

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATIONS**

cc: 3C  
Amend No. \_\_\_\_\_

Date prepared: April 15, 2009

Council Meeting Date: May 19, 2009

**TO:** Carl Swenson, City Manager  
**THROUGH:** Susan J. Daluddung, Deputy City Manager  
**FROM:** Andrew Granger, P. E., Engineering Director  
**PREPARED BY:** Kristine Luna, SRWA, Real Property Administrator

**SUBJECT:** Adopt a Resolution authorizing the acquisition of property located on 84<sup>th</sup> Avenue between Peoria Avenue and Madison Street associated with the 84<sup>th</sup> Avenue Streetscape Improvements (Engineering Project No. P-0314)

**RECOMMENDATION:**

Discussion and possible action to adopt a Resolution authorizing the acquisition of Temporary Construction Easements (TCE's) on 84<sup>th</sup> Avenue to accommodate the Streetscape improvements to be constructed between Peoria Avenue and Monroe Street by donation, outright purchase, or the exercise of the power of eminent domain.

In addition, that Mayor and Council authorize a budget transfer within the project in the amount of \$10,000 from the project construction account 7010-7075-543001-CIPST-EN00207CO to a project land account 7010-7075-540000-CIPST-EN00207LA.

**SUMMARY:**

The 84<sup>th</sup> Avenue Streetscape Project will include the construction of pedestrian oriented amenities within the existing right of way along 84<sup>th</sup> Avenue between City Hall and Peoria Avenue. The improvements will include under-grounding existing overhead power lines, enhanced lighting, landscaping, and decorative brickwork.

The proposed improvements will require TCE's from two property owners. The individual property rights required for this project are identified in the attached Resolution. The property owners of record have been notified of this agenda item being

**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. # 09-07  
LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

brought before the Council tonight. The City will offer the property owners the opportunity to donate the property, offer appraised value in a negotiated settlement or, as a last resort, request the City Attorney to file for condemnation.

Staff requests that the Mayor and Council adopt the attached Resolution authorizing the acquisition of the property described in the Resolution by donation, outright purchase or the exercise of the power of eminent domain.

**FISCAL NOTE:**

This project is part of the City's 2009 Capital Improvement Program. Funds in the amount of \$10,000.00 are available for these acquisitions in the 84<sup>th</sup> Avenue Streetscape Transportation Sales Tax Fund, Street System Account 7000-7050-540000-CIPST-PW00207LA.

**ATTACHMENT:**

1. Resolution to acquire property for roadway purposes 09-01

RESOLUTION NO. 09-67

A RESOLUTION OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA DECLARING A PUBLIC NEED AND NECESSITY AND A PUBLIC USE; AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO ACQUIRE ON BEHALF OF THE CITY OF PEORIA THROUGH DONATION, OUTRIGHT PURCHASE OR UNDER THE POWER OF EMINENT DOMAIN FOR PUBLIC PURPOSES OF ALL INTEREST IN CERTAIN DESCRIBED REAL PROPERTY IN THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, IN ORDER FOR THE CITY TO PROPERLY AND ADEQUATELY IMPROVE AND DEVELOP 84TH AVENUE BETWEEN PEORIA AVENUE AND MADISON STREET AS A MATTER OF PUBLIC NEED AND NECESSITY; REFERENCING TITLE 12 OF STATE LAW CONCERNING THE EXERCISE OF EMINENT DOMAIN FOR PUBLIC ROADS, STREETS, AND PUBLIC SAFETY PURPOSES; STATING THE CONCLUSION OF THE COMMUNITY DEVELOPMENT DEPARTMENT THAT THE ACQUISITION IS IN CONFORMITY WITH THE ADOPTED GENERAL PLAN; AS A MATTER OF PUBLIC NEED AND NECESSITY AND DECLARING AN EMERGENCY.

THEREFORE IT IS RESOLVED by the Mayor and Council of the City of Peoria, Arizona as follows:

SECTION 1. AUTHORIZATION TO ACQUIRE

That the City Attorney on behalf of the City of Peoria, Arizona is authorized and directed to acquire and/or condemn all the real property described in the attached Exhibit "A" pursuant to Title 12, Chapter 8, Article 2, Arizona Revised Statutes and to file on behalf of the City such litigation as necessary to consummate the acquisition of such property under the power of eminent domain and to do all things necessary to accomplish this purpose, including but not limited to obtaining title reports and appraisals and other expert assistance for such purposes. Assessor parcel numbers associated with the legal descriptions in the attached Exhibit "A" are as follows:

142-41-091            Temporary Construction Easement  
142-42-041V        Temporary Construction Easement

**SECTION 2. EMINENT DOMAIN AUTHORITY PURSUANT TO TITLE 12 OF  
STATE LAW: AUTHORIZATION TO OBTAIN IMMEDIATE  
POSSESSION**

That the City Attorney on behalf of the City of Peoria, Arizona is authorized to petition the Superior Court to enter an order that the City of Peoria be allowed immediate possession and full use of all of the real property described in Exhibit "A" pursuant to Title 12, Chapter 8, Article 2, Section 12-1116 and to immediately determine the probable damages resulting from City of Peoria being allowed to have immediate possession of the real property described in Exhibit "A" and to set the amount of a bond in a form to be approved by the Court or to deposit the equivalent amount of City funds budgeted and appropriated and to do all things necessary to accomplish this purpose.

**SECTION 3. DETERMINATION OF CONFORMITY WITH GENERAL PLAN**

That the Community Development Department, which is the designated "planning agency" for the City of Peoria for purposes of Arizona Revised Statutes Title 9, Chapter 4, Article 6 ("Municipal Planning"), has reviewed the acquisition of the Property for conformity with the adopted Peoria General Plan pursuant to A.R.S. § 9-461.07(C) and reported that the location, purpose, and extent of the acquisition of the Property conforms with the Peoria General Plan.

WHEREAS, the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an Emergency is declared to exist and this Resolution shall be in full force and effect from and after its passage by the Council as required by the City Charter and is exempted from the referendum clause of the Charter.

Resolution No. 09-67  
Page 3 of 3  
May 19, 2009

**PASSED AND ADOPTED** by a two thirds vote of all the members of the Mayor and Council of the City of Peoria, Maricopa County, Arizona, as set forth below this 19th day of May, 2009.

