

**ORDINANCE NO. 4935**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING THE ABANDONMENT OF THREE DRAINAGE EASEMENTS NO LONGER NEEDED FOR PUBLIC USE ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF GERMANN ROAD AND STEARMAN DRIVE.

WHEREAS, in 2004, the City of Chandler acquired three drainage easements recorded as Document Nos. 2004-469485, 2004-469487, and 2004-469490, records of Maricopa County, Arizona (the "Easements"), as part of the Germann Road Improvement Project from Airport Boulevard to Gilbert Road; and

WHEREAS, the property burdened by the Easements is in the process of being developed into a new two-story warehouse/manufacturing building with associated site improvements that include permanent drainage facilities; and

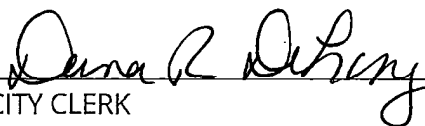
WHEREAS, the Easements are no longer needed for public use and may be abandoned.

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

- Section 1. That the City of Chandler is authorized to abandon the Easements.
- Section 2. That the documents used to abandon the Easements shall be in a form approved by the City Attorney attached as Exhibits "A", "B", and "C" and made a part of this Ordinance.
- Section 3. That the Mayor of the City of Chandler is hereby authorized to execute and deliver all documents necessary to abandon the Easements.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this 17th day of September, 2020.

ATTEST:

  
CITY CLERK

  
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this 12<sup>th</sup> day of October, 2020.

ATTEST:

*Dana R. DeLey*  
CITY CLERK

*Kevin Huntley*  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4935 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 12<sup>th</sup> day of October, 2020, and that a quorum was present thereat.

*Dana R. DeLey*  
CITYCLERK

APPROVED AS TO FORM:

*J. J. Hinkley for [initials]*  
CITY ATTORNEY

Published in the Arizona Republic on October 17 and October 23, 2020.



EXHIBIT "A"

That portion of the Southeast quarter of Section 1, Township 2 South, Range 5 East, G.& S.R.B.& M., Maricopa County, Arizona, described as follows:

**DRAINAGE EASEMENT (2004-0469490)**

**COMMENCING** at the Southeast corner of said Section 1;

**THENCE**, South 89 degrees 04 minutes 45 seconds West along the South line of said Section 1 a distance of 361.96 feet to a point of curvature right;

**THENCE**, along said curve right having a radius of 1200.00 feet, a central angle of 39 degrees 35 minutes 29 seconds, and a length of 829.20 feet;

**THENCE**, South 39 degrees 16 minutes 31 seconds West a distance of 75.00 feet to a point on the Southwesterly right-of-way line of Germann Road, said point being the **POINT OF BEGINNING**;

**THENCE**, South 40 degrees 29 minutes 47 seconds West a distance of 90.00 feet;

**THENCE**, North 49 degrees 30 minutes 13 seconds West a distance of 81.27 feet;

**THENCE**, North 40 degrees 29 minutes 47 seconds East a distance of 90.00 feet to a point on a non-tangent curve right having a radial bearing of North 42 degrees 19 minutes 21 seconds East;

**THENCE**, along said curve left having a radius of 1275.00 feet, a central angle of 03 degrees 39 minutes 03 seconds, and a length of 81.28 feet to the **POINT OF BEGINNING**.

Said drainage easement containing 7,279 square feet or 0.167 acres more or less.

STATE OF ARIZONA )  
                                  ) ss.  
County of Maricopa )

Acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2020, by Kevin Hartke, Mayor of the City of Chandler.

\_\_\_\_\_  
Notary Public

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney



**A.R.S. § 41-313(C) DISCLOSURES**

Description of document this notarial certificate is being attached to:	
Type/Title	Abandonment of Easement
Date of Document	_____
Number of Pages	3 (which includes Exhibit "A")
Add'l Signers (other than those named in the notarial certificate.)	None

When recorded, mail to:

City Clerk's Office  
City of Chandler  
Mail Stop 606  
P.O. Box 4008  
Chandler, AZ. 85244-4008

**ABANDONMENT OF EASEMENT**

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, CITY OF CHANDLER, an Arizona municipal corporation ("City"), does hereby abandon any and all interest that it may have in that certain drainage easement described in the attached Exhibit "A" and recorded with the Maricopa County Recorder on April 29, 2004, as Document No. 2004-469490. This abandonment is not intended to abandon any other interest City may have in any portion of the subject real property arising by virtue of any other instrument recorded with the Maricopa County Recorder, including without limitation, any deed, easement other than the aforementioned easement, or final order of condemnation.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF CHANDLER, an Arizona municipal  
corporation

