

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

CC: 27C  
Amend No. \_\_\_\_\_

Date Prepared: July 23, 2008

Council Meeting Date: August 26, 2008

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**TO:** Carl Swenson, City Manager  
**FROM:** Dan Nissen, P.E., Acting Engineering Director  
**THROUGH:** Maher M. Hazine, P.E., CFM, Assistant City Engineer  
**PREPARED BY:** Julie Beloit, Engineering Assistant  
**SUBJECT:** Adopt a Resolution accepting Deeds and Easements for various Real Property interests acquired by the City and previously recorded by the Maricopa County Recorder.

**RECOMMENDATION:**

That Mayor and Council adopt a Resolution accepting Deeds and Easements for various Real Property interests acquired by the City and previously recorded.

**SUMMARY:**

The City of Peoria periodically acquires a number of property interests including deeds, roadway dedications and various types of easements. All documents are reviewed for accuracy and recorded. A Resolution to accept these documents has been prepared, which lists each document by recording number and provides information related to each so the property interest to be accepted can be identified.

Staff recommends the adoption of the attached Resolution.

**ATTACHMENT:**

1. Resolution

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- Consent Agenda  
 Carry Over to Date: \_\_\_\_\_  
 Approved  
 Unfinished Business (Date heard previous: \_\_\_\_\_)  
 New Business  
 Public Hearing: No Action Taken

ORD. # \_\_\_\_\_ RES. # 08-128  
LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

RESOLUTION NO. 08-128

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING A RESOLUTION FORMALLY ACCEPTING DEEDS AND EASEMENTS FOR PROPERTY RIGHTS CONVEYED TO THE CITY OF PEORIA.

WHEREAS, the real estate interests hereinafter referenced have been conveyed to the City of Peoria and

WHEREAS, it is to the advantage of the City of Peoria to accept said real property interests.

WHEREAS, the City has determined that acquisition of these property interests is in the interest of the public health, safety and welfare.

THEREFORE, it is resolved by the Mayor and Council of the City of Peoria, Maricopa County, Arizona as follows:

SECTION 1. That the following real property interests are hereby accepted by the City of Peoria and referenced by the recording number issued by the Maricopa County Recorder's Office recording number.

Cotton Crossing  
State of Arizona  
QUIT CLAIM DEED  
*Local*  
Maricopa County Recording No. 2008-0469272

NE of Grand Avenue  
and 81<sup>st</sup> Avenue

Happy Valley Road – Frontage Road  
U.S. Bank National Association  
SPECIAL WARRANTY DEED  
*Local*  
Maricopa County Recording No. 2008-0554822  
(Project No. P-0111)

E/O the NEC of 93<sup>rd</sup>  
Avenue and Happy  
Valley Road

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MLD – 91<sup>st</sup> Avenue & Olive Avenue  
Mammoth Peoria, LLC  
DEDICATION OF PUBLIC ROADWAY  
*Major Arterial*  
Maricopa County Recording No. 2008-0638964  
(MLD08-04 / Deed08-043)

N/O Butler; W/O 91<sup>st</sup>  
Avenue

MLD – 91<sup>st</sup> Avenue & Olive Avenue  
Mammoth Peoria, LLC  
NON-VEHICULAR ACCESS EASEMENT (NVAE)  
Maricopa County Recording No. 2008-0638968  
(1-Foot NVAE, Parcel 1) (MLD08-04 / Deed08-045)

N/O Butler; W/O 91<sup>st</sup>  
Avenue

MLD – 91<sup>st</sup> Avenue & Olive Avenue  
Mammoth Peoria, LLC  
PUBLIC UTILITY EASEMENT (PUE)  
Maricopa County Recording No. 2008-0638970  
(8-Foot PUE) (MLD08-04 / Deed08-044)

N/O Butler; W/O 91<sup>st</sup>  
Avenue

MLD – 91<sup>st</sup> Avenue & Olive Avenue  
Mammoth Peoria, LLC  
STORMWATER/SURFACE CROSS  
DRAINAGE EASEMENT  
Maricopa County Recording No. 2008-0638974  
(MLD08-04 / Deed08-047)

N/O Butler; W/O 91<sup>st</sup>  
Avenue

MLD – 91<sup>st</sup> Avenue & Olive Avenue  
Mammoth Peoria, LLC  
NON-VEHICULAR ACCESS EASEMENT (NVAE)  
Maricopa County Recording No. 2008-0638981  
(1-Foot NVAE, Parcel 2) (MLD08-04 / Deed08-046)

N/O Butler; W/O 91<sup>st</sup>  
Avenue

Primrose School (Thunderbird Landings, Lot 6)  
Primrose School Franchising Company  
STORM WATER DRAINAGE EASEMENT – PRIVATE  
Maricopa County Recording No. 2008-0641459  
(Project No. R070126 / Deed08-041)

SWC 75<sup>th</sup> Avenue &  
Thunderbird Road

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Primrose School (Thunderbird Landings, Lot 6)  
Primrose School Franchising Company  
EASEMENT FOR PUBLIC WATER LINE  
Maricopa County Recording No. 2008-0641461  
(Project No. R070126 / Deed08-042)

SWC 75<sup>th</sup> Avenue &  
Thunderbird Road

Primrose School (Thunderbird Landings, Lot 6)  
GRRO VII  
EASEMENT FOR PUBLIC WATER LINE  
Maricopa County Recording No. 2008-0641462  
(Project No. R070126 / Deed08-048)

SWC 75<sup>th</sup> Avenue &  
Thunderbird Road

N/A  
Gerald K. and Vieneta L. McCoy  
ROADWAY AND PEORIA MUNICIPAL UTILITY  
EASEMENT  
*Collector*  
Maricopa County Recording No. 2008-0651236  
(Previously recorded on 5/19/08 - Recording #2008-0441973)

Sweetwater Avenue  
E/O 71<sup>st</sup> Avenue

N/A  
Gary and Amy Sorensen  
ROADWAY AND PEORIA MUNICIPAL UTILITY  
EASEMENT  
*Collector*  
Maricopa County Recording No. 2008-0651978  
(Previously recorded on 5/19/08 - Recording #2008-0441976)

Sweetwater Avenue  
E/O 71<sup>st</sup> Avenue

## SECTION 2. Public Easement and Land Rights

That pursuant to Section 25-10 of the Peoria City Code (1992), the Mayor and Council accept the deeds and public easements transferred to the City of Peoria as described herein.

## SECTION 3. Recording Authorized

That the City Clerk shall record the original of this Resolution with the Maricopa County Recorder's Office.

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PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Maricopa County, Arizona, this 26<sup>th</sup> day of August, 2008.

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Bob Barrett, Mayor

ATTEST:

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Mary Jo Kief, City Clerk

APPROVED AS TO FORM:

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Stephen M. Kemp, City Attorney