

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATIONS**

CC: 6C  
Amend No. \_\_\_\_\_

Date Prepared: September 10, 2008 Council Meeting Date: October 21, 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 designating various Real Properties to be Established as Public Rights-of-Way.

**RECOMMENDATION:**

Discussion and possible action to 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

DM:MH:jb  
ndevelop\Council\Designation\08\cc\_102108

**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. # 08-141  
LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

RESOLUTION NO. 08-141

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.

N/A  
Victor M. Mendez  
ABANDONMENT  
*Collector*  
Maricopa County Recording No. 2008-0723875

Golden Lane; 75<sup>th</sup> -  
77<sup>th</sup> Aves

Beardsley Lake Pleasant Commerce  
JMC I, LLC  
DEDICATION OF PUBLIC ROADWAY  
*Major Arterial*  
Maricopa County Recording No. 2008-0779671  
(ML08-01 / DEED08-049)

NWC Beardsley  
Road and Lake  
Pleasant Pkwy

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Beardsley Lake Pleasant Commerce  
JMC I, LLC  
INGRESS/EGRESS EASEMENT  
Maricopa County Recording No. 2008-0779678  
(ML08-01 / DEED08-054)

NWC Beardsley  
Road and Lake  
Pleasant Pkwy

Beardsley Lake Pleasant Commerce  
JMC I, LLC  
EASEMENT FOR PUBLIC WATER AND SEWER  
Maricopa County Recording No. 2008-0779680  
(ML08-01 / DEED08-053)

NWC Beardsley  
Road and Lake  
Pleasant Pkwy

Beardsley Lake Pleasant Commerce  
JMC I, LLC  
STORMWATER/SURFACE CROSS DRAINAGE  
EASEMENT  
Maricopa County Recording No. 2008-0779682  
(ML08-01 / DEED08-052)

NWC Beardsley  
Road and Lake  
Pleasant Pkwy

Beardsley Lake Pleasant Commerce  
JMC I, LLC  
NON VEHICULAR ACCESS EASEMENT (NVAE)  
Maricopa County Recording No. 2008-0779684  
(ML08-01 / DEED08-051) (1-Foot NVAE)

NWC Beardsley  
Road and Lake  
Pleasant Pkwy

Beardsley Lake Pleasant Commerce  
JMC I, LLC  
PUBLIC UTILITY EASEMENT (PUE)  
Maricopa County Recording No. 2008-0779685  
(ML08-01 / DEED08-0540) (8-Foot PUE)

NWC Beardsley  
Road and Lake  
Pleasant Pkwy

Happy Valley Road  
Donald K. Miller  
ROADWAY AND PEORIA MUNICIPAL UTILITY  
EASEMENT  
*Local*  
Maricopa County Recording No. 2008-0780345  
(Project P-0111)

83<sup>rd</sup> Avenue N/O  
Hatfield

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Happy Valley Road  
Salt River Project  
SPECIAL WARRANTY EASEMENT  
*Major Arterial*  
Maricopa County Recording No. 2008-0803804  
(Project P-0111)

83<sup>rd</sup> Avenue N/O  
Hatfield

Burger King at Camino a Lago  
Camino a Lago Marketplace, LLC  
EASEMENT FOR PUBLIC WATER LINE  
Maricopa County Recording No. 2008-0832543  
(R080044 / Deed08-056)

SEC Lake Pleasant  
Pkwy & Deer Valley  
Road

Habitat for Humanity Custom Home  
Habitat for Humanity of the West Valley  
PUBLIC UTILITY EASEMENT (PUE)  
Maricopa County Recording No. 2008-0832558  
(0800369, Deed08-055) (8-Foot PUE)

11647 N. 80<sup>th</sup> Dr.

## 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.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 21<sup>st</sup> day of October, 2008.

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Bob Barrett, Mayor

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Acceptance of Deeds and Easements  
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ATTEST:

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Mary Jo Kief, City Clerk

APPROVED AS TO FORM:

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Stephen M. Kemp, City Attorney