

Staff Summary Report



Council Meeting Date: 3/05/2009

Agenda Item Number: _____

SUBJECT: This is the **second public hearing** to adopt an ordinance abandoning a portion of an existing Recovery Well Easement located on Lots 4 and 4A, "PLAYA DEL NORTE."

DOCUMENT NAME: 20090305PWWS03 **ABANDONMENT (0901)**
ORDINANCE NO. 2009.07

SUPPORTING DOCS: Yes

COMMENTS: The City of Tempe desires the abandonment of a portion of an existing Recovery Well Easement described in Exhibit "A" attached.

PREPARED BY: Wendy Springborn-Pitman, Engineering Services Administrator (x8250)

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

APPROVED BY: Glenn Kephart, Public Works Manager (x8205)

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

FISCAL NOTE: N/A

RECOMMENDATION: Adoption Ordinance No. 2009.07 and authorize the Mayor to execute any necessary documents.

ORDINANCE NO. 2009.07

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, ABANDONING A PORTION OF AN EXISTING RECOVERY WELL EASEMENT ON LOTS 4 AND 4A OF "PLAYA DEL NORTE" IN THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA AS DESCRIBED IN THE ATTACHED EXHIBIT.

WHEREAS, it has been determined by the City Council that the portion of the Recovery Well Easement, described herein and shown on Exhibit "A", 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, and

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 portion of the existing recovery well easement described in Exhibit "A" attached hereto.

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. 2009.07
Page Two

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA

This _____ day of March, 2009.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT 'A'
Sheet 1 Of 2

PARTIAL ABANDONMENT OF A RECOVERY WELL EASEMENT RECORDED ON THE PLAT OF "PLAYA DEL NORTE" RECORDED AS BOOK 685 OF PLATS, PAGE 32, BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 4A, "PLAYA DEL NORTE", ALSO BEING THE SOUTHWEST CORNER OF "NORTHSHORE CONDOMINIUM ONE", A REPLAT OF LOTS 4 AND 4A OF SAID "PLAYA DEL NORTE";

THENCE NORTH 85 DEGREES 15 MINUTES 12 SECONDS EAST, 71.70 FEET;

THENCE NORTH 79 DEGREES 27 MINUTES 11 SECONDS EAST, 57.50 FEET;

THENCE NORTH 16 DEGREES 58 MINUTES 07 SECONDS EAST, 41.46 FEET;

THENCE NORTH 76 DEGREES 21 MINUTES 43 SECONDS EAST, 23.35 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 13 DEGREES 38 MINUTES 17 SECONDS WEST, 9.00 FEET;

THENCE NORTH 76 DEGREES 21 MINUTES 43 SECONDS EAST, 54.97 FEET;

THENCE SOUTH 50 DEGREES 48 MINUTES 32 SECONDS EAST, 5.83 FEET;

THENCE SOUTH 13 DEGREES 38 MINUTES 17 SECONDS EAST, 31.35 FEET;

THENCE SOUTH 76 DEGREES 21 MINUTES 43 SECONDS WEST, 11.41 FEET;

THENCE NORTH 13 DEGREES 38 MINUTES 17 SECONDS WEST, 26.99 FEET;

THENCE SOUTH 76 DEGREES 21 MINUTES 43 SECONDS WEST, 47.08 FEET TO THE POINT OF BEGINNING.

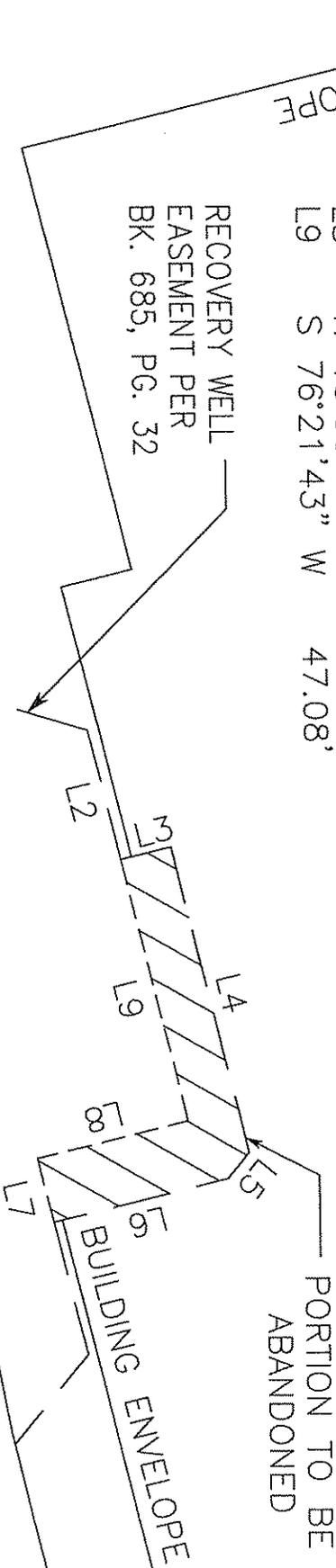
CONTAINING 826.41 SQUARE FEET 0.019 ACRES

DNA INC.
JOB NO. 08-084
FEBRUARY 3, 2009



RECOVERY WELL EASEMENT
PARTIAL ABANDONMENT EXHIBIT

LINE	BEARING	LENGTH
L1	N 16°58'07" E	41.46'
L2	N 76°21'43" E	23.35'
L3	N 13°38'17" W	9.00'
L4	N 76°21'43" E	54.97'
L5	S 50°48'32" E	5.83'
L6	S 13°38'17" E	31.35'
L7	S 76°21'43" W	11.41'
L8	N 13°38'17" W	26.99'
L9	S 76°21'43" W	47.08'



RECOVERY WELL
EASEMENT PER
BK. 685, PG. 32

SOUTHWEST CORNER
NORTH SHORE
CONDOMINIUM ONE

N 85°15'12" E 71.70'

57.50'

N 79°27'11" E 194.43'

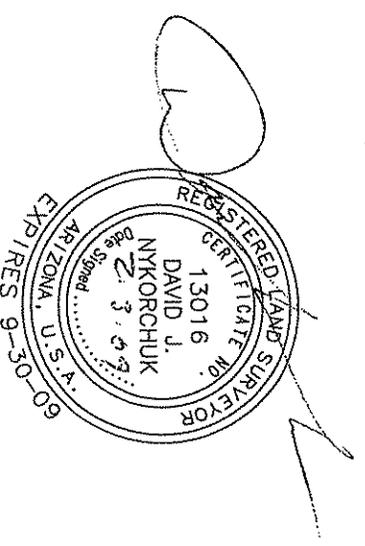


EXHIBIT 'A' Sheet 2



DRAWN GLV	DATE 02/02/09	JOB 08-084	SHT. 2	of 2
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