

AGENDA ITEM #: _____

DATE: January 27, 2020

CAR #: 2020-6848



CITY COUNCIL ACTION REPORT

SUBJECT: Authorize the Termination of an Emergency Vehicle Access Easement, Acceptance of a Replacement Emergency Access Easement, and Acceptance of Public Water Facilities Easements associated with the PHX 10-11 Project

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

OTHER PRESENTER(S): None

Summary: Authorization to terminate and accept a replacement Emergency Access Easement, along with the acceptance of two (2) public water facilities easements, all of which are required for the PHX 10-11 Project.

Recommendation:

1. ADOPT RESOLUTION NO. 2020-2022 AUTHORIZING THE EXECUTION AND RECORDATION OF A TERMINATION OF AN EXISTING EMERGENCY VEHICLE ACCESS EASEMENT DEDICATED ON THE FINAL PLAT FOR PHX 10-11 PHASE 1; AUTHORIZING ACCEPTANCE AND RECORDATION OF A REPLACEMENT EMERGENCY ACCESS EASEMENT; PROVIDING DIRECTIONS FOR THE RECORDATION OF THE TERMINATION OF AN EXISTING EMERGENCY VEHICLE ACCESS EASEMENT AND THE REPLACEMENT EMERGENCY ACCESS EASEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
2. Accept two (2) public water facilities easements attached hereto, which are associated with the PHX 10-11 Project.

Fiscal Impact: There will be no fiscal impact to the city in the fiscal year 2020 or future years related to the dedication of the termination or acceptance of the easements.

Background and Discussion:

A 30-foot Emergency Vehicle Access Easement was dedicated to the city on the Final Plat for PHX 10-11 Phase 1, recorded on August 30, 2019 in Book 1481, Page 17 in the records of the Maricopa County Recorder (the “Existing Emergency Vehicle Access Easement”). This Existing Emergency Vehicle Access Easement was granted over an existing irrigation easement. The holder of the irrigation easement has advised that the Existing Emergency Vehicle Access Easement conflicts with the irrigation easement and asked that it be terminated.

The property owner, Microsoft Corporation has provided the city with a replacement emergency access easement located directly east of the Existing Emergency Vehicle Access Easement. For water service to be provided to Phase 1 of the PHX 10-11 project, staff has determined that two easements are needed for water improvements that will be owned by the city. The uses and property rights of the public water and facilities easements are specifically defined in the attached easements.

Staff Analysis

Staff supports and recommends the adoption of Resolution No. 2020-2022 attached hereto and the acceptance of the two (2) public water facilities easements attached hereto.

Attachments

1. Resolution 2020-2022 w/
 - Exhibit A – Replacement Emergency Access Easement
 - Exhibit B – Release and Termination of Easement
2. Public Water Facilities Easement (Easement #1)
3. Public Water Facilities Easement (Easement #2)