**AYES:**

---

---

---

---

---

---

---

---

**NAYS:**

---

---

---

---

---

---

---

---

\_\_\_\_\_  
**Bob Barrett, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Mary Jo Kief, City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Stephen M. Kemp, City Attorney**

**ATTACHMENTS:**

**Exhibit A - Legal Descriptions**

**EXHIBIT "A"**  
**Legal Description**  
**(A PORTION OF ASSESSOR PARCEL 142-41-091)**

A portion of the parcel described in Maricopa County Records Office Deed 96-0201335 (Lots 20, 21, 22, 23 and 24, Block 27, Peoria Townsite Plat, MCR book 3 of maps, page 62), said portions and parcel being located in the northeast quarter (NE1/4) of Section 27, Township 3 North, Range 1 East of the Gila and Salt River Meridian, City of Peoria, County of Maricopa, Arizona, said portion being more particularly described as follows:

Commencing at a City of Peoria 3 inch brass cap flush with pavement at the street intersection of Madison Street and 84<sup>th</sup> Avenue, described per Maricopa County Records Office (MCR) recorded Record of Survey in book 1018, page 19 of maps, from which, for a bearing reference, a City of Peoria 3 inch brass cap flush with pavement at the street intersection of Jefferson Street and 84<sup>th</sup> Avenue described per said book 1018, page 19 Record of Survey bears North 00° 14' 41" East 370.10 feet, distance per said (MCR) Results of Survey in book 1018, page 19 of maps;

Thence along the monument line of said 84<sup>th</sup> Avenue, North 00° 14' 41" East 129.55 feet;

Thence leaving said monument line, North 89° 45' 19" West 35.00 feet to the east line of said Lot 24, and the POINT OF BEGINNING;

Thence leaving said east line, continuing, North 89° 45' 19" West 12.60 feet;

Thence South 00° 14' 41" West 18.00 feet;

Thence South 89° 45' 19" East 07.60 feet;

Thence South 00° 14' 41" West approximately 76.53 feet to the south line of Lot 24;

Thence along said south line, South 89° 44' 12" East approximately 05.00 feet to the south east corner of Lot 24;

Thence along said east line of Lot 24, North 00° 14' 41" East 94.54 feet to the POINT OF BEGINNING;

Said portion contains 610 square feet more or less.

Exhibit "B" attached and made a part thereof.



exp. 3/31/10

# EXHIBIT "B" MAP

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 3 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN:

A PORTION OF APN: 142-41-091  
DOCUMENT # 1996-0201335  
AREA T.C.E. = ±610 S.F.

FND 3" CITY OF PEORIA  
BRASS CAP FLUSH

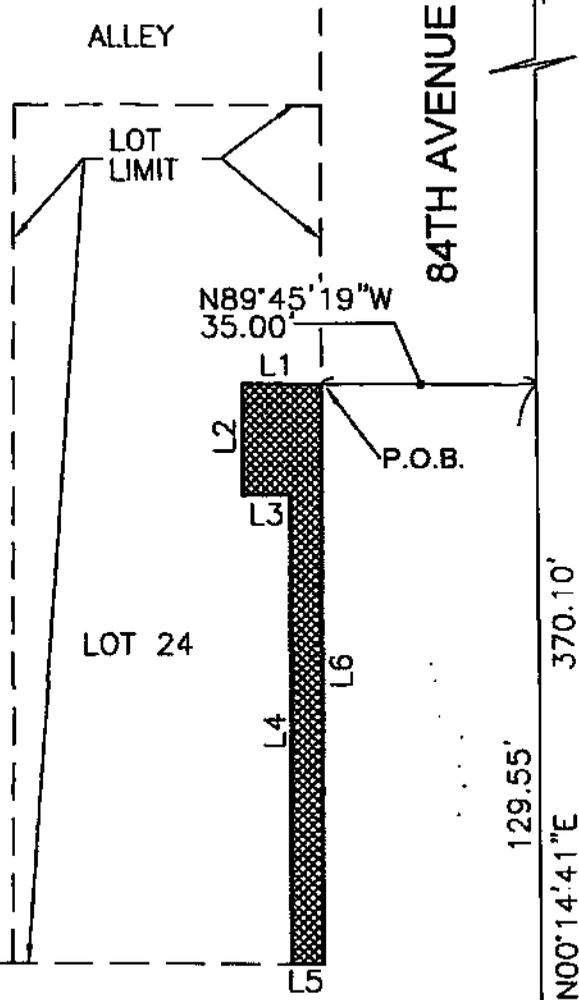


JEFFERSON STREET

ALLEY

84TH AVENUE

T.C.E. LINE TABLE		
LINE	BEARING	LENGTH
L1	N 89°45'19" W	12.60'
L2	S 00°14'41" W	18.00'
L3	S 89°45'19" E	07.60'
L4	S 00°14'41" W	76.53'±
L5	S 89°44'12" E	05.00'±
L6	N 00°14'41" E	94.54'



**LEGEND**

- N. = NORTH
- S. = SOUTH
- W. = WEST
- E. = EAST
- T. = TOWNSHIP
- R. = RANGE
- FND. = FOUND
- COR. = CORNER
- SEC. = SECTION
- S.F. = SQUARE FEET
- = NEW T.C.E.
- P.O.B. = POINT OF BEGINNING



*Exp. 3/31/10*

FND 3" CITY OF PEORIA  
BRASS CAP FLUSH  
POINT OF COMMENCEMENT

NOTE:  
A RESULTS OF SURVEY BY CONSULTANT ENGINEERING, INC.  
FOR SECTION 27, IS RECORDED WITH THE MARICOPA  
COUNTY RECORDER'S OFFICE BOOK 1018 PAGE 19.

