#2
DEC 08 2014

ORDINANCE NO. 4565

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING AND APPROVING THE VACATION OF A PORTION OF OLD GERMANN ROAD RIGHT-OF-WAY, EAST OF STEARMAN DRIVE.

WHEREAS, A.R.S. §28-7201 *et seq.*, provides for the disposition of unnecessary public roadways; and

WHEREAS, A.R.S. §28-7205 specifically provides for the vacating of unnecessary public roadway so as to allow title to vest according to law; and

WHEREAS, that certain portion of right-of-way of old Germann Road legally described in Exhibit "A", attached hereto, is excess roadway and is no longer needed as public roadway for that purpose.

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

Section 1. The portion of old Germann Road described in attached Exhibit "A" (the "Roadway") is determined to be no longer necessary for public use as a roadway.

Section 2. The Roadway is hereby declared abandoned and vacated, so that title shall vest, subject to the same encumbrances, liens, limitations, restrictions, and estates as exist on the land to which it accrues, in accordance with law.

Section 3. The vacating of the Roadway is not intended to vacate or extinguish any rights-of-way or easements for existing sewer, gas, water or similar pipelines and appurtenances, and for existing canals, laterals, ditches and appurtenances, and for existing electric, telephone and similar lines and appurtenances, and the same, if there are any, shall continue as they existed prior to the vacating of the Roadway.

Section 4. The action taken to vacate the Roadway pursuant to this Ordinance is done solely to dispose of the City of Chandler's interest, if any, in the Roadway, subject to the terms and conditions stated in this Ordinance and to any easements reserved herein by the City, and the City of Chandler does not warrant, either expressly or by implication, that it holds title or any other interest in the Roadway.

Section 5. That the vesting of title in the Roadway, as provided in Section 2 above, is further made subject to the receipt by the City of the sum of $54,192.00 from the owner of the parcel of land abutting the Roadway. The payment of $54,192.00 is deemed to be sufficient consideration commensurate with the value of the Roadway.

Section 6. The Mayor of the City of Chandler, Arizona, is hereby authorized to sign, on behalf of the City, this Ordinance and all other documents required and necessary to complete the abandonment and vacation of the Roadway.

Section 7. The City Clerk is directed to cause this Ordinance to be recorded in the office of the Maricopa County Recorder after the effective date of this Ordinance according to City Code or Charter. The vacation of the Roadway shall take effect upon recordation of this Ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this _____ day of _____ 201__.

ATTEST:

_____ _____

CITY CLERK MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this _____ day of _____, 201__.

ATTEST:

_____ _____

CITY CLERK MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4565 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 201__, and that a quorum was present thereat.

