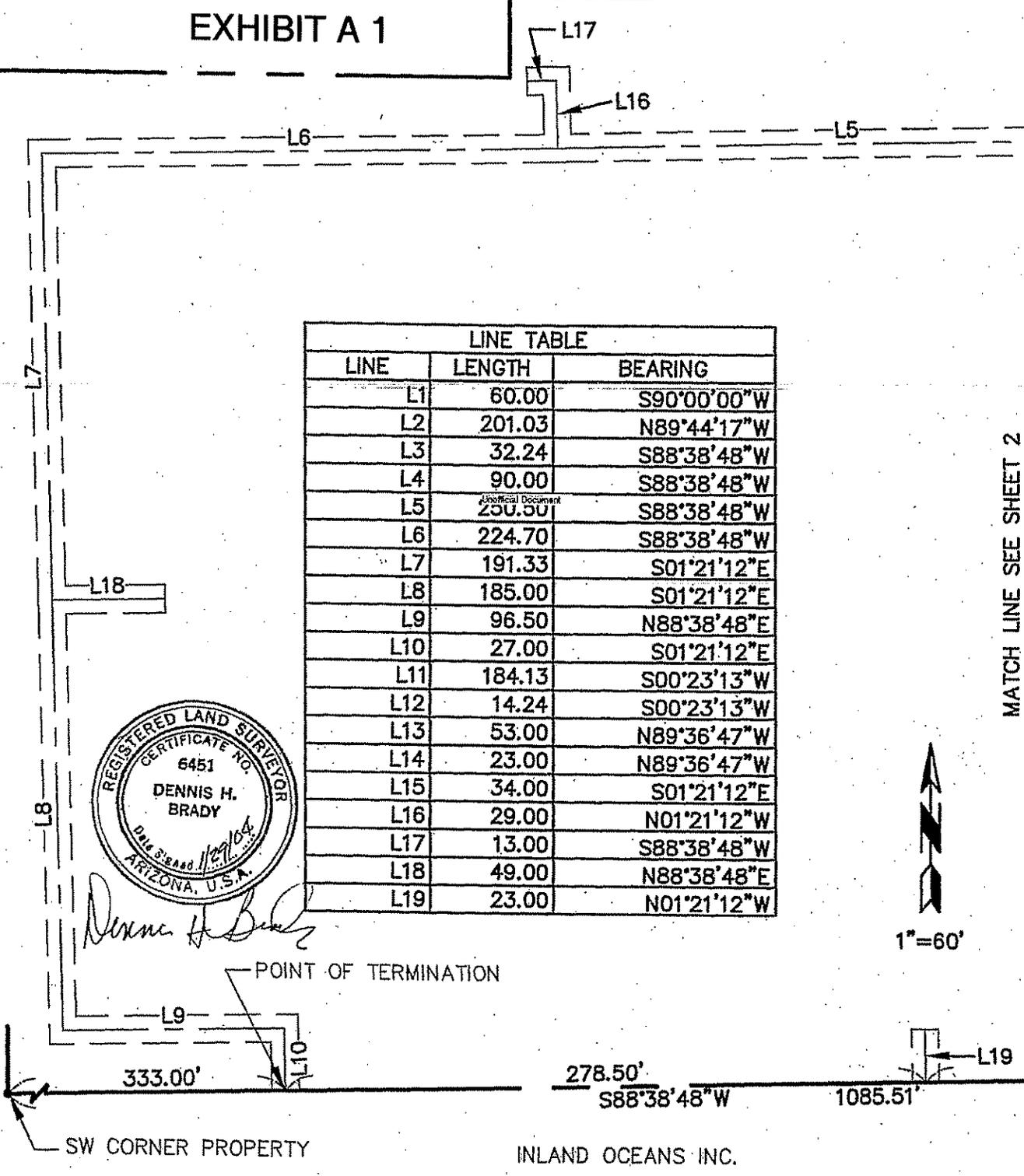
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PROJECT: LEVINE PROPERTIES

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EXHIBIT A 1

LINE TABLE		
LINE	LENGTH	BEARING
L1	60.00	S90°00'00"W
L2	201.03	N89°44'17"W
L3	32.24	S88°38'48"W
L4	90.00	S88°38'48"W
L5	230.50	S88°38'48"W
L6	224.70	S88°38'48"W
L7	191.33	S01°21'12"E
L8	185.00	S01°21'12"E
L9	96.50	N88°38'48"E
L10	27.00	S01°21'12"E
L11	184.13	S00°23'13"W
L12	14.24	S00°23'13"W
L13	53.00	N89°36'47"W
L14	23.00	N89°36'47"W
L15	34.00	S01°21'12"E
L16	29.00	N01°21'12"W
L17	13.00	S88°38'48"W
L18	49.00	N88°38'48"E
L19	23.00	N01°21'12"W



Dennis H. Brady

MATCH LINE SEE SHEET 2



SW CORNER PROPERTY

INLAND OCEANS INC.

333.00' 278.50' 1085.51'

S88°38'48"W