

RESOLUTION NO. 15-1715

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA AUTHORIZING THE ESTABLISHMENT OF PUBLIC UTILITY EASEMENTS ADJACENT TO PORTIONS OF GOODYEAR BOULEVARD TO BE ADMINISTERED 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. § 9-499.01, the Mayor and Council of the City of Goodyear have the power to administer and establish public utility easements; 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 or placement of certain utility lines or conduit for lines as specified in said agreement. These lines are to be placed in either the road right-of-way or within established public utility easements; and

WHEREAS, the property upon which portions of such utility lines will be constructed or placed is owned by the City; and

WHEREAS, pursuant to the Purchase Agreement, the City is to construct or place certain utility lines and conduits; and

WHEREAS, as part of the design for the electrical service along Goodyear Boulevard it has been determined that additional areas will be needed for the placement of electrical equipment; and

WHEREAS, the City has not platted the City 100 Acre Parcel and has not established the necessary public utility easements; 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 public utility easements to provide for a public utility easements.

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 a public utility easements hereinafter in the locations described and depicted in Exhibit A attached hereto are necessary for present and prospective use by the City of Goodyear, its directors, officers, employee, agents, representatives, permittees and franchisees and hereby declares that the City of Goodyear establish public utility easements on, over, under, across, above and through the real property described in Exhibit "A", attached hereto and incorporated herein by this reference, for all purposes, including, but not limited to entering upon, locating, constructing, maintaining, repairing, replacing, using and/or authorizing the location, construction, maintenance, repair, replacement, and/or use of all utility facilities including water; gas; electricity; and sewer; poles; wires; conduits; ducts; cables, telemetering and communications equipment; drainage facilities and appurtenances thereto, etc. upon, together with the right of access to the easements and for the easements for these purposes stated herein.

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

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

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 15-1715 is a true, correct and accurate copy of Resolution 15-1715, 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____.

City Clerk

Seal

EXHIBIT A

Legal Description

EXHIBIT "A"

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(LEGAL DESCRIPTION AND / OR EXHIBIT OF EASEMENT PREMISES)

A PARCEL OF LAND LYING WITHIN SECTION 7, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 7, A BRASS CAP IN HANDHOLE, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 7, A BRASS CAP IN HANDHOLE, BEARS NORTH 00°07'41" WEST, A DISTANCE OF 2638.31 FEET;

THENCE ALONG THE EAST LINE OF SAID SECTION, NORTH 00°07'41" WEST, A DISTANCE OF 1319.15 FEET, TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DOCUMENT OF NO. 87-418233, MARICOPA COUNTY RECORDS, (M.C.R.);

THENCE LEAVING SAID EAST LINE, ALONG THE NORTHERLY LINE OF SAID PARCEL OF LAND, SOUTH 89°52'19" WEST, A DISTANCE OF 75.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF ESTRELLA PARKWAY;

THENCE NORTH 00°07'41" WEST, A DISTANCE OF 104.55 FEET;

THENCE SOUTH 44°44'45" WEST, A DISTANCE OF 33.38 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT. ALSO KNOWN AS POINT "A".

THENCE SOUTH 89°52'19" WEST, A DISTANCE OF 19.23 FEET;

THENCE NORTH 45°07'41" WEST, A DISTANCE OF 9.51 FEET;

THENCE SOUTH 89°52'19" WEST, A DISTANCE OF 7.19 FEET;

THENCE SOUTH 44°52'19" WEST, A DISTANCE OF 10.08 FEET;

THENCE SOUTH 00°07'41" EAST, A DISTANCE OF 5.49 FEET;

THENCE NORTH 89°52'19" EAST, A DISTANCE OF 34.40 FEET;

THENCE NORTH 44°44'45" EAST, A DISTANCE OF 8.31 FEET TO POINT "A" AND ALSO THE POINT OF BEGINNING OF SAID EASEMENT.

THENCE COMMENCING FROM POINT "A" SOUTH 44°44'45" WEST, A DISTANCE OF 8.31 FEET;

THENCE SOUTH 89°52'19" WEST, A DISTANCE OF 90.96 TO THE POINT OF BEGINNING OF EASEMENT ALSO "POINT B".