MADISON  
STREET



**CITY OF PEORIA**  
8401 W. Monroe Street  
Peoria, Arizona, 85345

DATE 2-16-09  
SCALE: 1"=30'  
CEI NUMBER: 245.02  
PAGE 1 OF 1

Parcel name: 142-41-091 TCE\_C

North: 938387.16 East : 601630.75  
Line Course: N 89-45-19 W Length: 12.60  
North: 938387.21 East : 601618.15  
Line Course: S 00-14-41 W Length: 18.00  
North: 938369.22 East : 601618.07  
Line Course: S 89-45-19 E Length: 7.60  
North: 938369.18 East : 601625.67  
Line Course: S 00-14-41 W Length: 76.53  
North: 938292.65 East : 601625.34  
Line Course: S 89-44-12 E Length: 5.00  
North: 938292.63 East : 601630.34  
Line Course: N 00-14-41 E Length: 94.54  
North: 938387.17 East : 601630.75

Perimeter: 214.27 Area: 610 sq.ft. 0.01 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
Error Closure: 0.01 Course: N 00-14-35 E  
Error North: 0.008 East : 0.000  
Precision 1: 21,427.00

Parcel name: 142-41-091 TCE\_TIE

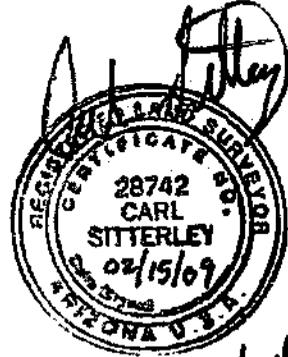
North: 938257.46 East : 601665.19  
Line Course: N 00-14-41 E Length: 129.55  
North: 938387.01 East : 601665.75  
Line Course: N 89-45-19 W Length: 35.00  
North: 938387.16 East : 601630.75  
Line Course: N 89-45-19 W Length: 12.60  
North: 938387.22 East : 601618.15  
Line Course: S 00-14-41 W Length: 18.00  
North: 938369.22 East : 601618.07  
Line Course: S 89-45-19 E Length: 7.60  
North: 938369.18 East : 601625.67  
Line Course: S 00-14-41 W Length: 76.53  
North: 938292.66 East : 601625.34  
Line Course: S 89-44-12 E Length: 5.00  
North: 938292.63 East : 601630.34  
Line Course: S 44-44-45 E Length: 49.51  
North: 938257.47 East : 601665.20

Perimeter: 333.79 Area: 4,531 sq.ft. 0.10 acres



ex. 3/31/10

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
Error Closure: 0.00 Course: N 39-41-55 E  
Error North: 0.004 East : 0.003  
Precision 1: 333,790,000.00



exp. 3/31/10

**EXHIBIT "A"**  
**Legal Description**  
**(A PORTION OF ASSESSOR PARCEL 142-42-041V)**

Two portions of the parcel described in Maricopa County Recorders Office Deed 2002-0727706 (Parcel No. 1), said portions and parcel being located in the southeast quarter (SE1/4) of Section 22, Township 3 North, Range 1 East of the Gila and Salt River Meridian, City of Peoria, County of Maricopa, Arizona, said portions being more particularly described as follows:

PORTION 1 (South)

Commencing at a City of Peoria 3 inch brass cap in hand hole, described per Maricopa County Recorders Office (MCR) recorded Record of Survey in book 1018, page 19 of maps, said brass cap marking the common corner for Sections 23,26,27, and said Section 22, being the southeast corner of said Section 22, from which, for a bearing reference, marking the south quarter corner of said Section 22, a Maricopa County 3 inch brass cap in hand hole per Book 863, page 07 Record of Survey bears South 89° 37' 57" West 2637.74 feet, a distance per said (MCR) Results of Survey in book 863, page 07 of maps (distance using a grid to ground combined scale factor of 1.00013813);

Thence along the south line of said Section 22, South 89° 37' 57" West 681.23 feet;

Thence leaving said south line, North 01° 09' 34" East 10.00 feet to the north line of the south 10.00 feet of said Section 22, being the north line of a parcel described in Maricopa County Recorders Office instrument docket 7764, page 759, AND the POINT OF BEGINNING;

Thence continuing, North 01° 09' 34" East 02.52 feet to a tangent curve concave easterly, having a radius of 437.00 feet;

Thence northeasterly along said tangent curve an arc length of 46.96 feet, subtended by an angle of 6° 09' 24" to a non-tangent line;

Thence along said non-tangent line, North 89° 37' 57" East approximately 10.43 feet to the east line of said Parcel no. 1 and to a non-tangent curve concave easterly, having a radial bearing of North 81° 41' 33" West, and having a radius of 392.71 feet;

Thence southwesterly along said non-tangent curve an arc length of 49.53 feet, subtended by an angle of 7° 13' 34" back to the said north line of the south 10.00 feet of Section 22, also being the north line of said Maricopa County Recorders Office instrument docket 7764, page 759;

Thence leaving said east line of Parcel no. 1, along both said north lines, South 89° 37' 57" West 09.90 feet to the POINT OF BEGINNING;

Said Portion 1 contains 498 square feet more or less.

PORTION 2 (North)

Commencing at a City of Peoria 3 inch brass cap in hand hole, described per Maricopa County Recorders Office (MCR) recorded Record of Survey in book 1018, page 19 of maps, said brass cap marking the common corner for Sections 23,26,27, and said Section 22, being the southeast corner of said Section 22, from which, for a bearing reference, marking the south quarter corner of said Section 22, a Maricopa County 3 inch brass cap in hand hole per Book 863, page 07 Record of Survey bears South 89° 37' 57" West 2637.74 feet, a distance per said (MCR) Results of Survey in book 863, page 07 of maps (distance using a grid to ground combined scale factor of 1.00013813);

Thence along the south line of said Section 22, South 89° 37' 57" West 672.45 feet;

Thence leaving said south line, North 00° 22' 03" West 87.16 feet to a point on the north line of the south 87.16 feet of said Section 22, said point being on a non-tangent curve, concave southeasterly, having a radial bearing of North 78° 58' 49" West, having a radius of 437.00 feet, AND the POINT OF BEGINNING;

Thence northeasterly along said non-tangent curve an arc length of 34.16 feet, subtended by an angle of 4° 28' 44";

Thence along a tangent line to last said curve, North 15° 29' 55" East 18.11 feet to a tangent curve concave westerly, having a radius of 262.00 feet;

Thence northerly along said tangent curve an arc length of 63.73 feet, subtended by an angle of 13° 56' 12" to a non-tangent line;

