

#2

DEC 15 2011



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM Real Estate – Council Memo No. RE12-054

DATE: DECEMBER 15, 2011

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
PAT MCDERMOTT, ASSISTANT CITY MANAGER
DAVE SIEGEL, MUNICIPAL UTILITIES DIRECTOR *DS*
KIM NEILL, UTILITIES OPERATION MANAGER *KN*

FROM: ERICH KUNTZE, REAL ESTATE COORDINATOR *EK*

SUBJECT: ORDINANCE NO. 4327 AUTHORIZING THE DEDICATION IN FEE OF PORTIONS OF CITY-OWNED MUNICIPAL UTILITIES PROPERTY FOR PUBLIC ROADWAY LOCATED AT THE SOUTHWEST CORNER OF GILBERT ROAD AND OCOTILLO ROAD, CHANDLER, ARIZONA.

RECOMMENDATION: Staff recommends introduction and tentative approval of Ordinance No. 4327 authorizing the dedication in fee of portions of City-owned Municipal Utilities property for public roadway located at the southwest corner of Gilbert Road and Ocotillo Road, Chandler, Arizona.

BACKGROUND/DISCUSSION: The acquisition of property rights for the Gilbert Road Improvement Project ST-0809 from Queen Creek Road to Hunt Highway was previously approved by Council at its February 26, 2009 meeting by Resolution 4246. As part of the next phase of construction it is necessary to acquire a portion of property owned by the City's Municipal Utilities Department (MUD) for roadway purposes.

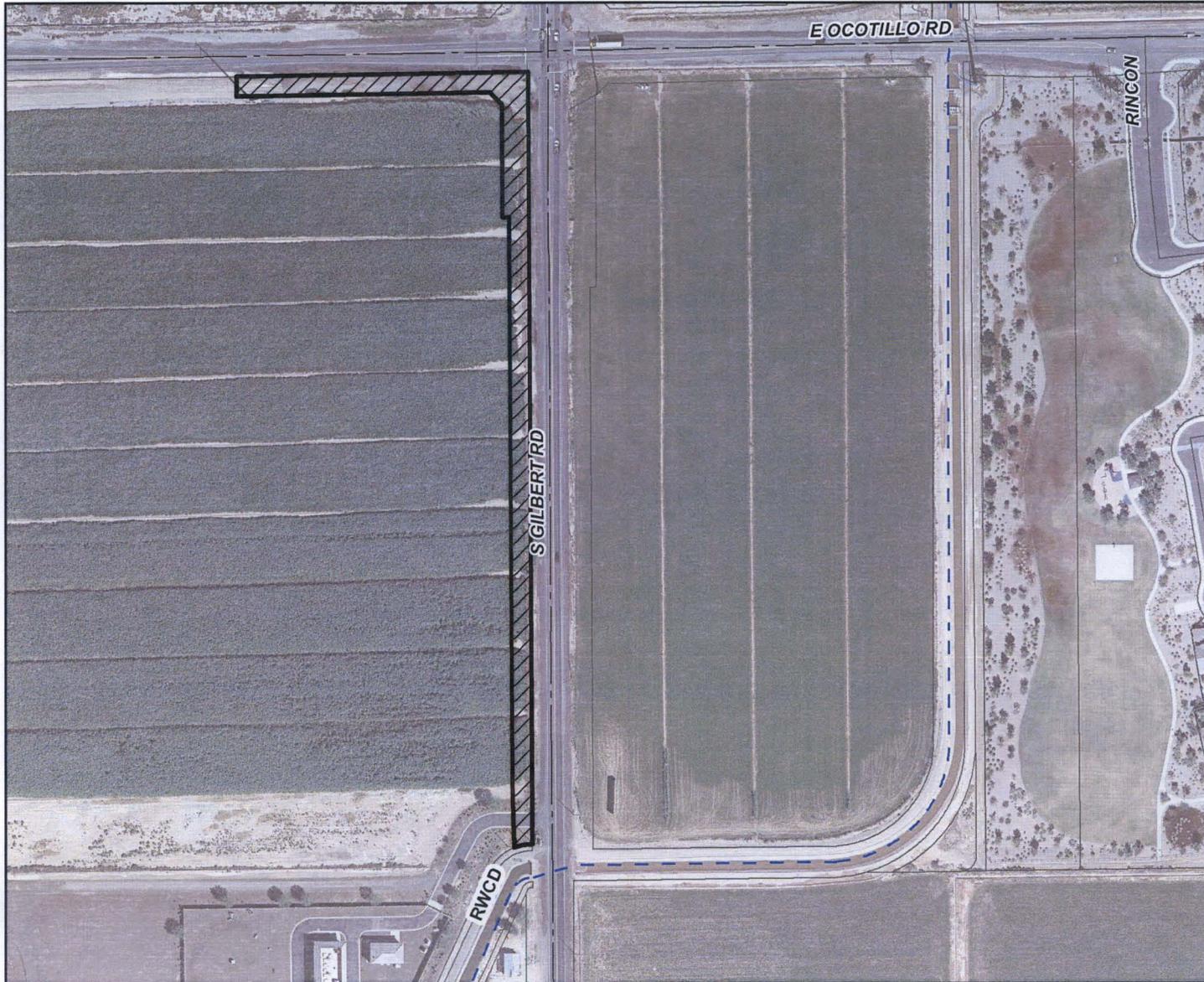
By way of a separate instrument in the form of a deed, the City will grant to the public in trust, the road right-of-way. The document will be in a form approved by the City Attorney and will correct Maricopa County records.

Council Meeting of December 15, 2011
RE12-054
Page Two

PROPOSED MOTION: Move that Council introduce and tentatively approve Ordinance No. 4327 authorizing the dedication in fee of portions of City-owned Municipal Utilities property for public roadway located at the southwest corner of Gilbert Road and Ocotillo Road, Chandler, Arizona.

Attachments: Map
Ordinance No. 4327
Quit Claim Deed of Dedication

DEDICATE CITY OWNED LAND FOR PUBLIC ROADWAY AT SOUTHWEST CORNER OF GILBERT RD AND OCOTILLO RD



MEMO NO. RE12-054

ORDINANCE NO. 4327

 CITY OWNED



NTS

ChangGIS

ORDINANCE NO. 4327

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, TO AUTHORIZE AND APPROVE THE DEDICATION IN FEE OF PORTIONS OF CITY-OWNED MUNICIPAL UTILITIES PROPERTY FOR PUBLIC ROADWAY, AT THE SOUTHWEST CORNER OF GILBERT ROAD AND OCOTILLO ROAD, CHANDLER, ARIZONA.

WHEREAS, the City of Chandler owns vacant property located at the Southwest Corner of Gilbert Road and Ocotillo Road; and

WHEREAS, Gilbert Road and Ocotillo Road will be widened and improved as part of the Gilbert Road Improvement Project from Queen Creek Road to Hunt Highway ST-0809; and

WHEREAS, portions of the property are needed to be dedicated in trust to the public for public roadway; and

WHEREAS, it is necessary for Council to authorize the dedication in fee of the public roadway adjacent to the City-owned properties.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. That the City Council of the City of Chandler, Arizona authorizes and approves the dedication in fee of portions of City-owned property for public roadway as described and depicted in Exhibit "A" attached hereto and made a part hereof by this reference.

Section 2. That the approval of the dedication shall not become final until a deed granting the right-of-way to the Public in trust has been recorded by the City Clerk.

Section 3. That the deed shall be in a form approved by the City Attorney.

Section 4. All dedications shall be subject to existing liens, easements or other encumbrances of record existing at the time the dedication is completed.

Section 5. That the Mayor of the City of Chandler, Arizona, is hereby authorized to sign of behalf of the City, all documents required and necessary to complete the dedications including signing this Ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this _____
day of _____, 2011.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council this _____ day of _____,
2011.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4327 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2011, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CAB

CITY ATTORNEY

EXHIBIT "A"

**LEGAL DESCRIPTION
FOR
PARCEL NO. 303-44-003-C
GILBERT ROAD-QUEEN CREEK ROAD TO HUNT HIGHWAY
RIGHT-OF-WAY**

That portion of a parcel of land as described in Document # 2006-0585055, records of MARICOPA COUNTY, ARIZONA located in the NORTHEAST QUARTER of SECTION 24, TOWNSHIP 2 SOUTH, RANGE 5 EAST of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the SOUTHEAST CORNER OF SAID SECTION 24, being monumented with a Brass Cap in handhole, from which the SOUTH QUARTER CORNER of SAID SECTION 24, being monumented with a Brass Cap in handhole, bears South 89 degrees 16 minutes 29 seconds West a distance of 2628.60 feet, said line being the South line of the Southeast Quarter of Section 24 and the basis of bearings for this description;

Thence along the East line of the Southeast Quarter of Section 24, North 00 degrees 16 minutes 50 seconds West a distance of 2650.04 feet to the calculated position for the East Quarter corner of said Section 24;

Thence along the East line of said Northeast Quarter of Section 24, North 00 degrees 18 minutes 16 seconds West a distance of 2647.87 feet to the Northeast Corner of said Section 24, being monumented with a PK nail and straddlers;

Thence returning along said East line of the Northeast Quarter, South 00 degrees 18 minutes 16 seconds East a distance of 33.00 feet to a point on the Easterly prolongation of the existing South right of way line of Ocotillo Road;

Thence along said easterly prolongation, South 89 degrees 07 minutes 37 seconds West a distance of 33.00 feet to a point on the existing West right of way line of Gilbert Road, said point being the POINT OF BEGINNING;

Thence along said existing West right of way line of Gilbert Road, South 00 degrees 18 minutes 16 seconds East a distance of 1239.05 feet to a point on the Northwesterly line of that certain parcel described as Parcel No. C in deed to Roosevelt Water Conservation District recorded as Document # 1995-0512370;

Thence along said Northwesterly line, South 89 degrees 12 minutes 44 seconds West a distance of 3.93 feet to the beginning of a tangent curve concave Southerly and having a radius of 75.00 feet;

Thence Southwesterly along said curve, through a central angle of 20 degrees 04 minutes 53 seconds an arc length of 26.29 feet to a point on a non-tangent curve concave Easterly and having a radius bearing North 86 degrees 48 minutes 57 seconds East a distance of 1865.00 feet;

3/16/10 ✓

Thence Northerly along said curve through a central angle of 02 degrees 52 minutes 47 seconds an arc length of 93.73 feet to a point of tangency with a line parallel with and 65.00 feet Westerly, measured at right angles, from said East line of the Northeast Quarter of said Section 24;

Thence along said parallel line, North 00 degrees 18 minutes 16 seconds West a distance of 917.55 feet to a point;

Thence South 89 degrees 41 minutes 44 seconds West a distance of 10.00 feet to a line parallel with and 75.00 feet Westerly, measured at right angles, from said East line of the Northeast Quarter of said Section 24;

Thence along last-mentioned parallel line, North 00 degrees 18 minutes 16 seconds West a distance of 180.30 feet to a point;

Thence North 45 degrees 43 minutes 55 seconds West a distance of 28.08 feet to a point on a line parallel with and 65.00 feet Southerly, measured at right angles, from the North line of said Northeast Quarter of Section 24;

Thence along last-mentioned parallel line, South 89 degrees 07 minutes 37 seconds West a distance of 404.35 feet;

Thence North 00 degrees 52 minutes 23 seconds West a distance of 32.00 feet to a point on a line parallel with and 33.00 feet Southerly, measured at right angles, from said North line of the Northeast Quarter of Section 24, said parallel line being the existing South right-of-way line of Ocotillo Road;

Thence along said existing South right of way line of Ocotillo Road, North 89 degrees 07 minutes 37 seconds East a distance of 466.67 feet to the POINT OF BEGINNING.

Containing an area of 55,730 SQUARE FEET or 1.279 ACRES, more or less.

