

RESOLUTION NO. 2020-2020

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ESTABLISHMENT OF PUBLIC STREETS FOR SECTIONS OF LITCHFIELD ROAD AND WESTERN AVENUE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant 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, located along the east side of Litchfield Road and the north side of Western Avenue which was deeded to the City in the Quit Claim Deed recorded as Docket 1749, Page 527 in the records of the Maricopa County Recorder (the “City Parcel”); and

WHEREAS, a portion of the City Parcel has been improved and is being used as parts of Litchfield Road and Western Avenue, but the records of Maricopa County do not accurately reflect the portion of the property as being public right-of-way; and

WHEREAS, it is in the best interests of the public for the portions of the City Parcel being used as a public right-of-way to be declared as public streets to be owned and maintained by the City.

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

SECTION 1. The Mayor and Council of the City of Goodyear find and determine that the public health, safety and welfare of the City require that the portion of the City Parcel more particularly described and depicted in Exhibit A, attached hereto and by reference made a part hereof, be formally declared as public streets owned and maintained by the City of Goodyear.

SECTION 2. The City of Goodyear, an Arizona municipal corporation, including its heirs, successors and assigns, as owner of that real property more particularly described and depicted in Exhibit A attached hereto and by reference made a part hereof, hereby declare such property to be public streets to be held in fee and maintained by the City of Goodyear.

SECTION 3. 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 4. That this Resolution shall become effective upon its adoption.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20____.

Date: _____

APPROVED AS TO FORM:

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
FOR
RIGHT OF WAY DECLARATION

A PARCEL OF LAND SITUATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 10, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 10 BEARS NORTH 00 DEGREES 36 MINUTES 38 SECONDS EAST, A DISTANCE OF 2633.95 FEET;

THENCE UPON AND WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 10, NORTH 00 DEGREES 36 MINUTES 38 SECONDS EAST, A DISTANCE OF 33.00 FEET;

THENCE DEPARTING SAID WEST LINE, SOUTH 89 DEGREES 43 MINUTES 30 SECONDS EAST, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 36 MINUTES 38 SECONDS EAST, A DISTANCE OF 217.01 FEET TO THE WESTERLY PROLONGATION OF THE NORTH LINE OF THAT CERTAIN PARCEL 1 DESCRIBED IN DOCKET 1150, PAGE 411, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE UPON AND WITH SAID NORTH LINE, SOUTH 89 DEGREES 23 MINUTES 22 SECONDS EAST, A DISTANCE OF 49.00 FEET TO THE EAST RIGHT OF WAY LINE OF LITCHFIELD ROAD;

THENCE UPON AND WITH SAID EAST RIGHT OF WAY LINE, SOUTH 00 DEGREES 36 MINUTES 38 SECONDS WEST, A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN PARCEL DESCRIBED IN INSTRUMENT 2015-0295595, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE UPON AND WITH THE WESTERLY PROLONGATION OF THE NORTH LINE OF SAID PARCEL, NORTH 89 DEGREES 23 MINUTES 22 SECONDS WEST, A DISTANCE OF 22.65 FEET;

THENCE SOUTH 01 DEGREES 14 MINUTES 05 SECONDS EAST, A DISTANCE OF 158.89 FEET TO THE WESTERLY PROLONGATION OF A NORTH LINE OF THAT CERTAIN PARCEL DESCRIBED IN DOCKET 1749, PAGE 527, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

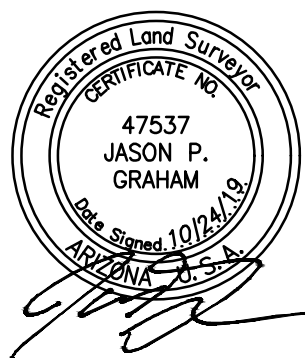
THENCE UPON AND WITH SAID NORTH LINE, SOUTH 89 DEGREES 43 MINUTES 30 SECONDS EAST, A DISTANCE OF 396.53 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL DESCRIBED IN INSTRUMENT 2014-0126879, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE UPON AND WITH THE EAST LINE OF SAID PARCEL, NORTH 00 DEGREES 16 MINUTES 30 SECONDS EAST, A DISTANCE OF 24.25 FEET TO THE WESTERLY RIGHT OF WAY LINE OF EAST PICO DRIVE;

