

#13
MAR 22 2007



MEMORANDUM

Real Estate – Council Memo No. RE07-005

DATE: MARCH 22, 2007

TO: MAYOR AND COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
DANIEL W. COOK, ACTING PUBLIC WORKS DIRECTOR
MIKE NORMAND, ACTING ASSISTANT PUBLIC WORKS DIRECTOR
TRANSPORTATION & OPERATIONS

FROM: ERICH KUNTZE, REAL ESTATE OPERATIONS COORDINATOR

SUBJECT: APPROVAL OF RESOLUTION NO. 3954 CHANGING THE USE OF CITY-OWNED PROPERTY LOCATED AT THE NORTHEAST CORNER OF ARROWHEAD DRIVE AND ERIE STREET TO ANOTHER PUBLIC USE, ROAD RIGHT-OF-WAY

RECOMMENDATION: Staff recommends Council pass and adopt Resolution No. 3954 changing the use of City-owned property located at the northeast corner of Arrowhead Drive and Erie Street to another public use, road right-of-way.

BACKGROUND/DISCUSSION: City-owned property located on the northeast corner of Erie Street and Arrowhead Drive is currently being used as road right-of-way as part of the intersection of Arrowhead Drive and Erie Street. Even though a deed (Docket 12352, Page 266) was recorded on August 3, 1977 transferring property to the City, the Maricopa County Assessor's office does not show the parcel as road right-of-way at this location. As a result, the County Assessor's office is requiring the City to approve a resolution changing the use of the property to road right-of-way.

FINANCIAL IMPLICATIONS: None.

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

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PROPOSED MOTION: Staff recommends Council pass and adopt Resolution No. 3954. Changing the use of City-owned property located at the northeast corner of Arrowhead Drive and Erie Street to another public use, road right-of-way.

Attachments: Resolution 3954
Location/Site Map

RESOLUTION NO. 3954

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, CHANGING THE USE OF CITY-OWNED PROPERTY DESCRIBED IN EXHIBIT "A", TO ANOTHER PUBLIC USE, ROAD RIGHT-OF-WAY.

WHEREAS, City of Chandler owns property located at the northeast corner of Erie Street and Arrowhead Drive; and

WHEREAS, the City of Chandler completed road improvements at the intersection at Erie Street and Arrowhead Drive so that the subject property is now used as part of the City's public road system; and

WHEREAS, it is necessary to formally declare the subject property as public roadway.

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

Section 1. That the use of the property described in attached Exhibit "A" and incorporated herein by this reference (the "Property"), is hereby formally changed to use as public roadway.

Section 2. That application of the Property to another public use is not intended to extinguish any rights-of-way or easements for existing sewer, gas, water or similar pipelines and appurtenances, and for canals, laterals, 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 this declaration of the Property to use as public roadway

Section 3. 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 change in public use, including signing this Resolution.

Section 4. The City Clerk shall cause this Resolution to be recorded in the office of the Maricopa County Recorder and the change in public use to public roadway shall be deemed effective when so recorded.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this _____ day of _____, 2007.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 3954 was duly passed and adopted by the City Council of the City of Chandler, Arizona at a regular meeting held on the _____ day of _____, 2007, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

