CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATIONS

CC: 28C
Amend No. _____

Date Prepared: July 23, 2008 **Council Meeting Date: August 26, 2008**

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 designating various Real Properties to be Established as Public Rights-of-Way.

RECOMMENDATION:

That Mayor and Council adopt a Resolution designating various Real Properties to be used as City roadways and authorize the Establishment of Public Rights-of-Way to be opened and maintained by the City as a Public Street.

SUMMARY:

The City of Peoria has, by separate Resolution, accepted each right-of-way to be designated as public-street. The attached Resolution lists each document conveying property rights to be designated as public rights-of-way. The description found in the attached Resolution lists each document by recording number and provides information related to each so the property interest to be accepted can be identified. The individual description also identifies the type of roadway each parcel shall be improved as.

ATTACHMENT:

1. Resolution

CITY CLERK USE ONLY:
☐ **Consent Agenda**
☐ **Carry Over to Date:**_____
☐ **Approved**
☐ **Unfinished Business (Date heard previous:**_____**)**
☐ **New Business**
☐ **Public Hearing: No Action Taken**

ORD. #_____ **RES. #** 08-129
LCON#_____ **LIC. #**
Action Date:

REV. 07/05

RESOLUTION NO. 08-129

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF PUBLIC STREETS, TO BE OPENED AND MAINTAINED BY THE CITY.

WHEREAS, the Mayor and Council of the City find and determine that the public health, safety and welfare require the establishment of public streets to be opened and maintained by the City; and

WHEREAS, the Mayor and Council are vested with the authority pursuant to Article 1, Section 3 (6) of the Peoria City Charter and Section 23-18 of the Peoria City Code (1992) to establish the general location and routing of public streets; and;

WHEREAS, the Engineering Director of the City having submitted a map indicating the general location of the proposed public streets and recommends the acceptance of the street by the City for inclusion in the City Street system:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Peoria as follows:

SECTION 1. Recommendation of Engineering Director to Establish a Public Street.

That the Mayor and Council find and determine that it is in the interest of the public health, safety and welfare of the city to accept the recommendation of the Engineering Director to establish public streets in accordance with the general location set forth herein and accept the street for inclusion in the city street system and designate the streets for inclusion on the street classification map required by this chapter.

SECTION 2. Designation of a Public Street

That the Mayor and Council find and determine that the proposed public streets, as described below shall be designated to be either a major arterial, a minor arterial, a collector street or a local street, to be opened as a public street and maintained by the City.

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

NE of Grand Avenue and 81st 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 93rd Avenue and Happy Valley Road

MLD – 91st 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 91st Avenue

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 71st Avenue

N/A
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 Gary E/O 71st Avenue

SECTION 3. Amendment of Plans and Maps

That the Mayor and Council find and determine that the Transportation Plan of the City's general plan, the street classification map and the local streets plan shall be amended in the manner required by law to reflect the addition of a public street as set forth herein.

SECTION 4. Signage, Posting and Effective Date

(a) That the Engineering Director or his designee are authorized to post such signage as deemed appropriate to indicate the existence of a public roadway and to provide for the safe and orderly movement of vehicular and pedestrian traffic on the public streets as set forth herein.

(b) That the City Attorney or his designee shall draft and submit the ordinances necessary to establish a speed limit for the public streets as set forth herein.

(c) That this Resolution shall become effective sixty-days after enactment by the City Council.

SECTION 5. Recording Authorized

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

PASSED AND ADOPTED by the City of Peoria, Arizona this 26th day of August, 2008.

APPROVED _____, 2008

_____
Bob Barrett, Mayor

ATTEST:

_____
Mary Jo Kief, City Clerk

APPROVED AS TO FORM:

_____
Stephen M. Kemp, City Attorney