

AGENDA ITEM #: _____

DATE: June 8, 2020

CAR #: 2020-6976



CITY COUNCIL ACTION REPORT

SUBJECT: Approve the issuance of an Enhanced Improvements and Access Easement to the Estrella Joint Committee, Inc. for the maintenance and operation of certain enhanced improvements that have been placed in the Hillside Drive right of way.

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

OTHER PRESENTER(S): None

Summary: The developer for Estrella Mountain Ranch has constructed certain enhanced improvements in the right-of-way for Hillside Drive. These improvements are to be operated and maintained by the Estrella Joint Committee, Inc., an Arizona non-profit corporation (“EJC”). The city and EJC are entering into an Enhanced Improvements and Access Easement to provide for the operation and maintenance of these enhanced improvements.

Recommendation:

Approve the issuance of the Enhanced Improvements and Access Easement to the Estrella Joint Committee, Inc., an Arizona non-project corporation for the maintenance and operation of certain enhanced improvements that have been placed in the Hillside Drive right-of-way.

Fiscal Impact: There will be no fiscal impact to the city in the fiscal year 2020 or future years related to the issuance of this easement.

Background and Previous Actions

The city previously approved the Estrella – Hillside Drive & Sendero Drive Map of Dedication in February 12, 2018, accepting the dedications of Hillside Drive and Sendero Drive subject to certain stipulations. Those stipulations were subsequently met, and the Map of Dedication was recorded on February 16, 2018 as Book 1370, Page 11 of the records of Maricopa County, Arizona.

The Map of Dedication reserved the right for NNP III-EMR 3, LLC, a Delaware limited liability company, and Estrella Joint Committee, Inc., an Arizona non-profit corporation to construct, repair, replace and maintain enhanced pavement within the designated areas in the Map of Dedication. The enhanced improvements constructed extended beyond the boundaries designated and were more extensive than provided for in the reservation.

Staff Analysis

The city and EJC have agreed to the terms of the Enhanced Improvements and Access Agreement for the operation, maintenance, inspection, repair, replacement, and removal of the improvements constructed per the Paving and Drainage Plans for Estrella Community 11, Phase 1 Infrastructure dated November 01, 2017 prepared by Slater Hanifan Group and approved by the City on January 18, 2018 and revised on May 31, 2018.

Attachments

Enhanced Improvement and Access Agreement