

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATIONS**

CC: 300  
Amend No. \_\_\_\_\_

Date prepared: May 7, 2009

Council Meeting Date: July 7, 2009

**TO:** Carl Swenson, City Manager  
**THROUGH:** Susan J. Daluddung, Deputy City Manager  
**FROM:** Andrew Granger, P. E., Engineering Director  
**THROUGH:** Kristine Luna, SRWA, Real Property Administrator  
**PREPARED BY:** Angela Manuel, Property Agent  
**SUBJECT:** Adopt a Resolution accepting Federal Patent Easements, for various real property interests, previously recorded by the Maricopa County Recorder.

**RECOMMENDATION:**

Discussion and possible action to adopt a Resolution accepting Federal Patent Easements within certain parcels along the north side of Happy Valley Road between 91<sup>st</sup> Avenue and the 94<sup>th</sup> Avenue alignment.

**SUMMARY:**

During the late 1950's/early 1960's the United States Bureau of Land Management issued Federal Patents for 5 acre tracts of land in the northern part of Peoria. When the patents were issued a reservation was made for a strip of right of way, not exceeding 33 feet wide, to be used for roadway and public utility purposes; these right of way strips are located along three borders of the parcels. Where feasible the City is utilizing these Federal Patent easement reservations to construct portions of the Happy Valley Road project.

A Resolution to accept these right of way easements 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.

**ATTACHMENT:**

1. Vicinity Map
2. 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. # 0499  
LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

# Vicinity Map

SADDLEHORN RD

SADDLEHORN RD

SADDLEHORN RD

BUCKSKIN TR BUCKSKIN TR

92ND AV

92ND AV

93RD AV

93RD AV

91ST AV

91ST AV

93RD AV

93RD AV

WEeping WILLOW

Docket 2955 Page 312

Docket 2882 Page 523

Docket 2955 Page 311

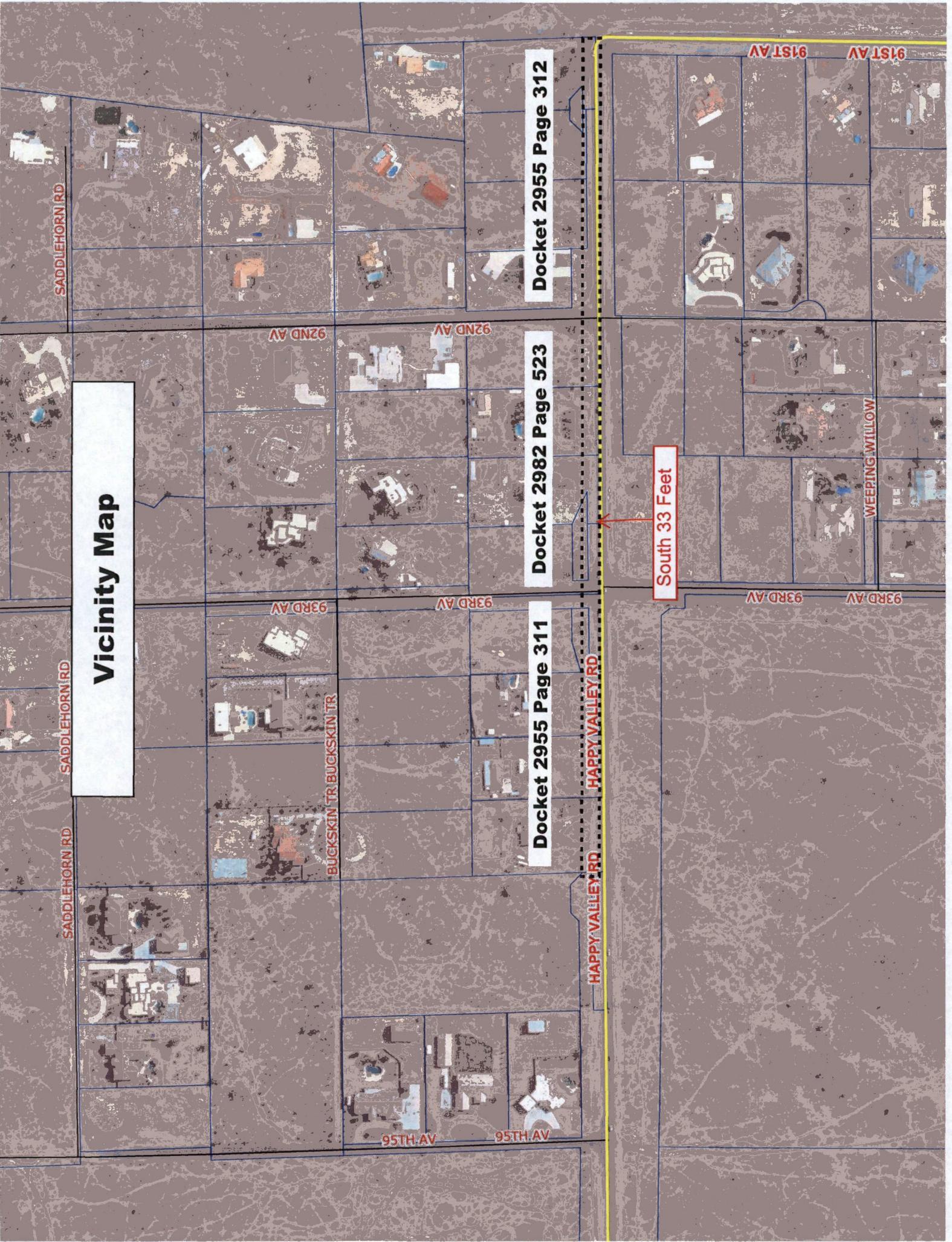
South 33 Feet

HAPPY VALLEY RD

HAPPY VALLEY RD

95TH AV

95TH AV



**RESOLUTION NO. 09-99**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING A RESOLUTION FORMALLY ACCEPTING EASEMENTS FOR PROPERTY RIGHTS RESERVED BY THE UNITED STATES TO ENSURE ADEQUATE ROADWAYS TO BE USED BY THE PUBLIC.**

WHEREAS, the real estate interests hereinafter referenced have been reserved by the United States to ensure adequate roadways to be used by the public.

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

WHEREAS, the City has determined that acceptance 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.

Happy Valley Road Improvements (P-0111)  
United States Bureau of Land Management  
FEDERAL PATENT EASEMENT RESERVATION  
Maricopa County Recording No. Docket 2955 Page 311

North side of Happy Valley Road  
West of 93<sup>rd</sup> Avenue – South 33 ft

Happy Valley Road Improvements (P-0111)  
United States Bureau of Land Management  
FEDERAL PATENT EASEMENT RESERVATION  
Maricopa County Recording No. Docket 2982 Page 523

North side of Happy Valley Road  
East of 93<sup>rd</sup> Avenue – South 33 ft

Resolution No. 09-99

Page: 2

Happy Valley Road Improvements (P-0111)  
United States Bureau of Land Management  
FEDERAL PATENT EASEMENT RESERVATION

North side of Happy Valley Road  
East of 92<sup>nd</sup> Avenue – South 33 ft

Maricopa County Recording No. Docket 2955 Page 312

**SECTION 2. Public Easements and Land Rights**

That the Mayor and Council accept the public easements for property rights reserved by the United States to ensure adequate roadways to be used by the public 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 7<sup>th</sup> day of July, 2009.

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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