See Exhibit "B"



Note: The legal description above is based on recorded documents such as the subject parcel's deed, adjacent parcel deeds and/or plats. It is not based on a boundary survey of the subject parcel.

EXHIBIT "B"

RIGHT-OF-WAY
303-44-003-C
CITY OF CHANDLER

FOUND PK NAIL & STRADDLERS
NE COR. SEC. 24,
T.2S., R.5E.

OCOTILLO ROAD

GILBERT ROAD

CALC POSITION
E 1/4 COR. SEC. 24,
T.2S., R.5E.

**BROOKS FARM
ROAD**

RIGHT-OF-WAY
55,730 SF
1.279 AC±

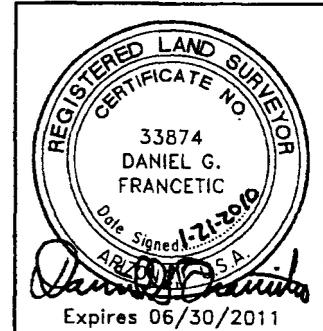
APN#
303-44-003-C
DOC. #
2006-0585055 M.C.R.

75' R.O.W.

33' R.O.W.
(EXISTG.)

SEE SHEET 4 OF 4

SCALE: N.T.S.



LINE	BEARING	DISTANCE
L1	S 00°18'16" E	33.00'
L2	S 89°07'37" W	33.00'
L3	S 00°18'16" E	1239.05'
L4	S 89°12'44" W	3.93'
L5	N 00°18'16" W	917.55'
L6	S 89°41'44" W	10.00'
L7	N 00°18'16" W	180.30'
L8	N 45°43'55" W	28.08'
L9	S 89°07'37" W	404.35'
L10	N 00°52'23" W	32.00'
L11	N 89°07'37" E	466.67'

NOTE: THIS EXHIBIT IS BASED ON RECORDED DOCUMENTS SUCH AS THE SUBJECT PARCEL'S DEED, AND ADJOINING DEEDS AND/OR PLATS. IT IS NOT BASED ON A BOUNDARY SURVEY OF THE SUBJECT PARCEL.

LEGEND

 PROPOSED RIGHT-OF-WAY

BASIS OF BEARING

THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 24 BEARING N 89°16'29" E

 **Entellus**
2265 N. 44th Street Suite 126
Phoenix, AZ 85008.3279
Tel 602.244.2566
Fax 602.244.8947
Website: www.Entellus.com

CITY OF CHANDLER	
GILBERT ROAD	
SECTION 24, T2S, R5E	
PROPOSED RIGHT-OF-WAY	
DATE: 7/16/09	REV'D: 1/20/10
DRAWN BY: [Signature]	CHK'D: DGF PG: 3 OF 4
FILE: 303-44-003-C.DWG	

EXHIBIT "B"

OCOTILLO ROAD

CURVE	RAD	ARC LEN	DELTA ANG
C1	75.00'	26.29'	20°04'53"
C2	1865.00'	93.73'	02°52'47"

RIGHT-OF-WAY
303-44-003-C
CITY OF CHANDLER

SEE SHEET 3 OF 4

LINE	BEARING	DISTANCE
L3	S00°18'16"E	1239.05'
L4	S89°12'44"W	3.93'
L5	N00°18'16"W	917.55'

