

Repl # 9

FEB 12 2009



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM

Real Estate - Council Memo No. RE-09-200

DATE: FEBRUARY 12, 2009

TO: MAYOR AND COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER *WMP*
DAVE SIEGEL, MUNICIPAL UTILITIES DIRECTOR
ROBERT MULVEY, ASSISTANT MUNICIPAL UTILITIES
DIRECTOR

FROM: ERICH KUNTZE, REAL ESTATE MANAGER *EK*

SUBJECT: PULL RESOLUTION NO. 4255 AS A QUESTION REGARDING OWNERSHIP OF THE WELL ON THE PROPERTY IN QUESTION HAS COME UP THAT REQUIRES FURTHER RESEARCH PRIOR TO BRING THIS MATTER TO COUNCIL.

RECOMMENDATION: Staff recommends that the City Council pull Resolution No. 4255 as a question regarding the ownership of the well on the property in question has come up that requires further research prior to bring this matter to Council.

BACKGROUND/DISCUSSION: Staff received a call from a property owner in the neighborhood adjacent to the parcel the City would like to acquire who indicated that the property owners in this subdivision may have an interest in the well that was not disclosed on the title report obtained by the City. Staff is requesting time to research this claim further before bring the matter to Council and is requesting that it be pulled from tonight's Council Agenda.



Chandler • Arizona
Where Values Make The Difference

#9

FEB 12 2009

MEMORANDUM

Real Estate - Council Memo No. RE-09-171

DATE: FEBRUARY 12, 2009

TO: MAYOR AND COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
DAVE SIEGEL, MUNICIPAL UTILITIES DIRECTOR
MICHAEL NORMAND, TRANSPORTATION SERVICES AND PLANNING
MANAGER

FROM: ERICH KUNTZE, REAL ESTATE MANAGER

SUBJECT: RESOLUTION NO. 4255 AUTHORIZING AND APPROVING THE PURCHASE OF A PARCEL OF LAND CONTAINING APPROXIMATELY 1,100 SQUARE FEET OF LAND AT THE NORTHEAST CORNER OF MCQUEEN ROAD AND RYAN ROAD AT A COST OF \$6,438.00 PLUS CLOSING COSTS OF APPROXIMATELY \$800.00.

RECOMMENDATION: Staff recommends that the City Council pass and adopt Resolution No. 4255 authorizing and approving the purchase of a parcel of land containing approximately 1,100 square foot parcel of land located at the northeast corner of McQueen Road and Ryan Road at a cost of \$6,438.00 plus closing costs of approximately \$800.00.

BACKGROUND/DISCUSSION: The City's Municipal Utilities Department has determined that the old well site parcel located at the northeast corner of McQueen Road and Ryan Road is needed in order to close an old non-operating well that is on the property. The old well needs to be closed to prevent possible negative water quality impacts on the storage and recovery of recharged water at Tumbleweed Park. The property owner is willing to sell to the City at the appraised value of \$6,438.00 plus closing costs estimated at approximately \$800.00. Once acquired, the City will seal and abandon the well in accordance with State requirements.

COUNCIL MEMO RE09-171
FEBRUARY 12, 2009
PAGE TWO

FINANCIAL IMPLICATIONS:

Costs: \$7,238
Long Term Costs: N/A

Fund Source:

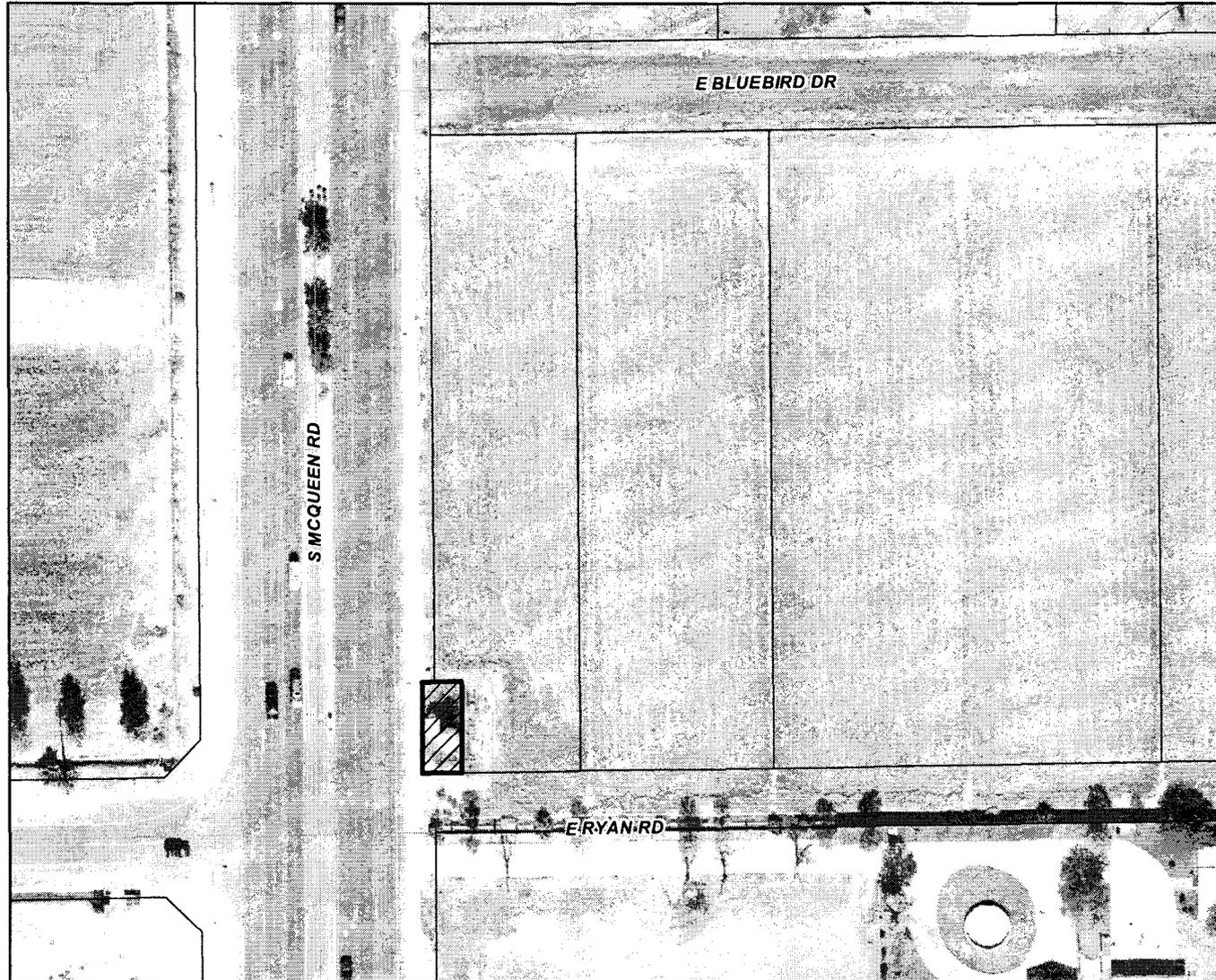
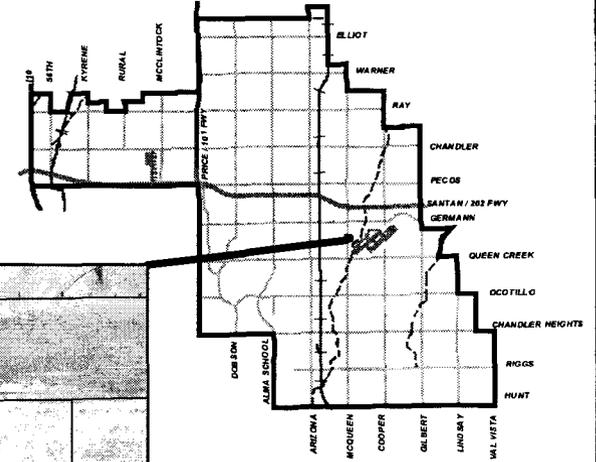
| <u>Acct. No: CIP</u> | <u>Fund:</u> | <u>Program Name:</u> | <u>CIP Funded:</u> | <u>Funds:</u> |
|---------------------------|--------------|---------------------------------------|--------------------|---------------|
| 615.3910.0000.6817.8WW189 | WW Operating | Effluent Reuse Storage/Recovery Wells | FY 07/08 | \$7,238 |