Thence along said non-tangent line, South 89° 37' 57" West 06.83 feet;

Thence North 45° 23' 08" West approximately 20.51 feet to the north line of said Parcel no. 1;

Thence along the north line of said Parcel no. 1, North 89° 37' 23" East 13.55 feet to a tangent curve concave southwesterly, having a radius of 20.00 feet;

Thence southerly along the east line of said Parcel no. 1, and along said tangent curve an arc length of 33.26 feet, subtended by an angle of 95° 16' 58" to a compound curve, having a radius of 342.70 feet;

Thence continuing southerly along said east line of Parcel no. 1, and along said compound curve, concave northwesterly, an arc length of 74.85 feet, subtended by an angle of 12° 30' 51" to a reverse curve, having a radius of 392.71 feet;

Thence continuing southerly along said east line of Parcel no. 1, and along said reverse curve, concave easterly, an arc length of 34.10 feet, subtended by an angle of 4° 58' 31" back to the said north line of the south 87.16 feet of Section 22;

Thence leaving said east line of Parcel no. 1, along said north line, South 89° 37' 57" West 11.04 feet to the POINT OF BEGINNING;

Said Portion 2 contains 1,653 square feet more or less.

Exhibit "B" attached and made a part thereof.

Said portions 1 & 2, together contain 2,151 square feet more or less.



*expires 3/31/10*

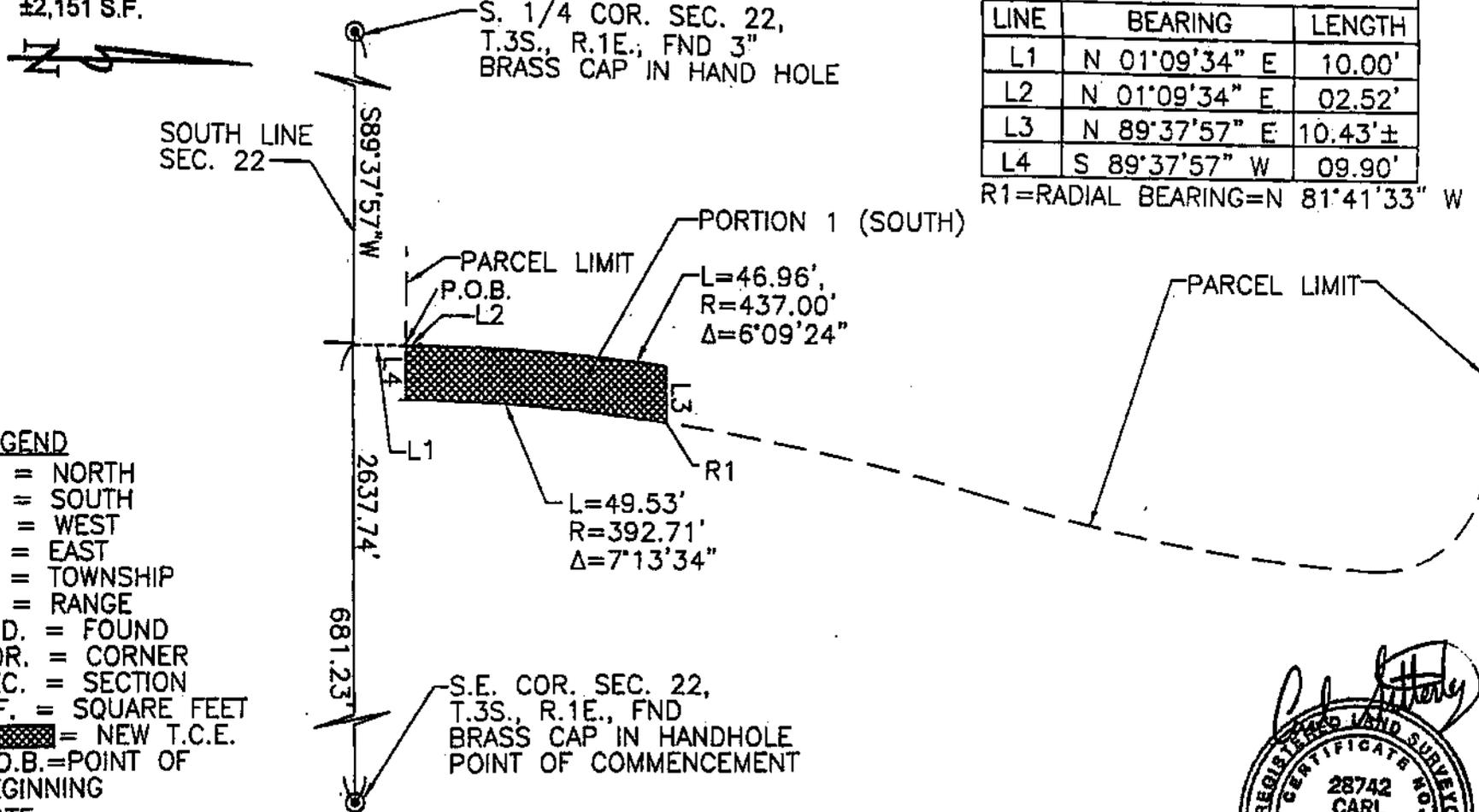
# EXHIBIT "B" MAP

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN.

A PORTION OF APN: 142-42-041V  
DOCUMENT # 2002-0727706 (PARCEL NO. 1)  
AREA T.C.E. = (COMBINED PORTIONS 1 & 2)  
±2,151 S.F.

T.C.E. LINE TABLE		
LINE	BEARING	LENGTH
L1	N 01'09'34" E	10.00'
L2	N 01'09'34" E	02.52'
L3	N 89'37'57" E	10.43'±
L4	S 89'37'57" W	09.90'

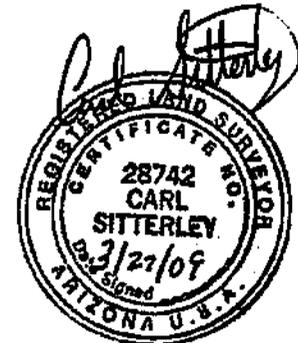
R1=RADIAL BEARING=N 81°41'33" W



### LEGEND

- N. = NORTH
- S. = SOUTH
- W. = WEST
- E. = EAST
- T. = TOWNSHIP
- R. = RANGE
- FND. = FOUND
- COR. = CORNER
- SEC. = SECTION
- S.F. = SQUARE FEET
- = NEW T.C.E.
- P.O.B.=POINT OF BEGINNING

NOTE:  
A RESULTS OF SURVEY BY CONSULTANT ENGINEERING, INC. FOR SECTION 27, IS RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE BOOK 1018 PAGE 19.



Expires 3/27/10



**CITY OF PEORIA**  
8401 W. Monroe Street  
Peoria, Arizona, 85345

DATE 3-26-09  
SCALE: 1"=60'  
CEI NUMBER: 245.02  
PAGE 1 OF 2

# EXHIBIT "B" MAP

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN.

A PORTION OF APN: 142-42-041V  
DOCUMENT # 2002-0727706 (PARCEL NO. 1)

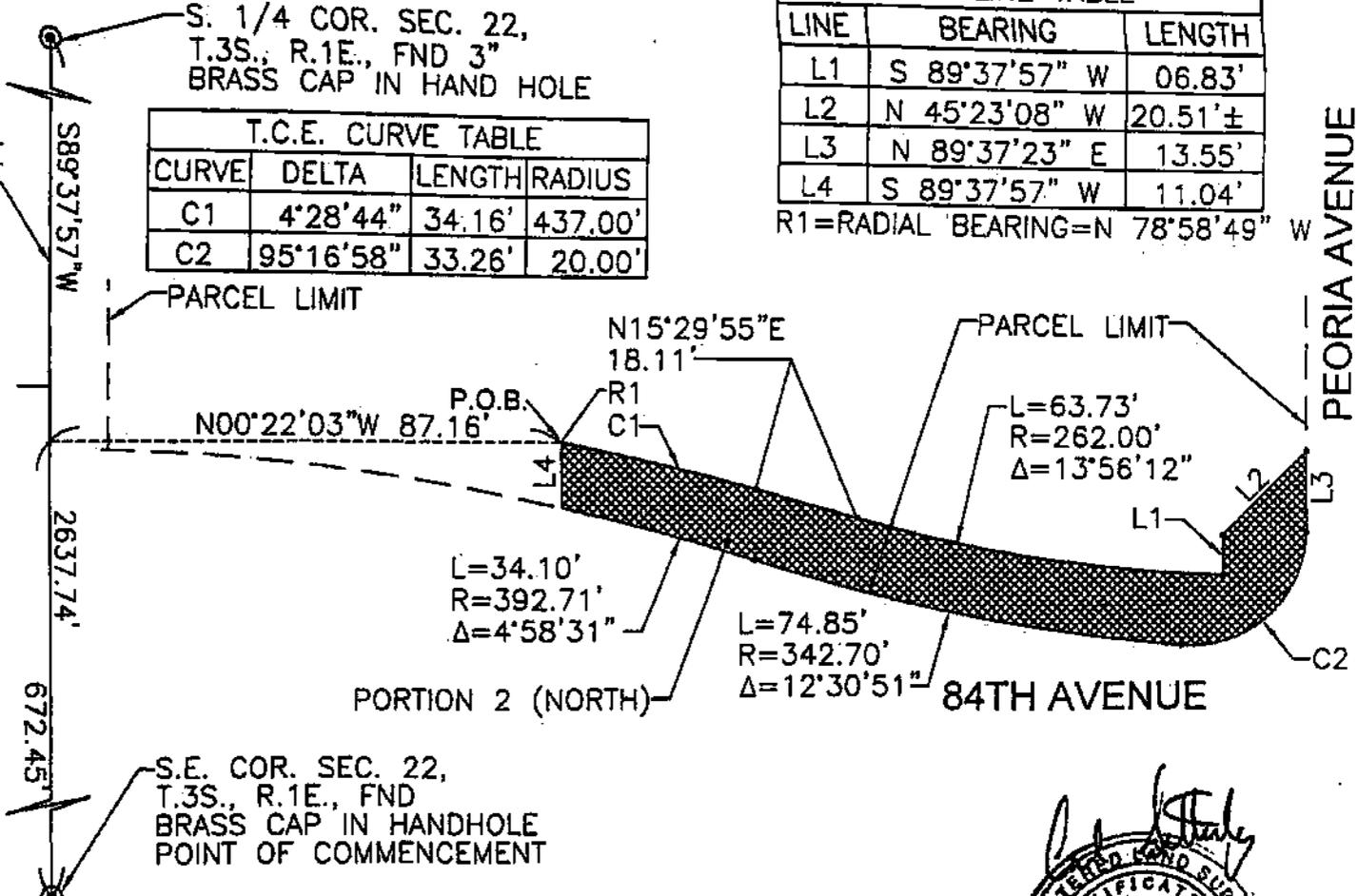
T.C.E. LINE TABLE		
LINE	BEARING	LENGTH
L1	S 89°37'57" W	06.83'
L2	N 45°23'08" W	20.51'±
L3	N 89°37'23" E	13.55'
L4	S 89°37'57" W	11.04'

T.C.E. CURVE TABLE			
CURVE	DELTA	LENGTH	RADIUS
C1	4°28'44"	34.16'	437.00'
C2	95°16'58"	33.26'	20.00'

R1=RADIAL BEARING=N 78°58'49" W



SOUTH LINE  
SEC. 22



PEORIA AVENUE

84TH AVENUE

**LEGEND**

- N. = NORTH
- S. = SOUTH
- W. = WEST
- E. = EAST
- T. = TOWNSHIP
- R. = RANGE
- FND. = FOUND
- COR. = CORNER
- SEC. = SECTION
- S.F. = SQUARE FEET
- = NEW T.C.E.
- P.O.B. = POINT OF BEGINNING

NOTE:  
A RESULTS OF SURVEY BY CONSULTANT ENGINEERING, INC. FOR SECTION 27, IS RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE BOOK 1018 PAGE 19.



*exp 3/31/10*



**CITY OF PEORIA**  
8401 W. Monroe Street  
Peoria, Arizona, 85345

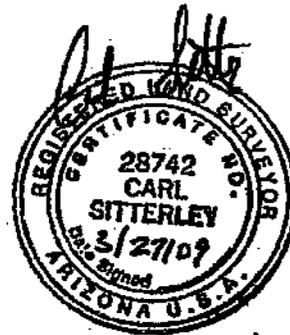
DATE 3-26-09  
SCALE: 1"=60'  
CEI NUMBER: 245.02  
PAGE 2 OF 2

Parcel name: 142-42-041V\_N\_C

Curve North: 939280.5198 East : 601643.4883  
Length: 34.16 Radius: 437.00  
Delta: 4-28-44 Tangent: 17.09  
Chord: 34.15 Course: N 13-15-33 E  
Course In: S 78-58-49 E Course Out: N 74-30-05 W  
RP North: 939196.9886 East : 602072.4306  
End North: 939313.7615 East : 601651.3213  
Line Course: N 15-29-55 E Length: 18.11  
North: 939331.2130 East : 601656.1605  
Curve Length: 63.73 Radius: 262.00  
Delta: 13-56-12 Tangent: 32.02  
Chord: 63.57 Course: N 08-31-49 E  
Course In: N 74-30-05 W Course Out: S 88-26-17 E  
RP North: 939401.2233 East : 601403.6877  
End North: 939394.0818 East : 601665.5903  
Line Course: S 89-37-57 W Length: 6.83  
North: 939394.0380 East : 601658.7604  
Line Course: N 45-23-08 W Length: 20.51  
North: 939408.4428 East : 601644.1604  
Line Course: N 89-37-23 E Length: 13.55  
North: 939408.5320 East : 601657.7101  
Curve Length: 33.26 Radius: 20.00  
Delta: 95-16-58 Tangent: 21.93  
Chord: 29.56 Course: S 42-44-08 E  
Course In: S 00-22-37 E Course Out: S 85-05-39 E  
RP North: 939388.5324 East : 601657.8417  
End North: 939386.8221 East : 601677.7684  
Curve Length: 74.85 Radius: 342.70  
Delta: 12-30-51 Tangent: 37.57  
Chord: 74.70 Course: S 11-09-47 W  
Course In: N 85-05-39 W Course Out: S 72-34-48 E  
RP North: 939416.1292 East : 601336.3239  
End North: 939313.5338 East : 601663.3063  
Curve Length: 34.10 Radius: 392.71  
Delta: 4-58-31 Tangent: 17.06  
Chord: 34.09 Course: S 14-55-56 W  
Course In: S 72-34-48 E Course Out: N 77-33-19 W  
RP North: 939195.9667 East : 602038.0050  
End North: 939280.5947 East : 601654.5219  
Line Course: S 89-37-57 W Length: 11.04  
North: 939280.5239 East : 601643.4822

Perimeter: 310.13 Area: 1,653 sq.ft. 0.04 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
Error Closure: 0.0074 Course: N 55-41-20 W  
Error North: 0.00416 East : -0.00610  
Precision 1: 41,910.81



exp. 3/21/10

-----  
Parcel name: 142-42-041V\_N\_T

North: 939197.6790 East : 602316.4810  
Line Course: S 89-37-57 W Length: 672.45  
North: 939193.3659 East : 601644.0448  
Line Course: N 00-22-03 W Length: 87.16  
North: 939280.5241 East : 601643.4858  
Curve Length: 34.16 Radius: 437.00  
Delta: 4-28-44 Tangent: 17.09  
Chord: 34.15 Course: N 13-15-33 E  
Course In: S 78-58-49 E Course Out: N 74-30-05 W  
RP North: 939196.9929 East : 602072.4281  
End North: 939313.7659 East : 601651.3188  
Line Course: N 15-29-55 E Length: 18.11  
North: 939331.2173 East : 601656.1581  
Curve Length: 63.73 Radius: 262.00  
Delta: 13-56-12 Tangent: 32.02  
Chord: 63.57 Course: N 08-31-49 E  
Course In: N 74-30-05 W Course Out: S 88-26-17 E  
RP North: 939401.2277 East : 601403.6852  
End North: 939394.0862 East : 601665.5878  
Line Course: S 89-37-57 W Length: 6.83  
North: 939394.0423 East : 601658.7580  
Line Course: N 45-23-08 W Length: 20.51  
North: 939408.4472 East : 601644.1579  
Line Course: N 89-37-23 E Length: 13.55  
North: 939408.5363 East : 601657.7077  
Curve Length: 33.26 Radius: 20.00  
Delta: 95-16-58 Tangent: 21.93  
Chord: 29.56 Course: S 42-44-08 E  
Course In: S 00-22-37 E Course Out: S 85-05-39 E  
RP North: 939388.5368 East : 601657.8392  
End North: 939386.8264 East : 601677.7660  
Curve Length: 74.85 Radius: 342.70  
Delta: 12-30-51 Tangent: 37.57  
Chord: 74.70 Course: S 11-09-47 W  
Course In: N 85-05-39 W Course Out: S 72-34-48 E  
RP North: 939416.1335 East : 601336.3214  
End North: 939313.5381 East : 601663.3038  
Curve Length: 34.10 Radius: 392.71  
Delta: 4-58-31 Tangent: 17.06  
Chord: 34.09 Course: S 14-55-56 W  
Course In: S 72-34-48 E Course Out: N 77-33-19 W  
RP North: 939195.9710 East : 602038.0025  
End North: 939280.5991 East : 601654.5195  
Line Course: S 82-51-39 E Length: 667.13  
North: 939197.6883 East : 602316.4773

Perimeter: 1725.82 Area: 31,438 sq.ft. 0.72 acres

Mapcheck closure - (Uses listed courses, radii, and deltas)  
Error Closure: 0.0100 Course: N 21-30-26 W  
Error North: 0.00928 East : -0.00366  
Precision 1: 172,584.00



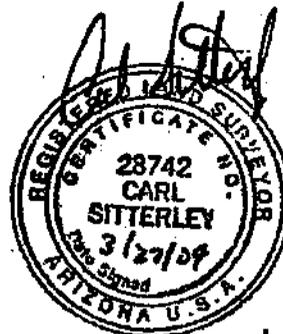
exp. 3/12/10

Parcel name: 142-42-041V\_TCB\_S\_C

North: 939203.3111 East : 601635.4690  
Line Course: N 01-09-34 E Length: 2.52  
North: 939205.8306 East : 601635.5200  
Curve Length: 46.96 Radius: 437.00  
Delta: 6-09-24 Tangent: 23.50  
Chord: 46.93 Course: N 04-14-16 E  
Course In: S 88-50-26 E Course Out: N 82-41-02 W  
RP North: 939196.9880 East : 602072.4305  
End North: 939252.6371 East : 601638.9882  
Line Course: N 89-37-57 E Length: 10.43  
North: 939252.7040 East : 601649.4180  
Curve Length: 49.53 Radius: 392.71  
Delta: 7-13-34 Tangent: 24.80  
Chord: 49.50 Course: S 04-41-40 W  
Course In: S 81-41-33 E Course Out: N 88-55-07 W  
RP North: 939195.9630 East : 602038.0073  
End North: 939203.3745 East : 601645.3672  
Line Course: S 89-37-57 W Length: 9.90  
North: 939203.3110 East : 601635.4674  
Line Course: S 02-51-45 W Length: 0.00  
North: 939203.3110 East : 601635.4674

Perimeter: 119.34 Area: 498 sq.ft. 0.01 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
Error Closure: 0.0015 Course: S 86-52-58 W  
Error North: -0.00008 East : -0.00154  
Precision 1: 79,560.00



exp. 3/31/10

Parcel name: 142-42-041V\_TCE\_S\_T

North: 939197.6790 East : 602316.4810  
Line Course: S 89-37-57 W Length: 681.23  
North: 939193.3096 East : 601635.2650  
Line Course: ~~N 01-09-34 E~~ Length: 10.00  
North: 939203.3075 East : 601635.4674  
Line Course: N 01-09-34 E Length: 2.52  
North: 939205.8270 East : 601635.5183  
Curve Length: 46.96 Radius: 437.00  
Delta: 6-09-24 Tangent: 23.50  
Chord: 46.93 Course: N 04-14-16 E  
Course In: S 88-50-26 E Course Out: N 82-41-02 W  
RP North: 939196.9844 East : 602072.4289  
End North: 939252.6335 East : 601638.9866  
Line Course: N 89-37-57 E Length: 10.43  
North: 939252.7004 East : 601649.4164  
Curve Length: 49.53 Radius: 392.71  
Delta: 7-13-34 Tangent: 24.80  
Chord: 49.50 Course: S 04-41-40 W  
Course In: S 81-41-33 E Course Out: N 88-55-07 W  
RP North: 939195.9594 East : 602038.0057  
End North: 939203.3709 East : 601645.3656  
Line Course: S 89-30-50 E Length: 671.14  
North: 939197.6769 East : 602316.4815

Perimeter: 1471.81 Area: 3,954 sq.ft. 0.09 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
Error Closure: 0.0022 Course: S 12-18-41 E  
Error North: -0.00211 East : 0.00046  
Precision 1: 669,004.55



24-3/31/10

# EXHIBIT "A"

## Legal Description

(A PORTION OF ASSESSOR PARCEL 142-42-041V)

(South 10 feet of above Assessor parcel)

A portion of the parcel described in Maricopa County Recorders Office Deed 2002-0727706 (Parcel No. 1), said portion and parcel being located in the southeast quarter (SE1/4) of Section 22, Township 3 North, Range 1 East of the Gila and Salt River Meridian, City of Peoria, County of Maricopa, Arizona, said portion being more particularly described as follows:

Commencing at a City of Peoria 3 inch brass cap in hand hole, described per Maricopa County Recorders Office (MCR) recorded Record of Survey in book 1018, page 19 of maps, said brass cap marking the common corner for Sections 23,26,27, and said Section 22, being the southeast corner of said Section 22, from which, for a bearing reference, marking the south quarter corner of said Section 22, a Maricopa County 3 inch brass cap in hand hole per Book 863, page 07 Record of Survey bears South 89° 37' 57" West 2637.74 feet, a distance per said (MCR) Results of Survey in book 863, page 07 of maps (distance using a grid to ground combined scale factor of 1.00013813);

Thence along the south line of said Section 22, South 89° 37' 57" West 681.23 feet AND the POINT OF BEGINNING;

Thence leaving said south line, North 01° 09' 34" East 10.00 feet to the north line of the south 10.00 feet of said Section 22, being the north line of a parcel described in Maricopa County Recorders Office instrument docket 7764, page 759;

Thence along both said north lines, North 89° 37' 57" East, 09.90 feet to the east line of said Parcel no. 1, being a point on a non-tangent curve concave easterly, having a radius of 392.71 feet, and said non-tangent curve radial bears North 88° 55' 07" West;

Thence southerly along last said east line and non-tangent curve an arc length of 10.00 feet, subtended by an angle of 01° 27' 33" back to the said south line of Section 22, also being the southeast corner of said Parcel no. 1;

Thence along last said south section line, South 89° 37' 57" West 10.04 feet to the POINT OF BEGINNING;

Said portion contains 100 square feet more or less.

Exhibit "B" attached and made a part thereof.



3/31/10  
expires.

# EXHIBIT "B" MAP

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN.  
 A PORTION OF APN: 142-42-041V (SOUTH 10')  
 DOCUMENT # 2002-0727706 (PARCEL NO. 1)  
 10' PARCEL DOCKET 7764, PAGE 759  
 AREA T.C.E. = ±100 S.F.