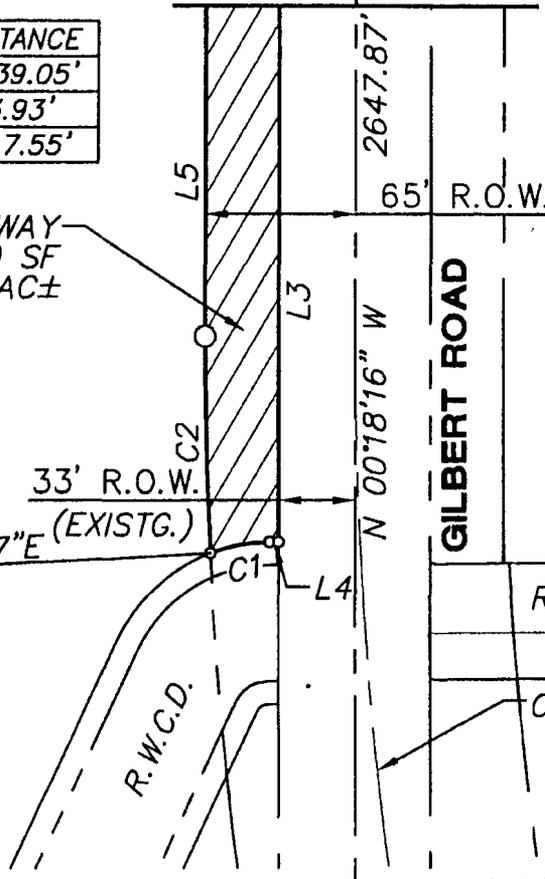
FOUND PK NAIL
& STRADDLERS
NE COR. SEC. 24,
T.2S., R.5E.

APN#
303-44-003-C

DOC. #
2006-0585055 M.C.R. 33' R.O.W.

N86°48'57"E (EXISTG.)
RAD.

RIGHT-OF-WAY
55,730 SF
1.279 AC±



R.W.C.D.

CONST

N 00°16'50" W 2650.04'

FND. BCHH
S ¼ COR. SEC. 24,
T.2S., R.5E.

CHANDLER HEIGHTS ROAD

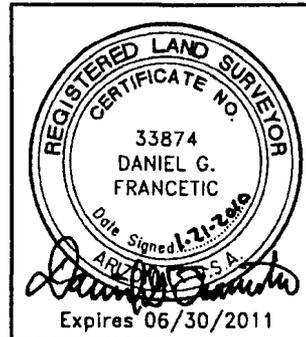
S 89°16'29" W 2628.60'

CALC POSITION
E ¼ COR. SEC. 24,
T.2S., R.5E.

SCALE: N.T.S.

NOTE: THIS EXHIBIT IS BASED ON RECORDED DOCUMENTS SUCH AS THE SUBJECT PARCEL'S DEED, AND ADJOINING DEEDS AND/OR PLATS. IT IS NOT BASED ON A BOUNDARY SURVEY OF THE SUBJECT PARCEL.

FND. BCHH
SE COR. SEC. 24,
T.2S., R.5E.



LEGEND

PROPOSED RIGHT-OF-WAY

BASIS OF BEARING

THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 24
BEARING S 89°16'29" W



Entellus

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Website: www.Entellus.com

CITY OF CHANDLER

GILBERT ROAD

SECTION 24, T2S, R5E

**PROPOSED
RIGHT-OF-WAY**

DATE: 7/16/09 | REV'D: 1/20/10

DRAWN BY: DMG|CHK'D: DGF|PG: 4 OF 4

FILE: 303-44-003-C-2.DWG

When recorded, return to:
CHANDLER CITY ATTORNEY
P.O. Box 4008, Mail Stop 602
Chandler, Arizona 85244-4008
Attn.: Glenn A. Brockman

QUIT CLAIM DEED OF DEDICATION

For the consideration of TEN AND NO/100 DOLLARS (\$10.00), and other valuable consideration, the receipt of which is hereby acknowledged, CITY OF CHANDLER, an Arizona municipal corporation, does hereby dedicate and quitclaim to the CITY OF CHANDLER, an Arizona municipal corporation, in trust for the public, for roadway purposes, all right, title, and interest in and to the following real property situated in Maricopa County, State of Arizona:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN
BY REFERENCE.

Exempt from Affidavit and fee per A.R.S. § 11-1134.A.3.

DATED this ____ day of _____, 2011.

CITY OF CHANDLER, an Arizona municipal
corporation

By: _____
Jay Tibshraeny, Mayor

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing Quitclaim Deed of Dedication was acknowledged before me this ____ day of _____, 2011, by Jay Tibshraeny, the Mayor of the City of Chandler, an Arizona municipal corporation, for the corporation, being authorized so to do.

Notary Public

My Commission Expires:
