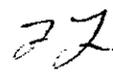


**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

CC: 13C
Amend No. _____

Date Prepared: May 08, 2008

Council Meeting Date: June 03, 2008

TO: Terry Ellis, City Manager
FROM:  David A. Moody, P.E., Engineering Director
THROUGH: Maher Hazine, P.E., Assistant City Engineer 
PREPARED BY: Lloyd Lane, Senior Engineering Technician 
SUBJECT: Approve the Map of Dedication Olive Avenue at 71st Avenue. A request made by MBC CXIX LLC, a Delaware Limited Liability Company, MBC CXVII, a Delaware Limited Liability Company and MBC CXIV, LLC a Delaware Limited Liability Company. (Project No. R080022 - Kalamata MOD 2)

RECOMMENDATION:

That Mayor and Council approve the Map of Dedication Olive Avenue at 71st Avenue, located near the Southeast Corner of Olive Avenue and 71st Avenue and authorize Mayor and City Clerk to sign and record the Map of Dedication with the Maricopa County Recorder's Office, subject to the following stipulations:

1. In the event that the Map of Dedication is not recorded within 60 days of Council approval, the Map of Dedication will become void. At which time, the owner may request re-approval from the City, with the understanding that the City has the option of imposing additional requirements or stipulations.

SUMMARY:

The purpose for the Map of Dedication is to dedicate rights-of-way for future annexation.

ATTACHMENTS:

1. Map of Dedication
2. Vicinity Map

DAMMH/LL/lac

CITY CLERK USE ONLY:

- Consent Agenda
- Carry Over to Date: _____
- Approved
- Unfinished Business (Date heard previous: _____)
- New Business

ORD. # _____ RES. # _____
LCON# _____ LIC. # _____
Action Date: _____

MAP OF DEDICATION

Olive Avenue

A portion of the Northeast Quarter of Section 36, Township 3 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona

VICINITY MAP



DEDICATION

Known all men by these presents that MBC CXIX LLC, a Delaware limited liability company, MBC CXVII, a Delaware limited liability company, and MBC CXIV, LLC a Delaware limited liability company, as owners of a portion of Sections 36, T.3 N., R.1 E., of the Gila and Salt River Meridian, Maricopa County, Arizona hereby publish this Map of Dedication as and for the Map of Dedication of Olive Avenue, and hereby declare that said Map of Dedication sets forth the location and gives the dimensions of the street, and that the street shall be known by the name of Olive Avenue.

In witness whereof, MBC CXIX LLC, a Delaware limited liability company, as owner has hereunto caused its name to be affixed and the same to be attested by the signature of the undersigned officer thereunto duly authorized this _____ day of _____, 2008.

MBC CXIX LLC, a Delaware limited liability company

By: _____
George Cannon
Its Vice President

In witness whereof, MBC CXVII LLC, a Delaware limited liability company, as owner has hereunto caused its name to be affixed and the same to be attested by the signature of the undersigned officer thereunto duly authorized this _____ day of _____, 2008.

MBC CXVII LLC, a Delaware limited liability company

By: _____
George Cannon
Its Vice President

In witness whereof, MBC CXIV LLC, a Delaware limited liability company, as owner has hereunto caused its name to be affixed and the same to be attested by the signature of the undersigned officer thereunto duly authorized this _____ day of _____, 2008.

MBC CXIV LLC, a Delaware limited liability company

By: _____
George Cannon
Its Vice President

ACKNOWLEDGMENT

STATE OF ARIZONA } s.s.
COUNTY OF MARICOPA }

The foregoing instrument was acknowledged before me this _____ day of _____, 2008, by George Cannon, the Vice President of MBC CXIX LLC, a Delaware limited liability company.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

ACKNOWLEDGMENT

STATE OF ARIZONA } s.s.
COUNTY OF MARICOPA }

The foregoing instrument was acknowledged before me this _____ day of _____, 2008, by George Cannon, the Vice President of MBC CXVII LLC, a Delaware limited liability company.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

ACKNOWLEDGMENT

STATE OF ARIZONA } s.s.
COUNTY OF MARICOPA }

The foregoing instrument was acknowledged before me this _____ day of _____, 2008, by George Cannon, the Vice President of MBC CXIX LLC, a Delaware limited liability company.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

APPROVAL

Approved by the City Council of the City of Peoria, Arizona on this the _____ day of _____, 2008.

Mayor Date

City Clerk Date

City Engineer Date

BASIS OF BEARING

North line of the Northeast Quarter of Sec. 36, T. 3 N., R. 1 E.
Assumed Bearing: N89°05'48"E

NOTES

1. All bearings and distances are measured unless otherwise noted.

OWNER

MBC CXIX LLC, a Delaware limited liability company, MBC CXVII, a Delaware limited liability company, and MBC CXIV, LLC a Delaware limited liability company, 1801 S. Meyers Rd. Suite 500, Oakbrook Terrace, IL 60181

FLOOD PLAIN INFORMATION

The subject property is situated in zone "x" as shown in flood insurance rate maps panel number 0401301630H, dated September 30, 2005. Zone "x" has been determined to be areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage less than 1 square mile, and areas protected by levees from 1% annual chance flood.

LAND SURVEYOR'S CERTIFICATION

This is to certify that the survey and dedications described and plotted hereon were made under my direction during the month of October, 2007, that the map of dedication is correct and accurate, that the monuments shown hereon have been located or established as described and that said monuments are sufficient to enable the survey to be retraced.

Gerald Hughes, RLS 15573
EPS Group, Inc.
2150-1 S. Country Club Dr.
Suite 22
Mesa, AZ 85210
Phone: (480) 503-2250

LEGAL DESCRIPTION

A portion of the Northwest Quarter of the Northeast quarter of Section 36, Township 3 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona more particularly described as follows:

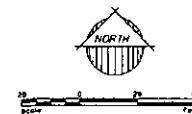
COMMENCING at a brass cap in handhole at the north quarter corner of said Section 36, from which a brass cap in handhole at the northeast corner of said Section 36, bears N89°05'48"E (an assumed bearing) at a distance of 2649.87 feet; thence N89°05'48"E, along the north line of the Northwest Quarter of the Northeast Quarter of said Section 36, for a distance of 130.01 feet to the POINT OF BEGINNING;

thence continuing N89°05'48"E, along said north line, for a distance of 366.85 feet to the northeast corner of the West Half of the East Half of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 36; thence S00°12'46"W, along the east line of the West Half of the East Half of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 36, for a distance of 53.01 feet to a point on the south line of the north 55.00 feet of the Northwest Quarter of the Northeast Quarter of said Section 36; thence N89°05'48"E, along said south line, for a distance of 136.71 feet; thence S00°12'47"W, along the east line of said parcel, for a distance of 5.02 feet; thence N44°41'30"E, along said east line, for a distance of 21.41 feet to a point on the south line of the north 45.00 feet of the Northwest Quarter of the Northeast Quarter of said Section 36; thence N89°05'48"E, along said south line, for a distance of 75.00 feet; thence N00°12'34"E, along the east line of said parcel, for a distance of 45.00 feet to the POINT OF BEGINNING.

Together with that portion of the Northwest Quarter of the Northeast Quarter of Section 36, Township 3 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona more particularly described as follows:

Commencing at the aforementioned point "A"; thence N89°05'48"E, along the south line of the north 65.00 feet of the Northwest Quarter of the Northeast Quarter of said Section 36, for a distance of 50.00 feet to the POINT OF BEGINNING;

thence N44°39'53"E, for a distance of 14.28 feet to a point on the south line of the north 55.00 feet of the Northwest Quarter of the Northeast Quarter of said Section 36; thence N89°05'48"E, along said south line, for a distance of 132.52 feet to a point on the east line of the West Half of the East Half of the Northwest Quarter of the Northeast Quarter of said Section 36; thence N00°12'46"E, along said east line, for a distance of 15.00 feet to a point on the south line of the north 40.00 feet of the Northwest Quarter of the Northeast Quarter of said Section 36; thence N89°05'48"E, along said south line, for a distance of 70.01 feet; thence S00°12'46"W, for a distance of 25.00 feet to a point on the south line of the north 65.00 feet of the Northwest Quarter of the Northeast Quarter of said Section 36; thence S89°05'48"W, along said south line, for a distance of 212.54 feet to the POINT OF BEGINNING.



COUNTY RECORDER

eps group, inc.
 Engineer, Planner & Surveyor
 1190 E. Camelback Rd., Ste. 23, Phoenix, Arizona 85014
 Phone: (602) 955-2250 Fax: (602) 955-2250