_____

CITY CLERK

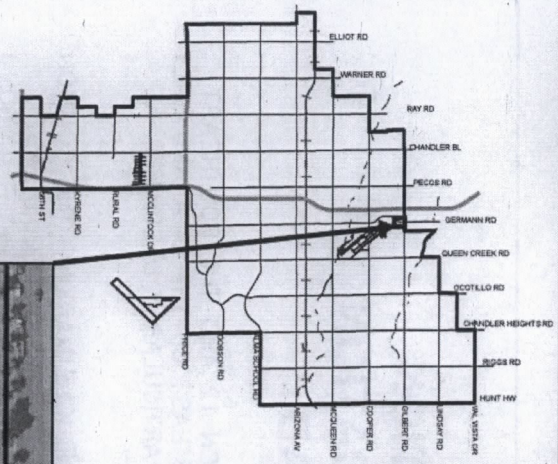
APPROVED AS TO FORM

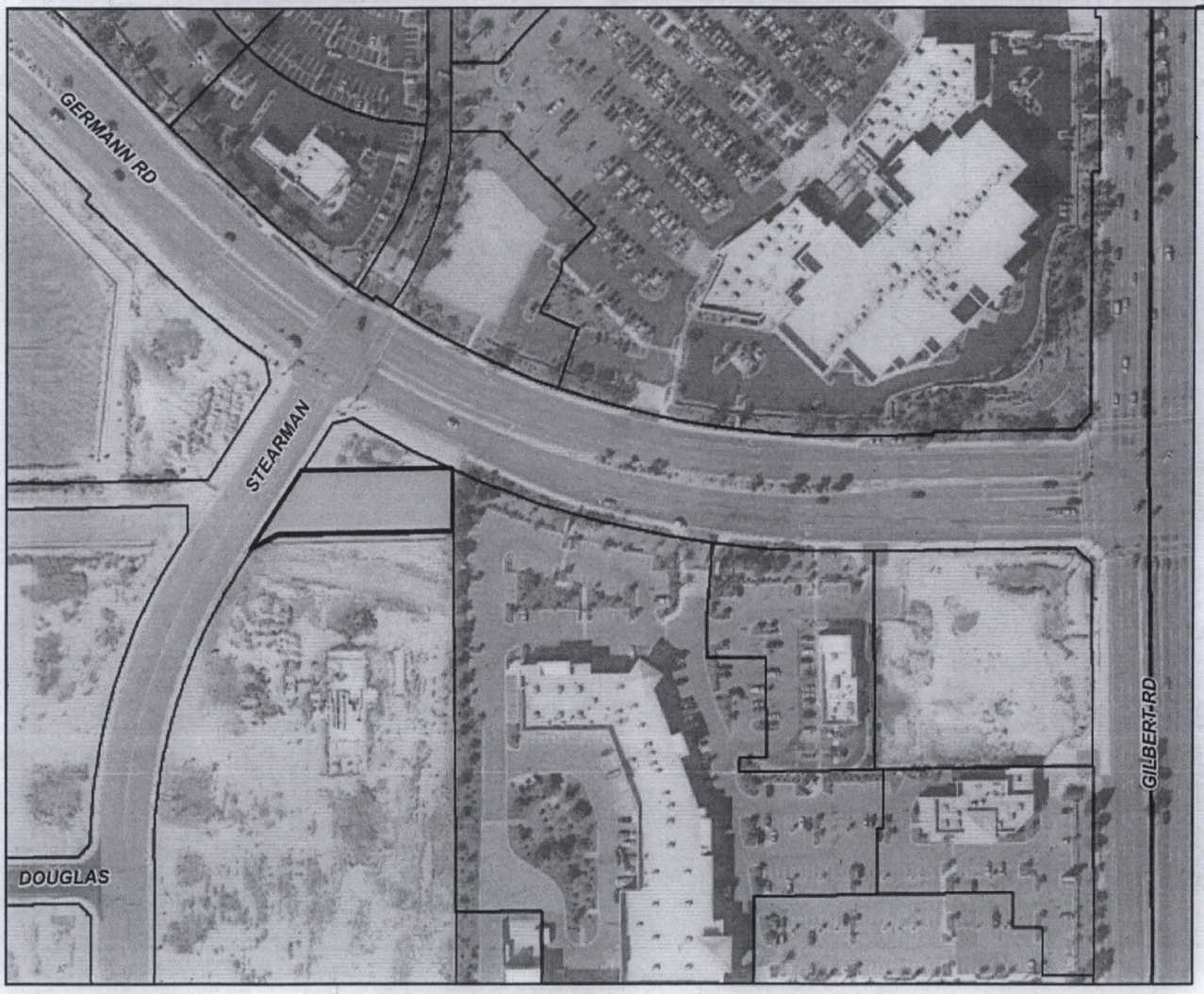
_____

CITY ATTORNEY GAB

Chandler + Arizona

VACATE A SECTION OF RIGHT-OF-WAY EAST OF STEARMAN DR AND GERMANN RD





MEMO NO. RE15-124

ORDINANCE NO. 4565

VACATE RIGHT-OF-WAY

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EXHIBIT "A"
LEGAL DESCRIPTION
RIGHT-OF-WAY VACATION
GERMANN ROAD

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 12 AND THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" BAR WITH A NAIL IN A HANDHOLE MARKING THE COMMON CORNER OF THE NORTHEAST CORNER OF SAID SECTION 12 AND THE SOUTHEAST CORNER OF SAID SECTION 1, FROM WHICH AN ALUMINUM CAP IN HANDHOLE MARKING THE NORTH QUARTER CORNER OF SAID SECTION 12 AND THE SOUTH QUARTER CORNER OF SAID SECTION 1 BEARS SOUTH 89°09'00" WEST, AS MEASURED ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 12 AND THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 1, FOR A MEASURED DISTANCE OF 2633.55 FEET;

THENCE SOUTH 89°09'00" WEST, ALONG THE NORTH LINE OF SAID SECTION 12 AND THE SOUTH LINE OF SAID SECTION 1, FOR A DISTANCE OF 888.95 FEET TO A POINT ON THE WEST LINE OF LOT 2 OF THE "REPLAT OF LOT 2 OF OPUS CHANDLER CROSSING" AS RECORDED IN BOOK 1006 OF MAPS, PAGE 22, OF OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA AND THE **POINT OF BEGINNING;**

THENCE, SOUTH 00°19'04" EAST, ALONG THE WEST LINE OF SAID LOT 2, FOR A DISTANCE OF 40.00 FEET TO A POINT ON A LINE 40.00 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 12, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF A DESIGNATED COUNTY HIGHWAY AS RECORDED IN BOOK 16 OF MAPS, PAGE 15, OF OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE, SOUTH 89°09'00" WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, FOR A DISTANCE OF 227.97 FEET;

THENCE, SOUTH 60°58'09" WEST A DISTANCE OF 38.17 FEET TO A POINT ON THE EAST LINE OF A PUBLIC RIGHT-OF-WAY AS RECORDED IN DOC. NO. 98-0488955, OF OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
45835
JERRY D.
HEATH JR.
Date Signed: 5-19-14
ARIZONA U.S.A.
Expires 3/31/2016

TITLE: **XB01**
SCALE: 1"=100'
DATE: 05/19/14
DESC: RIGHT-OF-WAY VACATION

HUNTER
ENGINEERING | CIVIL AND SURVEY
10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986
PROJ.NO.LGEC168

EXHIBIT "A"
LEGAL DESCRIPTION
RIGHT-OF-WAY VACATION
GERMANN ROAD

(CONTINUED)

THENCE, NORTH 32°47'16" EAST, FOR A DISTANCE OF 117.74 FEET TO A POINT THAT IS 40.00 FEET EAST OF THE MEASURED CENTERLINE OF STEARMAN DRIVE, SAID POINT ALSO BEING ON A LINE 40.00 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 1, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF A DESIGNATED COUNTY HIGHWAY AS RECORDED IN BOOK 16 OF MAPS, PAGE 15, OF OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE, NORTH 89°09'00" EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE, FOR A DISTANCE OF 194.58 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF GERMANN ROAD AS RECORDED IN BOOK 720 OF MAPS, PAGE 3, OF OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING ON A NON-TANGENT CURVE, HAVING A RADIUS OF 1275.00 FEET AND A CHORD BERING OF SOUTH 66°23'28" EAST, FOR A DISTANCE OF 2.80 FEET;

THENCE ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 00°07'33", AN ARC LENGTH OF 2.80 FEET TO THE NORTHWEST CORNER OF LOT 2 OF SAID "REPLAT OF LOT 2 OF OPUS CHANDLER CROSSING";

THENCE, SOUTH 00°19'04" EAST, ALONG THE WEST LINE OF SAID LOT 2, FOR A DISTANCE OF 38.84 FEET TO THE **POINT OF BEGINNING.**

SAID RIGHT-OF-WAY CONTAINS 18,064 SQUARE FEET, OR 0.415 ACRES, MORE OR LESS.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
45835
JERRY D. HEATH JR.
Date Signed: 5-19-14
ARIZONA U.S.A.
Expires 3/31/2016

TITLE: **XB01**
SCALE: 1"=100'
DATE: 05/19/14
DESC: RIGHT-OF-WAY VACATION

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ENGINEERING | CIVIL AND SURVEY
10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986
PROJ.NO.LGEC168