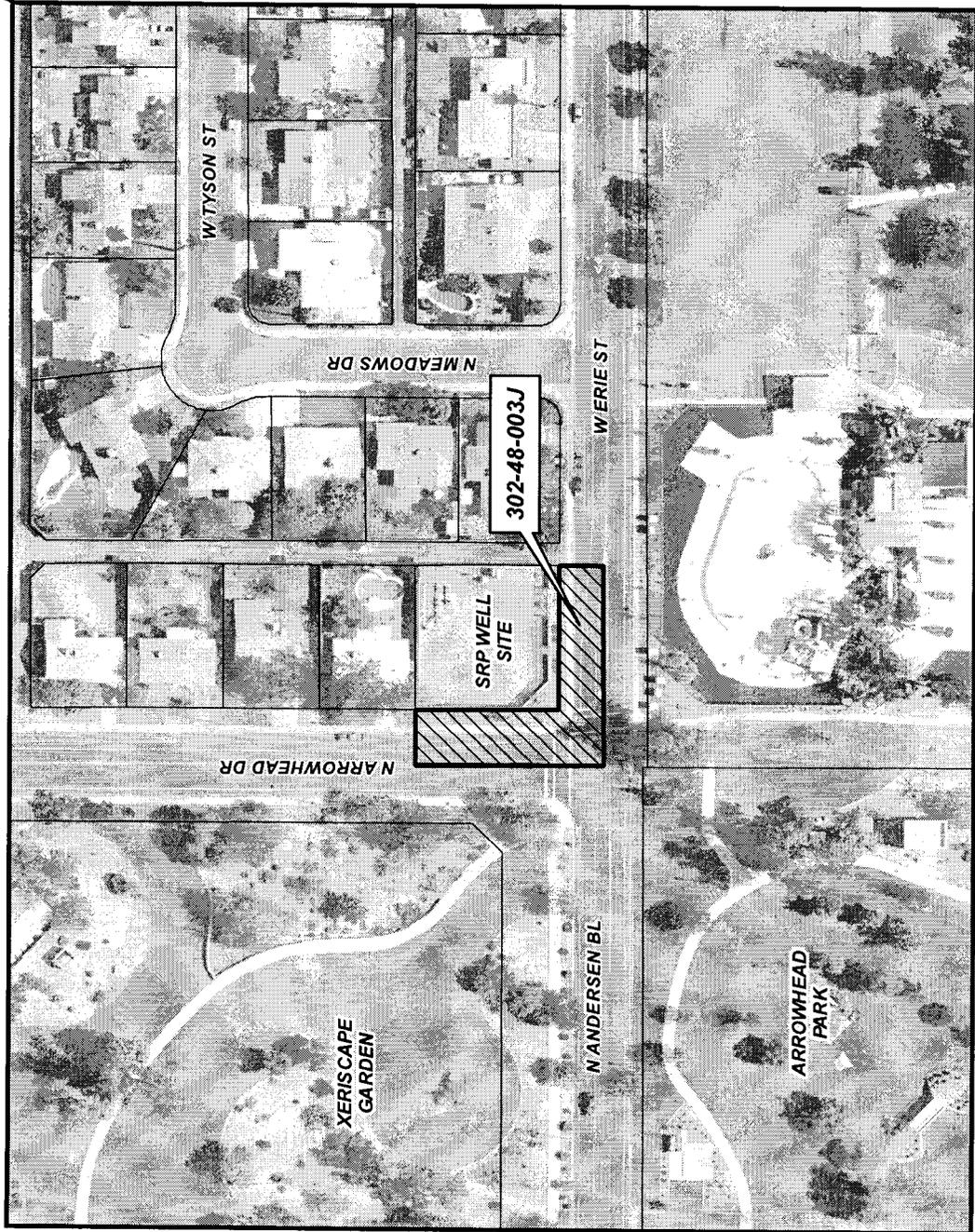
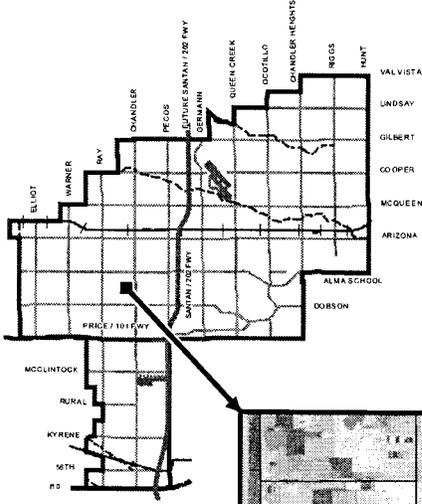
 GAB
CITY ATTORNEY

EXHIBIT "A"

The West 140 feet of the South 130 feet of the North half of the Southeast quarter EXCEPT the North 100 feet of the South 130 feet of the East 100 feet of the West 140 feet of the North half of the Southeast quarter, Section 29, Township 1 South, Range 5 East.



CHANGE OF USE CITY OWNED PROPERTY TO ROAD RIGHT-OF-WAY



MEMO NO. RE07-005
RESOLUTION NO. 3954

LEGEND
 CHANGE OF USE