Olive Avenue
 Peoria, AZ
 Map of Dedication

R086992

1575
 MARICOPA
 COUNTY

FORM 3/11/2005
06-098
 Sheet No.
 of 2

06-098

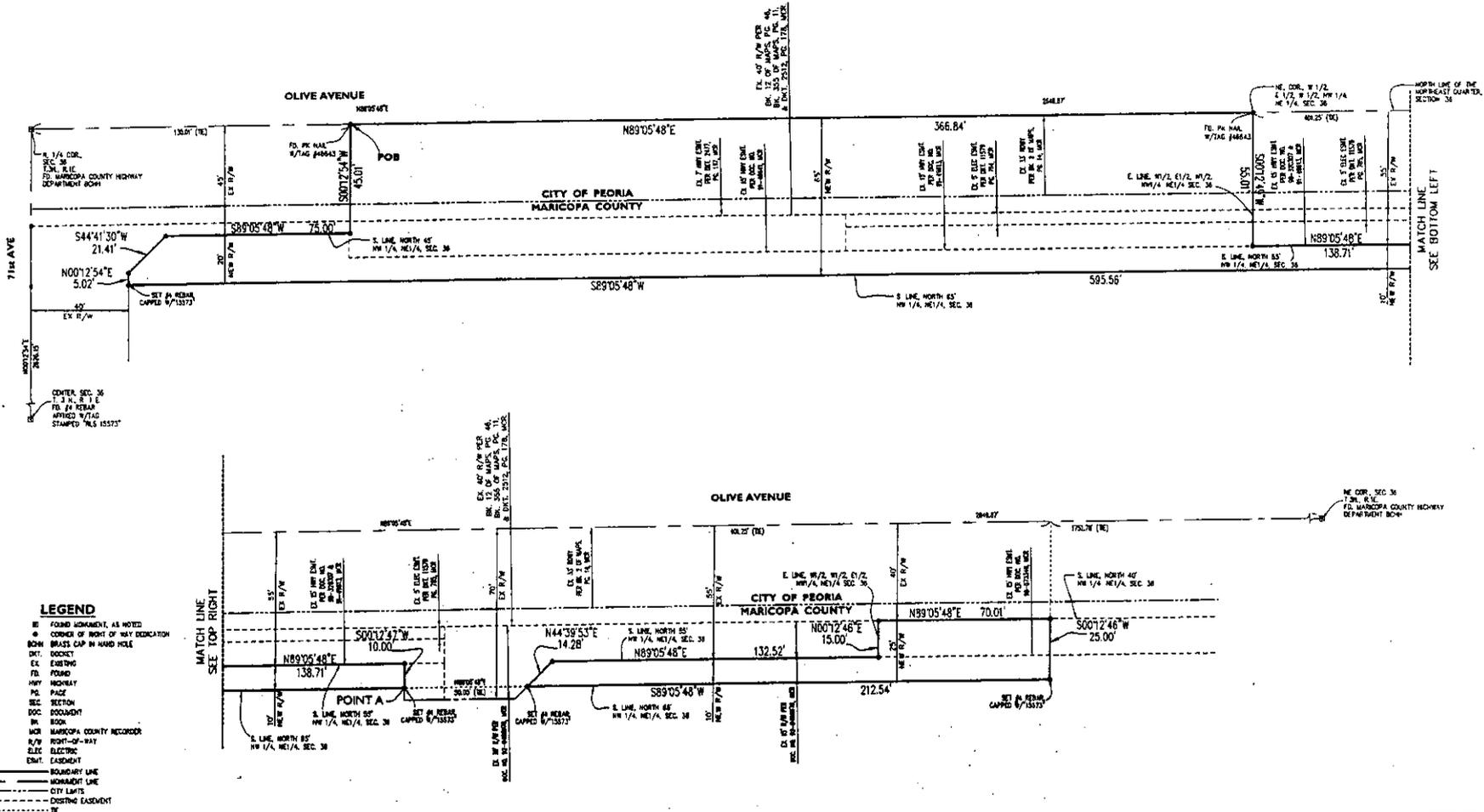
06-098

MAP OF DEDICATION

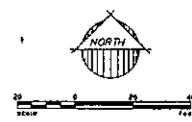
Olive Avenue

A portion of the Northeast Quarter of Section 36, Township 3 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona

VICINITY MAP



- LEGEND**
- FOUNDED MONUMENT, AS NOTED
 - CORNER OF RIGHT OF WAY DEDICATION
 - BRASS CAP IN HAND HOLE
 - DKT. DOCKET
 - EX. EXISTING
 - FD. FOUND
 - HWY. HIGHWAY
 - PL. PLAZA
 - SEC. SECTION
 - DOC. DOCUMENT
 - BR. BRONZE
 - MCB. MARICOPA COUNTY RECORDER
 - R/W. RIGHT-OF-WAY
 - ELEC. ELECTRIC
 - ENMT. EASEMENT
 - MON. MONUMENT LINE
 - CITY LIMITS
 - DISTING. EXISTENT
 - ---



