

RESOLUTION NO. 15-1693

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA AUTHORIZING THE ESTABLISHMENT OF A PUBLIC STREET FOR A SECTION OF SHERMAN STREET TO BE CONSTRUCTED, OPENED AND MAINTAINED BY THE CITY; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the power vested in the City of Goodyear (“City”) by its Charter and pursuant to A.R.S. § 9-276, the Mayor and Council of the City of Goodyear have the power to establish, construct, improve, regulate vacate, and modify roadways open to the public; and

WHEREAS, the City owns a certain parcel of real property consisting of approximately 100 acres (City 100 Acre Parcel) located at the northwest corner of South Estrella Parkway and the alignment of North Goodyear Boulevard (the “City 100 Acre Parcel”); and

WHEREAS, pursuant to that certain Purchase Agreement and Escrow Instructions dated October 31, 2014 by and between the City of Goodyear, an Arizona municipal corporation and Basis Schools, Inc., an Arizona non-profit corporation (the “Purchase Agreement”), the City sold Basis approximately 11 acres of the City 100 Acre Parcel (the “Basis Site”) for the development of a charter school; and

WHEREAS, the development of the Basis Site requires the construction of the north half-street road improvements to the existing improvements to Sherman Street (generally from Goodyear Boulevard to the cul-de-sac where Sherman Street currently terminates) (the “Sherman Street Improvements”); and

WHEREAS, the property upon which the Sherman Street Improvements are to be constructed is owned by the City; and

WHEREAS, pursuant to the Purchase Agreement, the City is to construct the Sherman Street Improvements; and

WHEREAS, the City is in the process of designing the Sherman Street Improvements and has prepared legal descriptions for the property within the City 100 Acre Parcel needed for the improvements; and

WHEREAS, the City has not platted the City 100 Acre Parcel and has not established the north half of the Sherman Street alignment where the Sherman Street Improvements are to be constructed as a public road; and

WHEREAS, the Mayor and Council of the City of Goodyear find and determine that the public health, safety, and welfare require the establishment of a public street within the Sherman Street alignment adjacent to the Basis Site, as more particularly described in Exhibit A, attached hereto, to be opened to the public and maintained by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, ARIZONA, AS FOLLOWS:

SECTION 1. The Mayor and Council of the City of Goodyear find and determine that it is in the interest of the public health, safety and welfare of the City to designate as a public street that portion of the City 100 Acre Parcel, more particularly described and depicted in the Exhibit A attached hereto, and by reference, made a part hereof.

SECTION 2. The City Clerk shall cause a certified copy of this Resolution, including Exhibit A, attested by the City Clerk, to be recorded in the official records of the Maricopa County Recorder.

SECTION 3. That this Resolution shall become effective upon its adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Arizona, this _____ day of _____, 20_____.

Georgia Lord, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Maureen Scott, City Clerk

Roric Massey, City Attorney

STATE OF ARIZONA)
) ss.
County of Maricopa)

Given under my hand and sealed this _____ day of _____, 20____.

City Clerk

EXHIBIT A

Legal Description



EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND OUT OF THAT TRACT AS CONVEYED TO THE CITY OF GOODYEAR BY DEED OF RECORD IN INSTRUMENT NUMBER 2004-0234018, MARICOPA COUNTY RECORDS (MCR) AND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA & SALT RIVER MERIDIAN, CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 7 (3" CITY OF GOODYEAR BRASS CAP IN HANDHOLE) FROM WHICH POINT THE EAST QUARTER CORNER THEREOF (3" MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP IN HANDHOLE) BEARS N00°26'39"E A DISTANCE OF 2638.27 FEET;

THENCE N48°25'43"W A DISTANCE OF 1968.28 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SHERMAN STREET AS SHOWN IN INSTRUMENT NUMBER 2009-0812733, MCR, SAID POINT BEING THE POINT OF BEGINNING;

THENCE N89°33'13"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 1303.88 FEET;

THENCE ACROSS SAID CITY OF GOODYEAR TRACT THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. THENCE N00°26'38"E A DISTANCE OF 38.00 FEET;
2. THENCE S89°33'13"E, PARTIALLY ALONG THE SOUTH LINE OF THAT TRACT AS CONVEYED TO BASIS SCHOOLS, INC. BY DEED OF RECORD IN INSTRUMENT NUMBER 2014-0846426, MCR A DISTANCE OF 1303.88 FEET;
3. THENCE 183.80 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 438.00 FEET, THROUGH A CENTRAL ANGLE OF 24°02'34" AND A CHORD BEARING OF S77°31'56"E TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE;

THENCE N89°33'13"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 178.45 FEET TO THE POINT OF BEGINNING.

Sheet 1 of 4

*Professional Land
Surveyor AZ No. 33868*

Preparing Firm: RITTOCH-POWELL & ASSOCIATES, INC.

Address: 5727 N. 7TH STREET, SUITE 120 PHOENIX, AZ 85014

Phone: 602-263-1177

Fax: 602-277-6286

(Expires 6/30/17)
ELECTRONIC SEAL
<http://www.btr.state.az.us/>



EXHIBIT A

LEGAL DESCRIPTION

THE ABOVE DESCRIBED PARCEL CONTAINS 54,109 SQUARE FEET (1.2422 ACRES) OF LAND, MORE OR LESS, INCLUDING ANY EASEMENTS OF RECORD.

THE BASIS OF BEARING FOR THE ABOVE DESCRIPTION IS N00°26'39"E FOR THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA & SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN ON THE PLSS SUBDIVISION RECORD OF SURVEY – MARICOPA COUNTY GEODETIC DENSIFICATION AND CADASTRAL SURVEY RECORDED IN BOOK 694, PAGE 38. MARICOPA COUNTY RECORDS.

Sheet 2 of 4

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** SEE LINE & CURVE
TABLE ON SHEET 4 **



EXHIBIT A

SKETCH

LINE TABLE		
LINE	BEARING	LENGTH
L1	N48°25'43"W	1968.28'
L2	N89°33'13"W	1303.88'
L3	N00°26'38"E	38.00'
L4	S89°33'13"E	1303.88'
L5	N89°33'13"W	178.45'

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING
C1	438.00'	24°02'34"	183.80'	S77°31'56"E

Sheet 4 of 4

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