By \_\_\_\_\_  
Mayor Kevin Hartke

**ORDINANCE 4935 EXHIBIT "C"**  
**(ABANDONMENT OF EASEMENT M.C.R. Doc. No. 2004-0469490)**

EXHIBIT "A"

That portion of the Southeast quarter of Section 1, Township 2 South, Range 5 East, G.& S.R.B.& M., Maricopa County, Arizona, described as follows:

**DRAINAGE EASEMENT (2004-0469487)**

**COMMENCING** at the Southeast corner of said Section 1;  
**THENCE**, South 89 degrees 04 minutes 45 seconds West along the South section line of said Section 1 a distance of 361.96 feet to a point of curvature right;  
**THENCE**, along said curve right having a radius of 1200.00 feet, a central angle of 44 degrees 58 minutes 15 seconds, and a length of 941.87 feet;  
**THENCE**, North 45 degrees 57 minutes 00 seconds West a distance of 310.99 feet to a point of curvature left;  
**THENCE**, along said curve left having a radius of 1200.00 feet, a central angle of 18 degrees 12 minutes 29 seconds, and a length of 381.35 feet;  
**THENCE**, South 25 degrees 50 minutes 31 seconds West a distance of 65.00 feet to the **POINT OF BEGINNING**;

**THENCE**, South 22 degrees 24 minutes 25 seconds West a distance of 146.00 feet;  
**THENCE**, North 67 degrees 35 minutes 35 seconds West a distance of 136.01 feet;  
**THENCE**, North 22 degrees 24 minutes 25 seconds East a distance of 146.00 feet to a point on a non-tangent curve right having a radial bearing of South 18 degrees 58 minutes 19 seconds West;  
**THENCE**, along said curve right having a radius of 1135.00 feet, a central angle of 6 degrees 52 minutes 11 seconds, an arc distance of 136.09 feet to the **POINT OF BEGINNING**.

Said drainage easement containing 20,041 square feet or 0.460 acres more or less.

STATE OF ARIZONA )  
                                      ) ss.  
County of Maricopa )

Acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2020, by Kevin Hartke, Mayor of the City of Chandler.

\_\_\_\_\_  
Notary Public

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *OPW*

**A.R.S. § 41-313(C) DISCLOSURES**

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Dated this \_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF CHANDLER, an Arizona municipal  
corporation

By \_\_\_\_\_  
Mayor Kevin Hartke

**ORDINANCE 4935 EXHIBIT "B"**  
**(ABANDONMENT OF EASEMENT M.C.R. Doc. No. 2004-0469487)**

EXHIBIT "A"

That portion of the Southeast quarter of Section 1, Township 2 South, Range 5 East, G.& S.R.B.& M., Maricopa County, Arizona, described as follows:

**DRAINAGE EASEMENT (2004-0469485)**

**COMMENCING** at the Southeast corner of said Section 1;  
**THENCE**, South 89 degrees 04 minutes 45 seconds West along the South line of said Section 1 a distance of 361.96 feet to a point of curvature right;  
**THENCE**, along said curve right having a radius of 1200.00 feet, a central angle of 44 degrees 58 minutes 15 seconds, and a length of 941.87 feet;  
**THENCE**, North 45 degrees 57 minutes 00 seconds West a distance of 310.99 feet to a point of curvature left;  
**THENCE**, along said curve left having a radius of 1200.00 feet, a central angle of 35 degrees 18 minutes 39 seconds, and a length of 739.55 feet;  
**THENCE**, South 08 degrees 44 minutes 20 seconds West a distance of 65.00 feet to the **POINT OF BEGINNING**;

**THENCE**, South 5 degrees 41 minutes 44 seconds West a distance of 130.00 feet;  
**THENCE**, North 84 degrees 18 minutes 16 seconds West a distance of 120.52 feet;  
**THENCE**, North 5 degrees 41 minutes 44 seconds East a distance of 130.00 feet to a point on a non-tangent curve right having a radial bearing of South 2 degrees 39 minutes 09 seconds West;  
**THENCE**, along said curve right having a radius of 1135.00 feet, a central angle of 6 degrees 05 minutes 12 seconds, and a length of 120.57 feet to the **POINT OF BEGINNING**.

Said drainage easement containing 15,858 square feet or 0.364 acres more or less.

STATE OF ARIZONA )  
                                  ) ss.  
County of Maricopa )

Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2020, by Kevin Hartke, Mayor of the City of Chandler.

\_\_\_\_\_  
Notary Public

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**A.R.S. § 41-313(C) DISCLOSURES**

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Dated this \_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF CHANDLER, an Arizona municipal  
corporation

By \_\_\_\_\_  
Mayor Kevin Hartke

**ORDINANCE 4935 EXHIBIT "A"**  
**(ABANDONMENT OF EASEMENT M.C.R. Doc. No. 2004-0469485)**