

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATIONS**

CC: 14C
Amend No. _____

Date Prepared: March 12, 2008

Council Meeting Date: April 01, 2008

TO: Terry Ellis, City Manager

FROM:  David A. Moody, P.E., 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. # 08-51
LCON# _____ LIC. # _____
Action Date: _____

RESOLUTION NO. 08-51

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.

Resolution No. 08-51
Authorizing Establishment of Public Streets
April 1, 2008
Page 2

83rd Avenue Realignment (Cotton Crossing)
BNSF Railway Company
ROADWAY AND PUBLIC UTILITY
Major Arterial
Maricopa County Recording No. 2008-0192880
(Project No. P-0012)

81st Avenue & Market
Street/Grand
Avenue/Cotton
Crossing

Happy Valley Road
Caballos Del Rio, LLC
SPECIAL WARRANTY DEED
Major Arterial
Maricopa County Recording No. 2008-0204624
(Project P-0111)

Happy Valley Road,
W/O 75th Avenue

Francis & Sons
Francis & Sons I, LLC
DEDICATION OF PUBLIC ROADWAY
Collector
Maricopa County Recording No. 2008-0205208
(Project No. R070023 / Deed08-009)

NEC Thunderbird
Road & 88th Avenue

Happy Valley Road
Louis E. & Grace E. Rieckhoff
QUIT CLAIM DEED
Major Arterial
Maricopa County Recording No. 2008-0230160
(Project No. P-0111)

Happy Valley Road
West of 93rd 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 1st day of April, 2008.

APPROVED _____, 2008

Bob Barrett, Mayor

ATTEST:

Mary Jo Kief, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney