

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: Abandonment of Road Rights-of-Way Adjacent to the Arroyo Ranch Property	STAFF PRESENTER: Linda R. Beals COMPANY: Arroyo Ranch, LLLP CONTACT: Bruce A. Tully
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RECOMMENDATION:

ADOPT RESOLUTION NO. 15-1702 DECLARING PORTIONS OF THE PUBLIC RIGHT-OF-WAY ALONG THE NORTH SECTION LINE (OLD ELLIOT ROAD) AND EAST SECTION LINE (UNNAMED ALIGNMENT) OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 2 WEST, ADJACENT TO THE ARROYO RANCH DEVELOPMENT (SECTION LINE ROADS) TO BE UNNECESSARY FOR A PUBLIC ROADWAY; AUTHORIZING THE EXCHANGE OF THE SECTION LINE FOR THE PREVIOUSLY REALIGNED ELLIOT ROAD AND THE SPUR ROAD DEDICATION; AUTHORIZING EXECUTION OF A QUIT CLAIM DEED TO EFFECTUATE EXCHANGE; AND PROVIDING FOR AN EFFECTIVE DATE.

PURPOSE:

The City previously realigned portions of Elliot Road due to issues related to the topography and the development of the master planned community known as Estrella (formerly Estrella Mountain Ranch). The City subsequently determined that due to the topography that the development of the roadways adjacent to the northern and eastern boundaries of the Arroyo Ranch Property are not feasible. Therefore, City Staff is recommending the abandonment of these road rights of way. (Linda R. Beals, Real Estate Coordinator)

BACKGROUND AND COMMUNITY BENEFIT:

The 100 foot road rights-of-way for Elliot Road and an unnamed section line road were acquired by Maricopa County from the Arizona State Land Department (“ASLD”) on February 4th, 1960 under ASLD Right-of-Way Number 9-2369 and recorded in the Maricopa County Records at Docket 3216, page 443 on March 29, 1960 (“ASLD Right-of-Way”). They were undeveloped road alignments.

Upon the development of master planned community of Estrella and the initial planning for the Arroyo Ranch 40-Acre Property it was determined that Elliot Road would need to be relocated due to topographical constraints.

The abandonment of the rights-of-way adjacent to the Arroyo Ranch Property will allow for additional development within the approximate 40-acre property, as well as relieve the City from potential liability related to the right-of-way.

PREVIOUS ACTIONS AND DISCUSSION:

As previously noted the rights-of-way to be abandoned, were acquired by Maricopa County from the ASLD in 1960. In September of 1987 (Ordinance 87-225) the City abandoned a portion of the ASLD Right-of-Way, consisting of 45 feet of the 100 foot rights of way adjacent to the northern and eastern boundaries of the Arroyo Ranch Property.

In October of 1987 the City was granted Right-of-Way number 16-94823 for the Realigned Elliot Road, along with the Spur Road to access the Arroyo Ranch Arroyo Ranch Property.

FISCAL ANALYSIS:

There will be no costs to the City for the abandonment of the ASLD Right-of-Way.

ATTACHMENTS:

Resolution No. 15-1702
Resolution Exhibit A