EXHIBIT "B"
RIGHT-OF-WAY VACATION
GERMANN ROAD

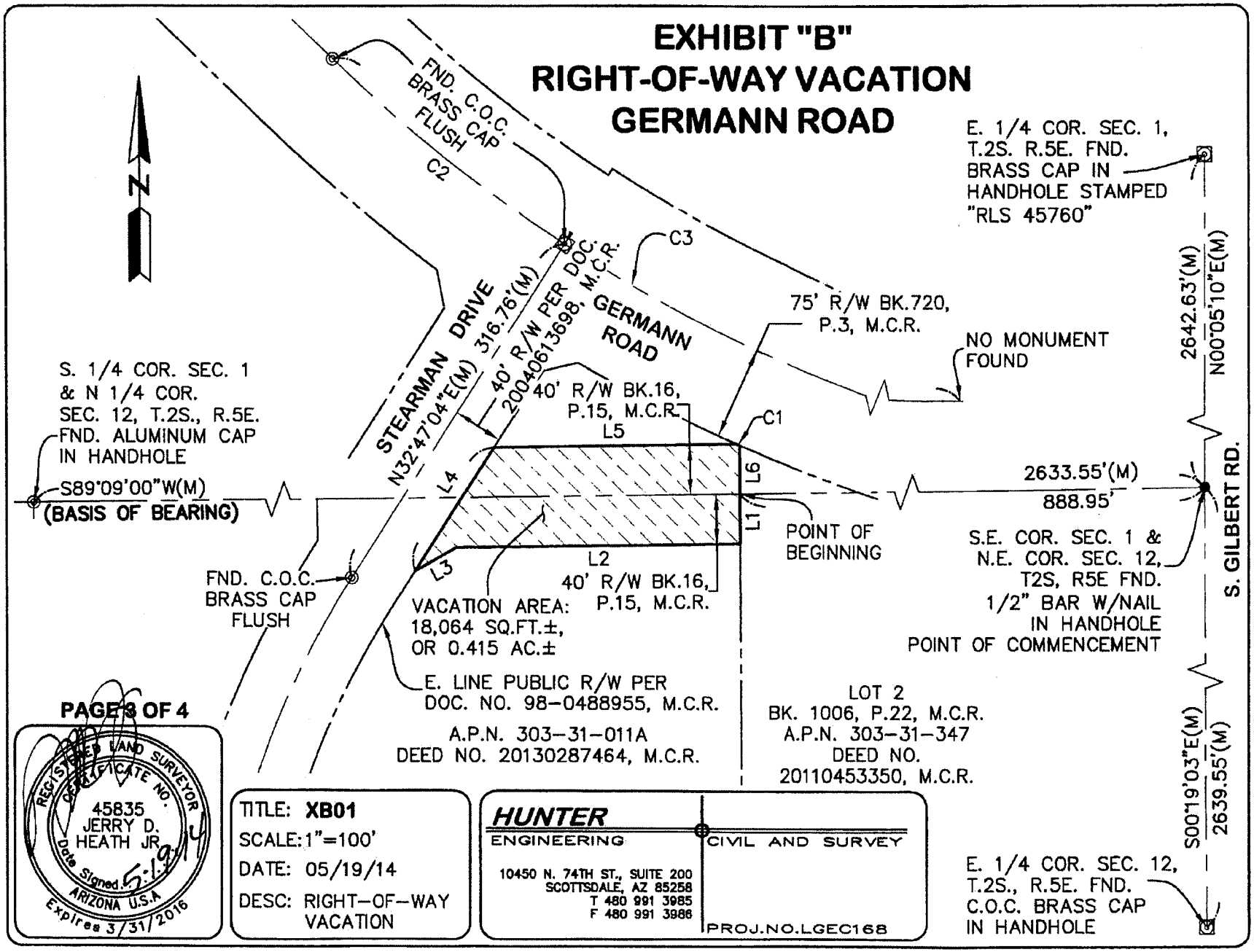

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EXHIBIT "B"
RIGHT-OF-WAY VACATION
GERMANN ROAD

LINE TABLE		
LINE	BEARING	DISTANCE
L1 (C)	S00°19'04"E	40.00'
L2 (C)	S89°09'00"W	227.97'
L3 (C)	S60°58'09"W	38.17'
L4 (C)	N32°47'16"E	117.74'
L5 (C)	N89°09'00"E	194.58'
L6 (C)	S00°19'04"E	38.84'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BRG. & LENGTH	
C1 (C)	2.80'	1275.00'	0°07'33"	S66°23'28"E	2.80'
C2 (R1)	237.35'	1200.00'	11°20'00"		
C2 (M)	238.57'	1200.00'	11°23'27"		
C3 (R1)	941.87'	1200.00'	44°58'15"		

LEGEND:

(R1) RECORDED DATA PER THE FINAL PLAT OF CROSSROADS TOWNE CENTER – CHANDLER AS RECORDED IN BK. 720, PG. 3, M.C.R.

(M) MEASURED INFORMATION FROM FIELD DATA COLLECTION.

(C) CALCULATED INFORMATION FROM RECORDED DOCUMENTS AS NOTED.

C.O.C. CITY OF CHANDLER

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
45835
JERRY D.
HEATH JR.
Date Signed 5.19.14
ARIZONA U.S.A
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