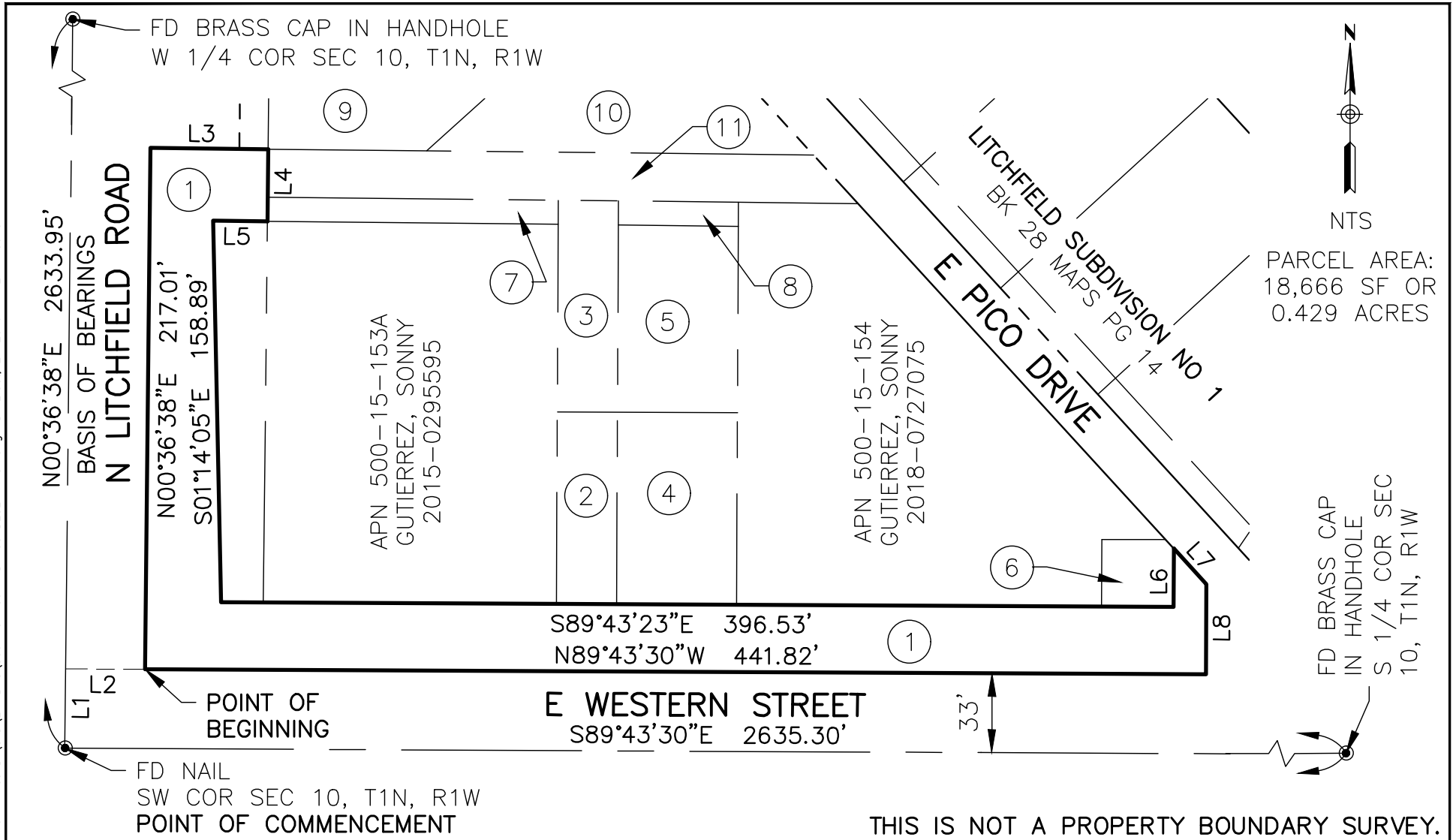
THENCE UPON AND WITH SAID WEST RIGHT OF WAY LINE, SOUTH 42 DEGREES 28 MINUTES 22 SECONDS EAST, A DISTANCE OF 20.12 FEET;

