#4

OCT 19 2015

ORDINANCE NO. 4658

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING VACATING A PORTION OF ROAD RIGHT-OF-WAY LOCATED SOUTH OF THE SOUTHEAST CORNER OF COOPER AND GERMANN ROADS

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

WHEREAS, that certain portion of land along the east side of Cooper Road located at the southeast corner of Cooper and Germann Roads, which is more fully described in Exhibit "A", attached hereto and incorporated herein by reference, is no longer needed as public roadway;

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, Tiberon Chandler Airport, LLC., will pay the City of Chandler $3.00 per square foot (a total of $7,062.00) as consideration for the subject parcel.

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

Section 1. The Public Roadway legally described in Exhibit "A" (the "Roadway") is determined to be no longer necessary for public use as a roadway.

Section 2. The Roadway is hereby vacated, so that title thereto is vested in the owner of the land abutting the Roadway or as otherwise provided by law pursuant to the provisions of A.R.S. §28-1902(A), subject to the same encumbrances, liens, limitations, restrictions and estates as exist on the land to which it accrues.

Section 3. The vacating of the Roadway is not intended and shall not be deemed to vacate or extinguish any rights-of-way or easements for existing water, sewer, gas or similar pipelines and appurtenances, and for existing canals, laterals or ditches and appurtenances, and for 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 pursuant to this Ordinance.

Section 4. The action taken herein 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. 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 $7,062.00 from the owner of the

abutting real property, which sum is deemed to be 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 No. 4658 to be recorded in the office of the Maricopa County Recorder as directed by the Chandler City Attorney, but in no event earlier than thirty (30) days following the date that this Ordinance No. 4658 is passed and adopted and payment for the parcel being vacated is received from Tiberon Chandler Airport, LLC. The vacation of the Roadway shall take effect upon recordation of this Ordinance No. 4658.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this _____ day of _____, 2015.

ATTEST:

_____ _____

CITY CLERK MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this _____ day of _____, 2015.

ATTEST:

_____ _____

CITY CLERK MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4658 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2015 and that a quorum was present thereat.

_____

CITY CLERK

PUBLISHED:

APPROVED AS TO FORM:

_____

CITY ATTORNEY GAB

Bowman
CONSULTING

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
55030
DOUGLAS B.
TONEY
Date Signed 02/12/15
ARIZONA, U.S.A.
Expires 09/30/2016

February 12, 2015
PROJECT # 9538-01-001

EXHIBIT 'A'

LEGAL DESCRIPTION

THAT PORTION OF AN EXISTING MONUMENTATION EASEMENT LYING WITHIN THE COOPER ROAD RIGHT-OF-WAY, AS SHOWN ON THE FINAL PLAT OF CHANDLER AIRPORT CENTER - PHASE 1, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12, BEING A STONE IN HAND HOLE, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 12, BEING AN ALUMINUM CAP FLUSH, BEARS NORTH 89°01'05" EAST, A DISTANCE OF 2633.57 FEET;

THENCE SOUTH 00°20'27" EAST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 12, A DISTANCE OF 220.01 FEET;

THENCE NORTH 89°01'05" EAST, A DISTANCE OF 125.01 FEET TO A POINT ON SAID EXISTING MONUMENTATION EASEMENT, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE NORTH 00°20'27" EAST, ALONG SAID EXISTING MONUMENTATION EASEMENT, A DISTANCE OF 20.99 FEET TO A POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE NORTHWESTERLY AND HAVING A RADIUS POINT WHICH BEARS NORTH 29°27'44" WEST, A RADIAL DISTANCE OF 155.73 FEET;

THENCE CONTINUING ALONG SAID EXISTING MONUMENTATION EASEMENT, NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 26°43'17", AN ARC DISTANCE OF 72.63 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID COOPER ROAD;

THENCE NORTH 89°01'05" EAST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 2.06 FEET;