PROPOSED MOTION: Move that Council pass and adopt Resolution No. 4255 authorizing and approving the purchase of a parcel of land containing approximately 1,100 square feet of land located at the northeast corner of McQueen Road and Ryan Road at a cost of \$6,438.00 plus closing costs of approximately \$800.00.

Attachments: Location/Site Map
 Resolution No. 4255



ACQUISITION OF PARCEL OF LAND AT THE NORTHEAST CORNER OF McQUEEN RD AND RYAN RD



MEMO NO. RE09-171

RESOLUTION NO. 4255

 ACQUISITION OF PARCEL OF LAND



RESOLUTION NO. 4255

A RESOLUTION OF THE COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING AND APPROVING THE PURCHASE OF A PARCEL OF LAND CONTAINING APPROXIMATELY 1,100 SQUARE FEET LOCATED AT THE NORTHEAST CORNER OF MCQUEEN ROAD AND RYAN ROAD AT A COST OF \$6,438.00 PLUS CLOSING COSTS OF APPROXIMATELY \$800.00.

WHEREAS, the owners of approximately 1,100 square feet of land located at the northeast corner of McQueen Road and Ryan Road known as Assessor's Parcel Number 303-32-007U are willing to sell the parcel to the City of Chandler at a cost of \$6,438.00 plus closing costs of approximately \$800.00; and

WHEREAS, the City's Municipal Utilities Department has determined that this property will be needed in order to close an existing well located on the property; and

WHEREAS, the City of Chandler desires to purchase this property consisting of approximately 1,100 square feet of land (the "subject property"); and

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

Section 1. That purchase of the fee interest in the subject property as defined in Exhibit "A" attached hereto is authorized and approved in accordance with terms set out herein.

Section 2. That the Real Estate Manager is authorized to execute, deliver, and deposit into escrow the approved purchase agreement, along with all other documents and instructions necessary to consummate the purchase of said real estate.

Section 3. That all other legal documents required for this transaction shall be in a form approved by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this _____ day of _____, 2009.

ATTEST:

CITY CLERK

MAYOR

RES 4255-EK

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4255 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ___ day of _____, 2009, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

GAB

EXHIBIT "A"

RES 4255-EK

EXHIBIT A

A PARCEL OF LAND IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 33 FEET NORTH AND 7 FEET EAST OF THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED AS PARCEL NO. 6 IN DEED RECORDED AS 2006-1506263;

THENCE NORTH 50 FEET;

THENCE EAST 40 FEET;

THENCE SOUTH 50 FEET;

THENCE WEST 40 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PART THEREOF CONVEYED TO MARICOPA COUNTY BY WARRANTY DEED RECORDED AS 2003-1585630, DESCRIBED AS FOLLOWS:

A PORTION OF LAND LYING WITHIN THE NORTHWEST QUARTER (NW1/4) OF SECTION ELEVEN (11), TOWNSHIP TWO SOUTH, RANGE FIVE EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; SAID PORTION IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 18 FEET OF THE WEST 25 FEET OF THE SOUTH 50 FEET OF THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY;

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 11;

THENCE NORTH (ASSUMED BEARING) ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 11, A DISTANCE OF 381.79 FEET;

THENCE NORTH 89°19'55" EAST, A DISTANCE OF 33 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89°19'55" EAST, A DISTANCE OF 219.50 FEET;

THENCE SOUTH, A DISTANCE OF 382.36 FEET;

THENCE SOUTH 89°27'46" WEST, A DISTANCE OF 219.49 FEET;

THENCE NORTH, A DISTANCE OF 381.86 FEET TO THE POINT OF BEGINNING;

EXCEPT THE SOUTH 33 FEET THEREOF.