THENCE NORTH 00°07'41" WEST, A DISTANCE OF 5.05 FEET;

EXHIBIT "A"

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THENCE SOUTH 89°52'19" WEST, A DISTANCE OF 7.56 FEET;

THENCE SOUTH 00°07'41" EAST, A DISTANCE OF 5.05 FEET;

THENCE NORTH 89°52'19" EAST, A DISTANCE OF 7.56 FEET TO POINT "B" AND ALSO THE POINT OF BEGINNING OF SAID EASEMENT.

THENCE COMMENCING FROM POINT "B" SOUTH 89°52'19" WEST, A DISTANCE OF 571.81 FEET TO THE BEGINNING OF A CURVE;

THENCE SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 600.00 FEET, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 35°07'33", A DISTANCE OF 367.84 FEET, WHOSE RADIUS BEARS SOUTH 00°07'44" EAST TO POINT "C" ALSO POINT OF BEGINNING OF SAID EASEMENT;

THENCE NORTH 36°11'16" WEST, A DISTANCE OF 10.15 FEET TO THE BEGINNING OF A CURVE;

THENCE SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 610.00 FEET, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 06°17'36", A DISTANCE OF 67.00 FEET, WHOSE RADIUS BEARS SOUTH 35°10'27" EAST.

THENCE SOUTH 88°10'06" WEST, A DISTANCE OF 27.78 FEET TO THE BEGINNING OF A CURVE;

THENCE SOUTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 300.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 01°34'58", A DISTANCE OF 8.29 FEET, WHOSE RADIUS BEARS NORTH 64°47'40" EAST.

THENCE NORTH 88°10'04" EAST, A DISTANCE OF 31.34 FEET TO THE POINT OF BEGINNING OF A CURVE;

THENCE NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 600.00 FEET, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 06°15'29", A DISTANCE OF 65.53 FEET, WHOSE RADIUS BEARS SOUTH 41°30'46" WEST. TO POINT "C" AND BEGINNING OF EASEMENT.

SAID LANDS SUBJECT TO EASEMENTS, RIGHT-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD IF ANY

EXHIBIT "A"

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SKETCH SHOWING LOCATION AND LIMITS OF
UTILITY EASEMENT



SCALE 1"=100'

APN: 500-05-009Z

SEE DETAIL
"A"

E 1/4 COR SEC 7
T 1N R 1W
BC IN HH

L15

75.00'

R/W DEDICATED PER DOC:
2015-0128992 MCR

L1

75.00'

2638.31'

692.45'

S89° 52' 19"W

GOODYEAR BLVD

N00° 07' 41"W

(BASIS OF BEARING)

DETAIL
"A"
DETAIL NOT
TO SCALE

1319.15'

ESTRELLA PKWY

L13

L12

L11

L10

L7

L6

L5

L4

L3

L2

L8

L9

POINT
"A"

POINT
"B"

MATCH LINE

SE COR SEC 7
T 1N R 1W
BC HH

LEGEND



EASEMENT AREA



PROPERTY LINE



FND PK NAILS



JOB# WA208170 DATE: 05/18/15

SE 1/4 SEC 07 T 1N R 1W

SCALE: 1"= 100' CCW 15-33

R/W: JAYSON JOHNSON

SURVEY: JOHNSON-TAFT

DRAWN BY: JAYSON JOHNSON

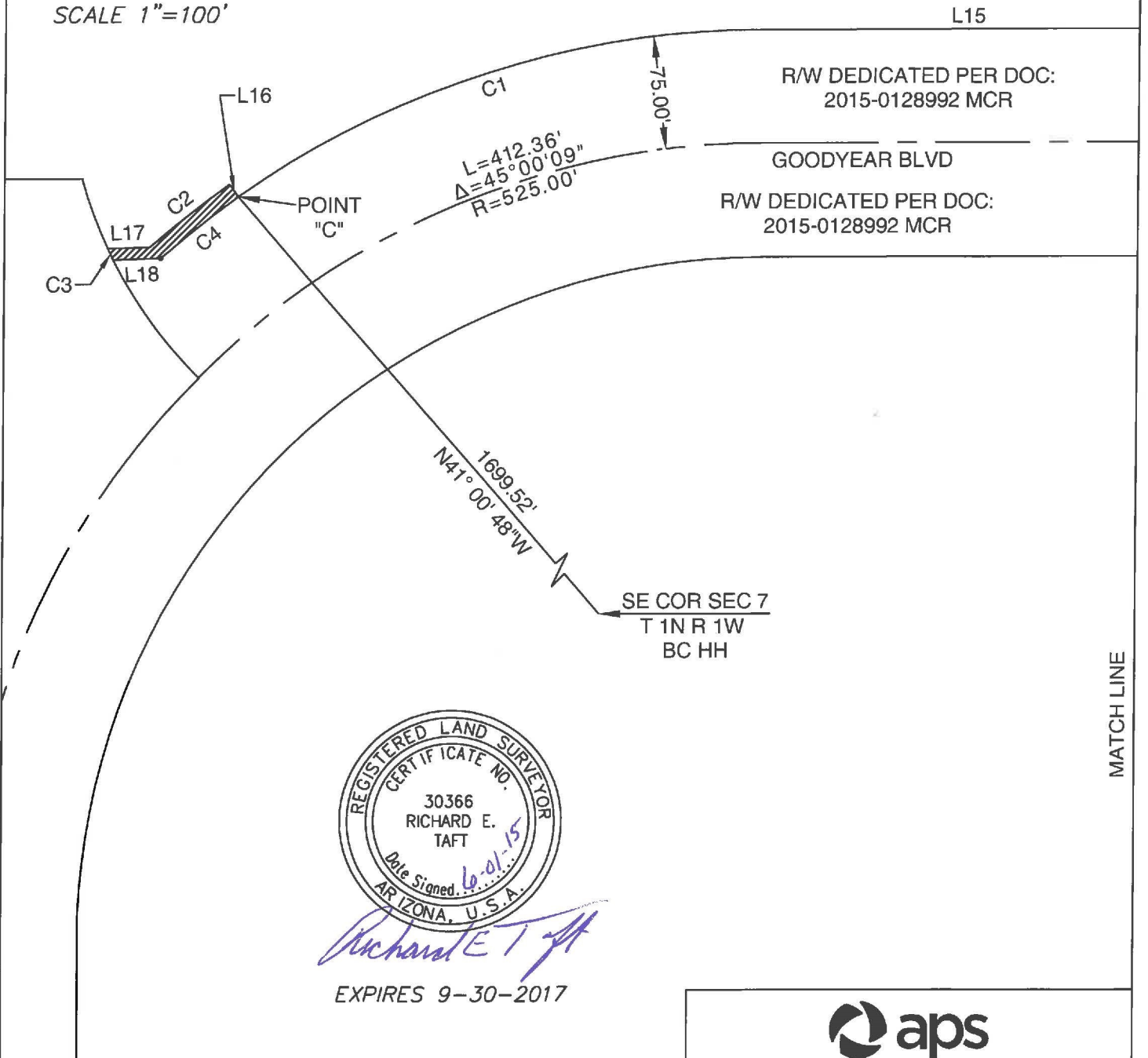
EXHIBIT "A"

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SKETCH SHOWING LOCATION AND LIMITS OF
UTILITY EASEMENT




SCALE 1"=100'



Richard E. Taft
EXPIRES 9-30-2017

LEGEND

-  EASEMENT AREA
-  PROPERTY LINE
-  ROAD CENTERLINE



JOB#	WA208170	DATE:	05/18/15
SE 1/4	SEC 07	T 1N	R 1W
SCALE:	1"= 100'	CCW	15-33
R/W:	JAYSON JOHNSON		
SURVEY:	JOHNSON-TAFT		
DRAWN BY:	JAYSON JOHNSON		

MATCH LINE

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SKETCH SHOWING LOCATION AND LIMITS OF
UTILITY EASEMENT

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N00°07'41"W	104.55'
L2	S44°44'45"W	33.38'
L3	S89°52'19"W	19.23'
L4	N45°07'41"W	9.51'
L5	S89°52'19"W	7.19'
L6	S44°52'19"W	10.08'
L7	S00°07'41"E	5.49'
L8	N89°52'19"E	34.40'
L9	N44°44'45"E	8.31'
L10	S89°52'19"W	56.56'
L11	N00°07'41"W	5.05'
L12	S89°52'19"W	7.56'
L13	S00°07'41"E	5.05'
L14	N89°52'19"E	7.56'
L15	S89°52'19"W	564.25'
L16	N36°11'16"W	10.15'
L17	S88°10'06"W	27.78'
L18	N88°10'04"E	31.34'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	600.00'	367.84'	35°07'33"
C2	610.00'	67.00'	6°17'36"
C3	300.00'	8.29'	1°34'58"
C4	600.00'	65.53'	6°15'29"