COUNTY RECORDER

RECORDED

INDEXED

FILED

NOV 11 2009

06-098

2 of 2



Olive Avenue
Map of Dedication

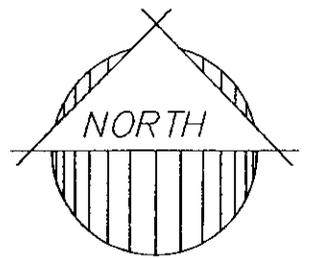
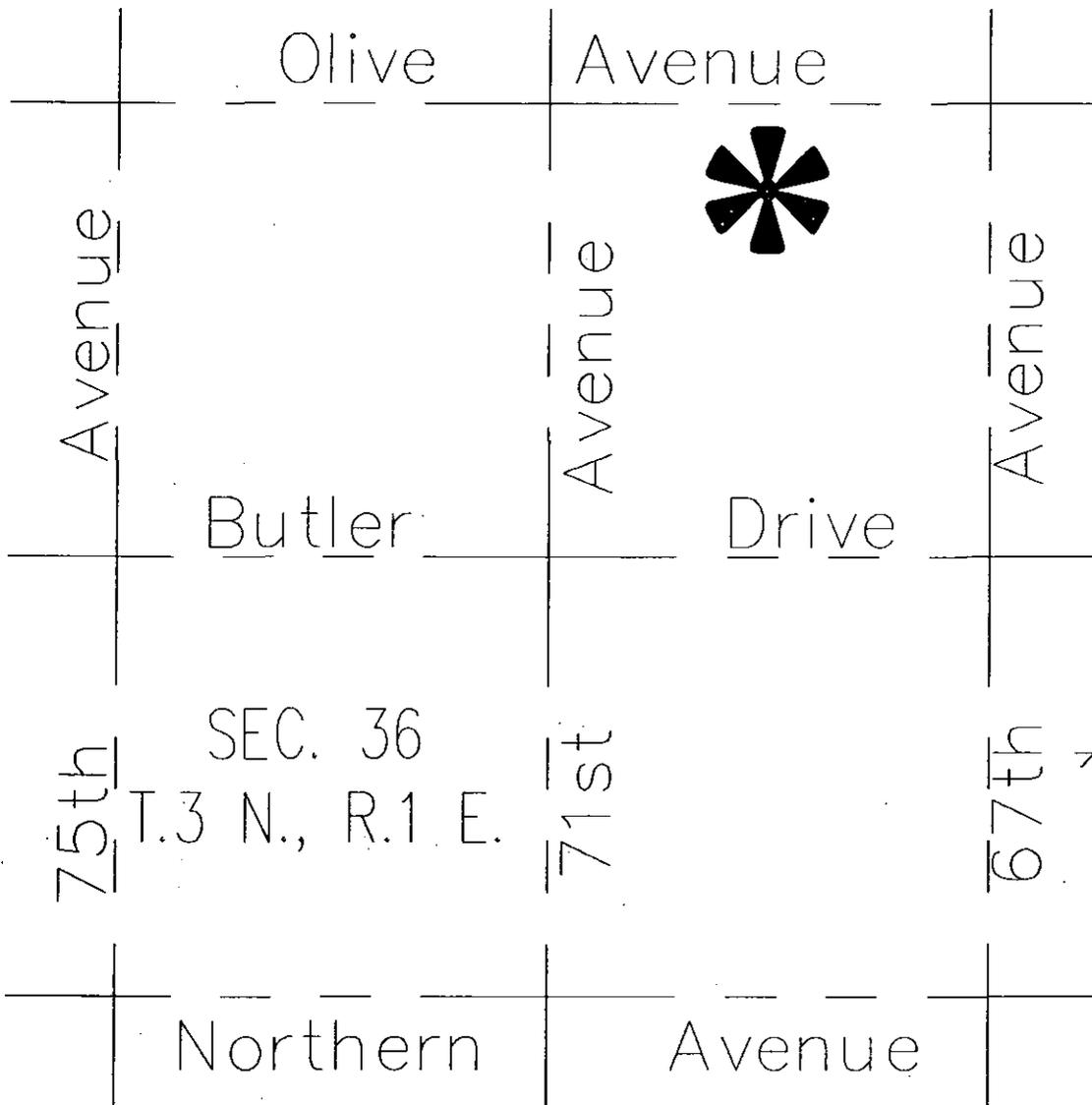
Prepared by	
Checked by	
Drawn by	
Reviewed by	



06-098

2 of 2

VICINITY MAP



N.T.S.