

RESOLUTION NO. 15-1694

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 GOODYEAR BOULEVARD 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, 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 portions of North Goodyear Boulevard from Yuma Road to South Estrella Parkway (the “Goodyear Boulevard Improvements”); and

WHEREAS, portions of the property upon which the Goodyear Boulevard Improvements are to be constructed are owned by the City; and

WHEREAS, pursuant to the Purchase Agreement, the City is to construct the Goodyear Boulevard Improvements; and

WHEREAS, the City is in the process of designing the Goodyear Boulevard Improvements and has had legal descriptions prepared 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 Goodyear Boulevard alignment where the Goodyear Boulevard 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 in the alignment more particularly described in the legal description, attached hereto as Exhibit A, 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)

A. I, the undersigned Maureen Scott, being the duly appointed, qualified City Clerk of the City of Goodyear, Maricopa County, Arizona, certify that the foregoing Resolution No. 15-1694 is a true, correct and accurate copy of Resolution No. 15-1694, passed and adopted at a regular meeting of the Council of the City of Goodyear, Maricopa County, Arizona, held on the _____ day of _____ 20____, at which a quorum was present and, by a _____ vote, _____ voted in favor of said resolution.

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

seal

City Clerk

EXHIBIT A

Legal Description



EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND OUT OF THOSE TRACTS AS CONVEYED TO THE CITY OF GOODYEAR BY DEED OF RECORD IN INSTRUMENT NUMBER 2004-0234018, & INSTRUMENT NUMBER 1987-0418233, 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 N89°31'58"W, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1292.95 FEET TO THE INTERSECTION OF THE CENTERLINE OF YUMA ROAD WITH THE SOUTHERLY PROJECTED EAST RIGHT-OF-WAY LINE OF GOODYEAR BOULEVARD NORTH AS SHOWN IN INSTRUMENT NUMBER 2009-0812733, MCR;

THENCE N00°27'56"E, ACROSS THE RIGHT-OF-WAY OF YUMA ROAD AND ALONG SAID PROJECTED EAST RIGHT-OF-WAY LINE OF GOODYEAR BOULEVARD NORTH, A DISTANCE OF 75.00 FEET TO THE SOUTHEAST TERMINUS THEREOF, THE POINT OF BEGINNING;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

1. N00°27'56"E A DISTANCE OF 718.82 FEET;
2. 381.36 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 525.00 FEET, THROUGH A CENTRAL ANGLE OF 41°37'10" AND A CHORD BEARING OF N21°16'31"E, TO THE PROPOSED CENTERLINE INTERSECTION OF SHERMAN STREET WITH GOODYEAR BOULEVARD NORTH;
3. 30.94 FEET CONTINUING ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 525.00 FEET, THROUGH A CENTRAL ANGLE OF 03°22'36" AND A CHORD BEARING OF N43°46'24"E, TO A CUSP AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT FROM WHICH POINT THE RADIUS POINT BEARS N45°27'28"E;

Sheet 1 of 5

*Professional Land
Surveyor AZ No. 33868*

Preparing Firm: RITICH-POWELL & ASSOCIATES, INC.

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

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Fax: 602-277-6286

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4. 96.45 FEET ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 300.00 FEET, THROUGH A CENTRAL ANGLE OF 18°25'16" AND A CHORD BEARING OF N35°19'53"W;

THENCE ACROSS THAT CITY OF GOODYEAR TRACT AS SHOWN IN SAID INSTRUMENT NUMBER 2004-0234018, MCR THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

1. N88°44'24"E A DISTANCE OF 30.61 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT FROM WHICH POINT THE RADIUS BEARS S40°56'26"E;

2. 433.37 FEET ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 600.00 FEET, THROUGH A CENTRAL ANGLE OF 41°23'03" AND A CHORD BEARING OF N69°45'06"E;

3. S89°33'23"E A DISTANCE OF 662.77 FEET;

4. N45°19'05"E A DISTANCE OF 42.36 FEET TO THE WEST RIGHT-OF-WAY OF ESTRELLA PARKWAY;

THENCE S00°26'39"W, ALONG SAID WEST RIGHT-OF-WAY LINE AND ALONG THE PERIPHERY OF SAID CITY OF GOODYEAR TRACTS AS SHOWN IN INSTRUMENT NUMBERS 2004-0234018 AND 1987-0418233, MCR RESPECTIVELY, A DISTANCE OF 210.04 FEET;

THENCE ACROSS THAT CITY OF GOODYEAR TRACT AS SHOWN IN SAID INSTRUMENT NUMBER 1987-0418233, MCR THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

1. N44°25'40"W A DISTANCE OF 42.36 FEET;

2. N89°33'23"W A DISTANCE OF 662.77 FEET;

3. 706.69 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 450.00 FEET, THROUGH A CENTRAL ANGLE OF 89°58'41" AND A CHORD BEARING OF S45°27'17"W;

Sheet 2 of 5

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EXHIBIT A

LEGAL DESCRIPTION

4. S00°27'56"W A DISTANCE OF 718.82 FEET TO THE NORTH RIGHT-OF-WAY LINE OF YUMA ROAD;

THENCE N89°31'58"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 249,292 SQUARE FEET (5.7230 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 3 of 5

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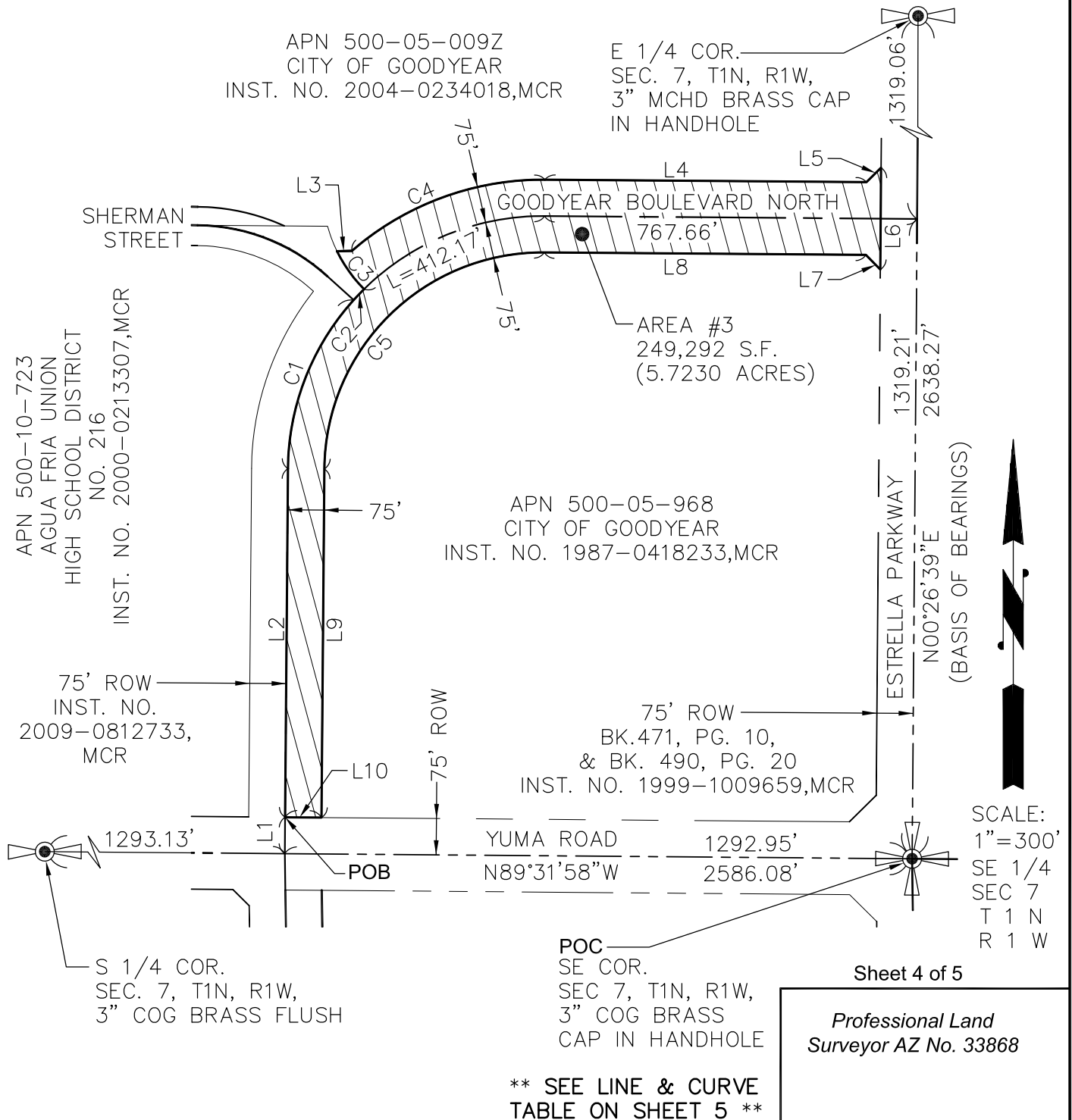
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EXHIBIT A

SKETCH



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SKETCH

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°27'56"E	75.00'
L2	N00°27'56"E	718.82'
L3	N88°44'24"E	30.61'
L4	S89°33'23"E	662.77'
L5	N45°19'05"E	42.36'
L6	S00°26'39"W	210.04'
L7	N44°25'40"W	42.36'
L8	N89°33'23"W	662.77'
L9	S00°27'56"W	718.82'
L10	N89°31'58"W	75.00'

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING
C1	525.00'	41°37'10"	381.36'	N21°16'31"E
C2	525.00'	03°22'36"	30.94'	N43°46'24"E
C3	300.00'	18°25'16"	96.45'	N35°19'53"W
C4	600.00'	41°23'03"	433.37'	N69°45'06"E
C5	450.00'	89°58'41"	706.69'	S45°27'17"W

Sheet 5 of 5

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