THENCE SOUTH 00 DEGREES 16 MINUTES 30 SECONDS WEST, A DISTANCE OF 37.48 FEET TO THE NORTH LINE OF THE SOUTH 33 FEET OF THE AFORESAID SECTION 10;

THENCE UPON AND WITH SAID NORTH LINE, NORTH 89 DEGREES 43 MINUTES 30 SECONDS WEST, A DISTANCE OF 441.82 FEET TO THE POINT OF BEGINNING AND CONTAINING A COMPUTED AREA OF 18,666 SQUARE FEET OR 0.429 ACRES OF LAND, MORE OR LESS.



FILE:\PROJECTS\2019\1019087 Western Ave - Pico Dr\CAD\EXHIBITS\500-15-159 AND 155 DECLARATION.dwg DATE: Oct, 24 2019 TIME: 11:39 am



**Dibble
Engineering**

Dibble Engineering
Project No 1019087

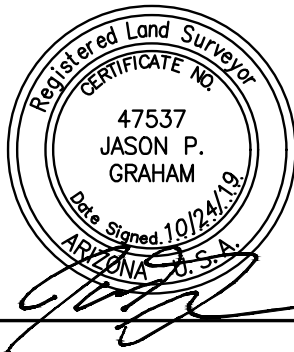


EXHIBIT "B" RIGHT OF WAY DECLARATION

A PORTION OF THE SOUTHWEST 1/4 SECTION 10, T1N, R1W,
GILA & SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

DATE: OCT 2019

DRN: CSD CHK: BAR

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LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	N00°36'38"E	33.00'
L2	S89°43'30"E	33.00'
L3	S89°23'22"E	49.00'
L4	S00°36'38"W	30.00'

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L5	N89°23'22"W	22.65'
L6	N00°16'30"E	24.25'
L7	S42°28'22"E	20.12'
L8	S00°16'30"W	37.48'

- | | |
|---|---|
| <p>① APN 500-15-159
CITY OF GOODYEAR
DKT 1749, PG 527 MCR</p> <p>② APN 500-15-160
ELLWOOD CROSSING, LLC
DOC 2008-0247589 (PARCEL 2)</p> <p>③ APN 500-15-158
ELLWOOD CROSSING, LLC
DOC 2008-0247589 (PARCEL 1)</p> <p>④ APN 500-15-162A
WESTERN GOODYEAR
DOC 2014-0840576 (PARCEL 2)</p> <p>⑤ APN 500-15-162A
WESTERN GOODYEAR
DOC 2014-0840576 (PARCEL 1)</p> | <p>⑥ APN 500-15-163
AMERIMEX INVESTMENTS, LLC
DOC 2014-0126879</p> <p>⑦ PUBLIC ROADWAY & P.U.E.
DOC 1994-0551326</p> <p>⑧ PUBLIC ROADWAY & P.U.E.
DOC 1994-0551327</p> <p>⑨ APN 500-15-157
CITY OF GOODYEAR
DKT 293, PG 560 MCR</p> <p>⑩ APN 500-15-156
CITY OF GOODYEAR
DKT 1061, PG 45 MCR</p> <p>⑪ APN 500-15-155
CITY OF GOODYEAR
DKT 1150, PG 411 MCR (PARCEL 1)
FOR STREET & ALLEY PURPOSES</p> |
|---|---|

**Dibble
Engineering**

Dibble Engineering
Project No 1019087

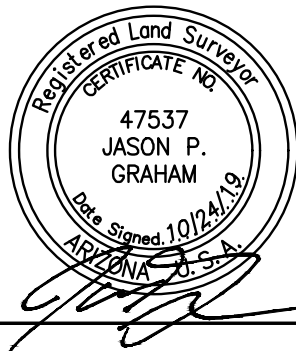


EXHIBIT "B"

RIGHT OF WAY DECLARATION

A PORTION OF THE SOUTHWEST 1/4
SECTION 10, T1N, R1W, GILA & SALT RIVER
MERIDIAN, MARICOPA COUNTY, ARIZONA

DATE: OCT 2019

DRN: CSD CHK: BAR

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