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OCT 24 2013



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MEMORANDUM Municipal Utilities – Council Memo No. RE13-028

DATE: OCTOBER 24, 2013

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
 MARSHA REED, ASSISTANT CITY MANAGER
 DAVE SIEGEL, MUNICIPAL UTILITIES DIRECTOR *DS*

FROM: ERICH KUNTZE, REAL ESTATE COORDINATOR *EK*

SUBJECT: ORDINANCE NO. 4481 AUTHORIZING THE DEDICATION IN FEE
 OF A PORTION OF A FUTURE WELL SITE LOCATED APPROXIMATELY
 365 FEET NORTH OF RIGGS ROAD ON THE WEST SIDE OF 142ND
 STREET, FOR PUBLIC RIGHT-OF-WAY (SIDEWALK) PURPOSES

RECOMMENDATION:

Staff recommends introduction and tentative approval of Ordinance No. 4481, authorizing the dedication in fee of portions of a future well site located approximately 365 feet north of Riggs Road, on the west side of 142nd Street for public right-of-way (sidewalk) purposes.

BACKGROUND/DISCUSSION:

Ashton Woods Homes is developing the Jacaranda Place subdivision on the north side of Riggs Road, just west of the alignment of 142nd Street. As part of this development, Ashton Woods Homes will be improving 142nd Street north from Riggs Road. The City owns a parcel of land for a future water well site that is approximately 365 feet north of Riggs Road on the west side of 142nd Street. In order to accommodate the development of 142nd Street, it is necessary for the City to dedicate a portion of the property to the public for right-of-way (sidewalk). The sidewalk will be constructed by Ashton Woods during their improvement of 142nd Street.

By way of a separate instrument in the form of a deed, the City will grant to the public in trust, the right-of-way (sidewalk). The document will be in a form approved by the City Attorney.

FINANCIAL IMPLICATIONS:

Cost: N/A
Savings: N/A
Long Term Costs: N/A

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Council Meeting of October 24, 2013
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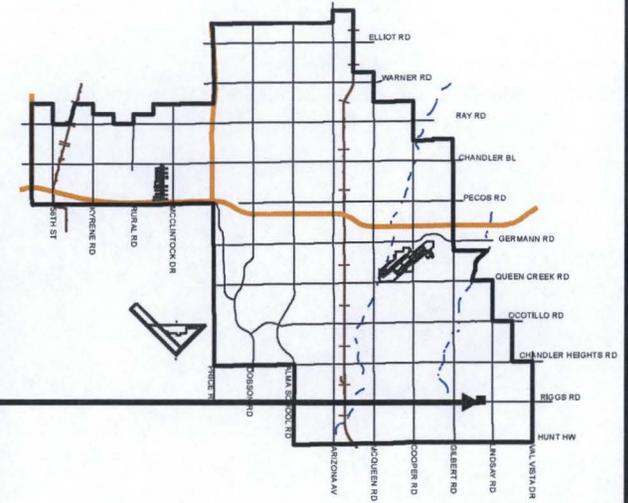
PROPOSED MOTION:

Move City Council introduce and tentatively approve Ordinance No. 4481, authorizing the dedication in fee of portions of a future well site located approximately 365 feet north of Riggs Road on the west side of 142nd Street for public right-of-way (sidewalk) purposes.

Attachments: Map
Ordinance No. 4481
Quit Claim Deed of Dedication



**DEDICATE IN FEE TO THE PUBLIC
FOR RIGHT-OF-WAY (SIDEWALK) PURPOSES
A PORTION OF CITY OWNED LAND**



MEMO NO. RE14-028

ORDINANCE NO. 4481

 **SIDEWALK**



ORDINANCE NO. 4481

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, TO AUTHORIZE AND APPROVE THE DEDICATION IN FEE OF A PORTION OF A FUTURE WELL SITE LOCATED APPROXIMATELY 365 FEET NORTH OF RIGGS ROAD ON THE WEST SIDE OF 142ND STREET CHANDLER, ARIZONA, FOR PUBLIC RIGHT-OF-WAY (SIDEWALK) PURPOSES.

WHEREAS, the City of Chandler owns vacant property located approximately 365 feet North of Riggs Road on the West side of 142nd Street; and

WHEREAS, Ashton Woods Homes will be improving 142nd Street North of Riggs Road along with a sidewalk along 142nd Street as part of their Jacaranda Place Subdivision; and

WHEREAS, a portion of the property is needed to be dedicated in trust to the public for public right-of-way (sidewalk) purposes; and

WHEREAS, it is necessary for Council to authorize the dedication in fee of the public right-of-way (sidewalk) on 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 a portion of City-owned property for public right-of-way (sidewalk) purposes 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 (sidewalk) 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 on 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 _____, 2013.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council this _____ day of _____,
2012.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4481 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2012, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

_____ 

CITY ATTORNEY

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 (sidewalk), 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 _____, 2013.

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 _____, 2013, 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:
