

AGENDA ITEM #: \_\_\_\_\_

DATE: January 6, 2020

CAR #: 2020-6841



## CITY COUNCIL ACTION REPORT

**SUBJECT:** Extinguishment of Road Easement; Establishment of Public Utility Easement; and Establishment of public rights-of-way, all located in the vicinity of Western Avenue and Litchfield Road

**STAFF PRESENTER(S):** Linda Beals, Real Estate Coordinator

**OTHER PRESENTER(S):** None

**Summary:** Authorization to extinguish a roadway easement and declare a public utility and access easement over a portion of city owned property, in addition to establishing public rights-of-way including a connection Litchfield Road to East Pico Drive and portions of Western Avenue and Litchfield Road.

### **Recommendation:**

ADOPT RESOLUTION NO. 2020-2018 DECLARING A PORTION OF LITCHFIELD ROAD SOUTH OF PICO DRIVE TO BE UNNECESSARY FOR PUBLIC ROADWAY AND EXTINGUISHING AN EXISTING HIGHWAY EASEMENT; DECLARING A PUBLIC UTILITY, SIDEWALK AND ACCESS EASEMENT; PROVIDING TERMS FOR EXTINGUISHMENT AND DECLARATION TO BE EFFECTIVE; PROVIDING FOR THE RECORDATION OF THE RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

ADOPT RESOLUTION NO. 2020-2019 AUTHORIZING THE ESTABLISHMENT OF PUBLIC RIGHT-OF-WAY CONNECTING LITCHFIELD ROAD TO EAST PICO DRIVE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

ADOPT RESOLUTION NO. 2020-2020 AUTHORIZING THE ESTABLISHMENT OF PUBLIC STREETS FOR SECTIONS OF LITCHFIELD ROAD AND WESTERN AVENUE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Fiscal Impact:** No new fiscal impacts are anticipated because the properties involved are already maintained and there will be no change in use that would impact maintenance requirements resulting from this action.

### **Background and Discussion**

The city owns certain property located at the northeast corner of Litchfield Road and Western Avenue, which formerly housed municipal facilities. The city is no longer using the property for municipal operations and is in the process of evaluating options for the future of the property. Because the property was developed as a single lot with multiple buildings, the city is in the process

of subdividing the property to create separate lots, which will create more options for the future disposition of the property.

In connection with the preparation of a final plat, city staff discovered the existence of various conditions that needed to be remedied. Staff discovered that improved sections of Litchfield Road and Western Avenue adjacent to the property had never been declared as public streets and that improved right-of-way that connected Litchfield Road to East Pico Drive had never been declared as public rights-of-way but were reflected in the records of Maricopa County as parcels owned by the city. City staff also discovered that part of the property the city owns and that was used for parking was identified in the records of Maricopa County as public streets pursuant to an easement the city had granted Maricopa County in 1974 (the “Road Easement”).

These conditions need to be resolved before the final plat can be completed. The first step was to have Maricopa County assign the road easement to the city so it could be extinguished. That assignment was approved by the Maricopa County Board of Supervisors on December 11, 2019. With that accomplished, staff is presenting three resolutions for approval:

1. Resolution 2020-2018 extinguishes the road way easement Maricopa County assigned to the city that was over city owned property that is not used for and is not needed for road improvements and declares a public utility and access easement over the former road easement area.
2. Resolution 2020-2019 formally establishes as public right-of-way certain property owned by the city and that is currently improved as right-of-way that connects Litchfield Road to East Pico Drive.
3. Resolution 2020-2020 formally establishes as public streets certain property owned by the city that is currently improved as a portions of Western Avenue and Litchfield Road.

Staff recommends approval of the resolutions being presented herein

## **Attachments**

1. Resolution 2020-2018  
w/ Exhibit A – Easement
2. Resolution 2020-2019  
w/ Exhibit A – Legal Description
3. Resolution 2020-2020  
w/ Exhibit A – Legal Description