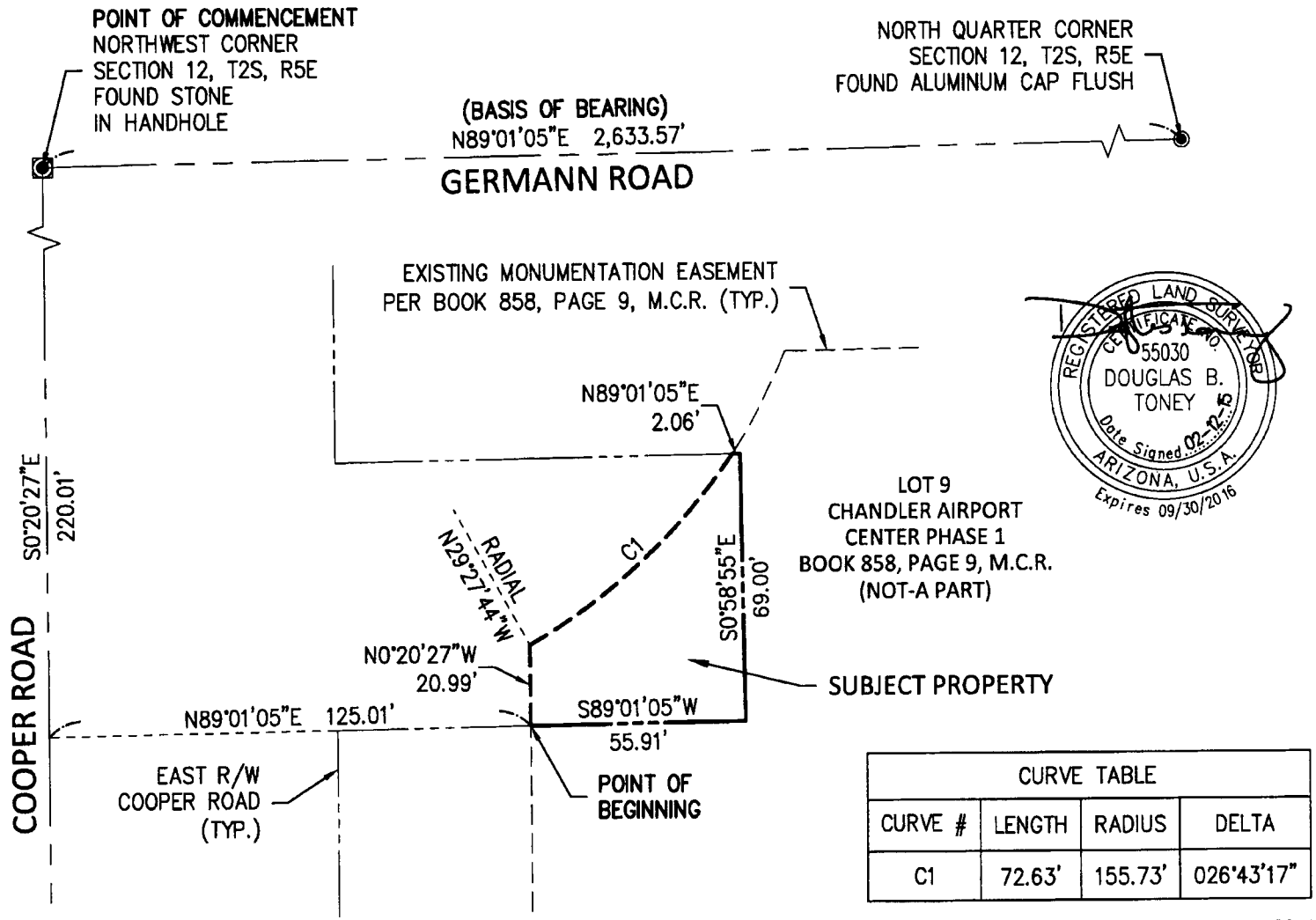
THENCE SOUTH 00°58'55" EAST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 69.00 FEET;

THENCE SOUTH 89°01'05" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 55.91 FEET TO THE **POINT OF BEGINNING.**

SAID PARCEL CONTAINS 2,354 SQUARE FEET OR 0.0540 ACRES, MORE OR LESS.

Bowman Consulting Group, Ltd. • 1295 W Washington, Suite 108 • Tempe, Arizona 85281 • P: 480.629.8830

File: P:\9538 - Chandler Airpark\9538-01-001 (SUR)\Survey_DWG\9538-MON-ESMT.DWG Plot: 2015, Feb 12



REGISTERED LAND SURVEYOR
CERTIFICATE NO.
55030
DOUGLAS B.
TONEY
Date Signed 02-12-15
ARIZONA, U.S.A.
Expires 09/30/2016

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	72.63'	155.73'	026°43'17"

NOTE: THIS EXHIBIT IS MEANT SOLELY AS A REFERENCE TO THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED. IT IS NOT TO BE CONSIDERED A STAND ALONE DOCUMENT, NOR THE RESULT OF A FIELD SURVEY.

N

N.T.S.

SHEET 1 OF 1

DATE: 02-12-15

EXHIBIT 'A"
PROPOSED MONUMENT EASEMENT

BY: AG | CHK: DT | QC: DT

BCG PROJECT NO: 9538-01 TASK: 001
CLIENT REF NO:

Bowman CONSULTING
1295 W Washington St, #108
Tempe, AZ 85281
Phone: (480) 629-8830
Fax: (480) 629-8841
www.bowmanconsulting.com