T.C.E. LINE TABLE			
LINE	BEARING	LENGTH	
L1	N 01°09'34" E	10.00'	
L2	N 89°37'57" E	09.90'	
L3	S 89°37'57" W	10.04'	
T.C.E. CURVE TABLE			
CURVE	DELTA	LENGTH	RADIUS
C1	1°27'33"	10.00'	392.71'

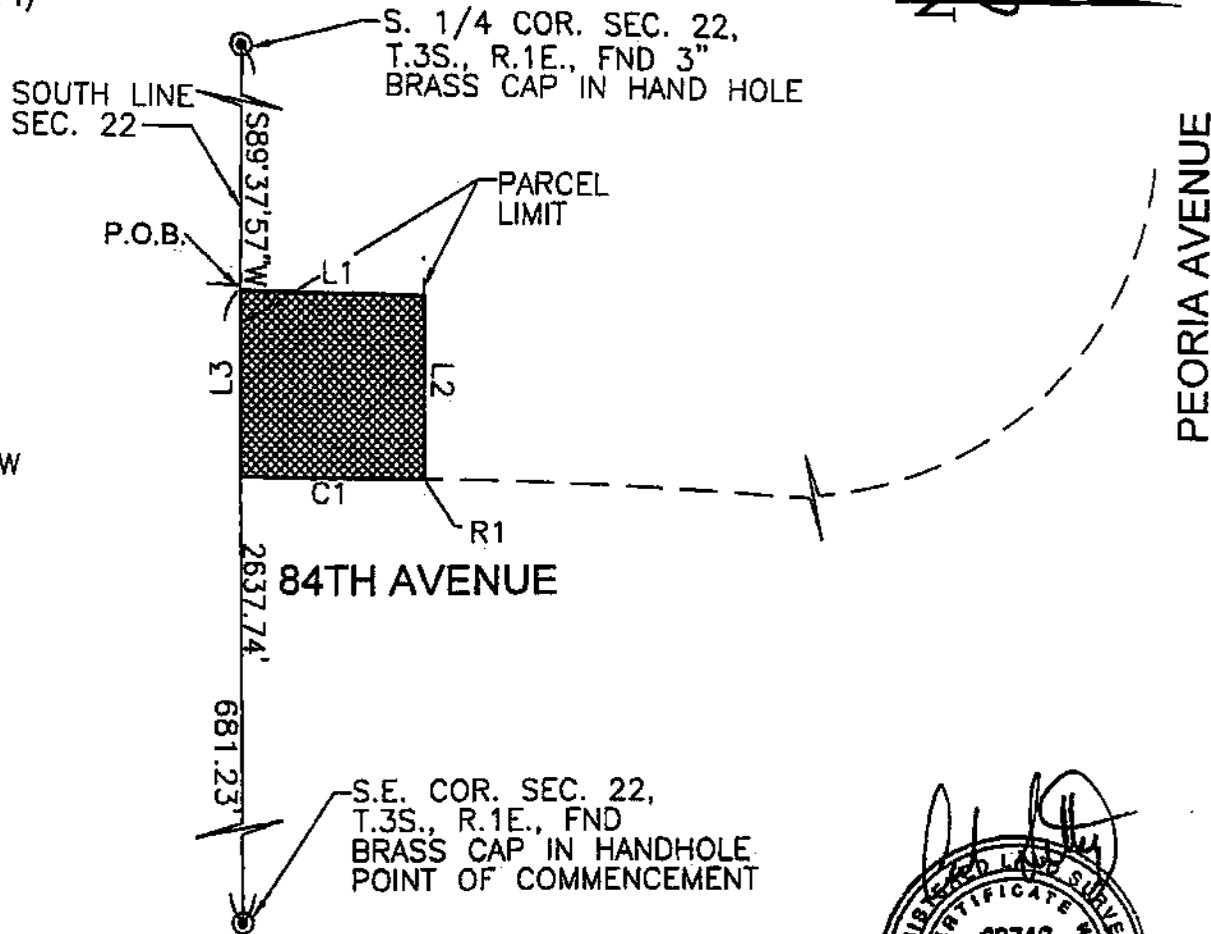
R1 = RADIAL BEARING = N 88°55'07" W

### LEGEND

- N. = NORTH
- S. = SOUTH
- W. = WEST
- E. = EAST
- T. = TOWNSHIP
- R. = RANGE
- FND. = FOUND
- COR. = CORNER
- SEC. = SECTION
- S.F. = SQUARE FEET
- = NEW T.C.E.
- P.O.B. = POINT OF BEGINNING

### NOTE:

A RESULTS OF SURVEY BY CONSULTANT ENGINEERING, INC. FOR SECTION 27, IS RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE BOOK 1018 PAGE 19.



**CITY OF PEORIA**  
 8401 W. Monroe Street  
 Peoria, Arizona, 85345

DATE 3-25-09  
 SCALE: 1"=10'  
 CEI NUMBER: 245.02  
 PAGE 1 OF 1



Parcel name: 142-42-041V\_TCE\_S10\_C

North: 939193.3096 East : 601635.2665  
Line Course: N 01-09-34 E Length: 10.00  
North: 939203.3075 East : 601635.4689  
Line Course: N 89-37-57 E Length: 9.90  
North: 939203.3710 East : 601645.3687  
Curve Length: 10.00 Radius: 392.71  
Delta: 1-27-33 Tangent: 5.00  
Chord: 10.00 Course: S 00-21-07 W  
Course In: S 88-55-07 E Course Out: S 89-37-20 W  
RP North: 939195.9595 East : 602038.0087  
End North: 939193.3702 East : 601645.3073  
Line Course: S 89-37-57 W Length: 10.04  
North: 939193.3058 East : 601635.2675  
Line Course: S 08-44-46 W Length: 0.00  
North: 939193.3058 East : 601635.2675

Perimeter: 39.95 Area: 100 sq.ft. 0.00 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
Error Closure: 0.0039 Course: S 14-10-08 E  
Error North: -0.00374 East : 0.00094  
Precision 1: 10,241.03



EXPIRES  
3/31/10

Parcel name: 142-42-041V\_S10\_T

North: 939197.6790	East : 602316.4810
Line Course: S 89-37-57 W	Length: 681.23
North: 939193.3096	East : 601635.2650
Line Course: N 01-09-34 E	Length: 10.00
North: 939203.3075	East : 601635.4674
Line Course: N 89-37-57 E	Length: 9.90
North: 939203.3710	East : 601645.3671
Line Course: S 00-21-07 W	Length: 10.00
North: 939193.3712	East : 601645.3057
Line Course: N 89-37-57 E	Length: 671.19
North: 939197.6762	East : 602316.4819

Perimeter: 1382.32 Area: 100 sq.ft. 0.00 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0029 Course: S 18-32-41 E

Error North: -0.00276 East : 0.00092

Precision 1: 476,662.07



exp: 3/31/10