

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATIONS**

cc: 20C  
Amend No. \_\_\_\_\_

Date prepared: August 11, 2009 Council Meeting Date: September 15, 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, Senior Real Property Administrator 

**SUBJECT:** Adopt a Resolution authorizing the execution of a Dedication of Public Roadway document associated with the construction of Union Hills Drive, from 113<sup>th</sup> Avenue to the entrance to Paradise RV Resort

**RECOMMENDATION:**

Discussion and possible action to adopt a Resolution authorizing the City Manager to execute a Dedication of Public Roadway document associated with the construction of Union Hills Drive, from 113<sup>th</sup> Avenue to the entrance of Paradise RV Resort (111<sup>th</sup> Avenue).

**SUMMARY:**

In June of 2008, the City of Peoria agreed to participate financially with the City of Surprise on a roadway project to widen Union Hills between 113<sup>th</sup> Avenue and the entrance of Paradise RV Resort (111<sup>th</sup> Avenue).

The City of Surprise has designed the road and is preparing to bid the project in accordance with an IGA with Maricopa County, who is also helping to fund the project. The City of Surprise will need the right of way located on Union Hills Drive south of the Beardsley Water Reclamation Facility to be dedicated as public right of way. They have forwarded the description and a sketch of the right of way needed with a request for the dedication of the right of way. This portion of the roadway will be maintained by the City of Surprise.

**ATTACHMENTS:**

1. Resolution
2. Dedication of Public Roadway

---

**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. # 09-111  
LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

RESOLUTION NO. 09-111

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AUTHORIZING THE DEDICATION OF PUBLIC ROADWAY ASSOCIATED WITH THE CONSTRUCTION OF UNION HILLS DRIVE WEST OF 111<sup>TH</sup> AVENUE.

WHEREAS, The City of Surprise has requested the dedication of this portion of Union Hills Drive so the roadway could be developed at the south end of the Beardsley Water Treatment Plant located at the southwest corner of Beardsley Road and 111<sup>th</sup> Avenue.

WHEREAS, Pursuant to Article I, Section III of the Peoria City Charter, the City Council may convey any right, title or interest in any real property in such terms as the City Council determines to be appropriate and necessary; and

WHEREAS, Pursuant to the Peoria City Charter and in accordance with the findings set forth above, the Mayor and Council of the City of Peoria consent to the granting of a roadway dedication to the public for the installation and maintenance of a public roadway, and authorize the City Manager to execute the documents; and

THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Peoria, Arizona authorize the granting of this land right to the public, and authorize the City Manager to execute the document.

Resolution No. 09-111  
Roadway Dedication  
September 15, 2009  
Page 2

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria  
this 15th day of September, 2009.

---

Bob Barrett, Mayor

ATTEST:

---

Mary Jo Kief, City Clerk

APPROVED AS TO FORM:

---

Stephen M. Kemp, City Attorney

ATTACHMENTS:

Dedication of Public Roadway

When Recorded/Executed Mail to:

City Clerk  
City of Peoria  
8401 West Monroe  
Peoria, Arizona 85345

---

### **DEDICATION OF PUBLIC ROADWAY**

City of Peoria, an Arizona municipal corporation, Grantor, for and in consideration of the sum of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, do hereby dedicate to the public, in Maricopa County, Arizona, the following described property:

See attached description, Exhibit "A"

for public roadway and utility purposes.

The Grantor hereby covenants that it is lawfully seized and possessed on this aforementioned tract or parcel of land; that it has a good and lawful right to dedicate it.

Dated this \_\_\_\_\_ day of September, 2009.

**GRANTOR:**                    **CITY OF PEORIA, an Arizona municipal corporation**

By: \_\_\_\_\_  
Carl Swenson  
City Manager

ATTEST:

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

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

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

**ACKNOWLEDGEMENT**

STATE OF ARIZONA        )  
  ) ss.  
County of Maricopa        )

On this date, before me, a Notary Public, personally appeared Carl Swenson known to me or satisfactorily proven to be the person whose name is subscribed to this instrument and acknowledged that he executed the same. If this person's name is subscribed in a representative capacity, it is for the principal named and in the capacity indicated.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_



# EXHIBIT A SKETCH

T4N-R1E

Maricopa County  
SCALE: 1"=250'

G.L.O. LOT  
4

PROPERTY LINE

OWNER: CITY OF PEORIA

APN: 200-35-825

PROPERTY LINE

111TH AVENUE

LINE TABLE		
LINE	LENGTH	BEARING
L1	1,325.92'	N89°56'57"E
L2	33.00'	N00°01'58"W
L3	1,325.85'	S89°56'57"W
L4	33.00'	S00°05'33"W

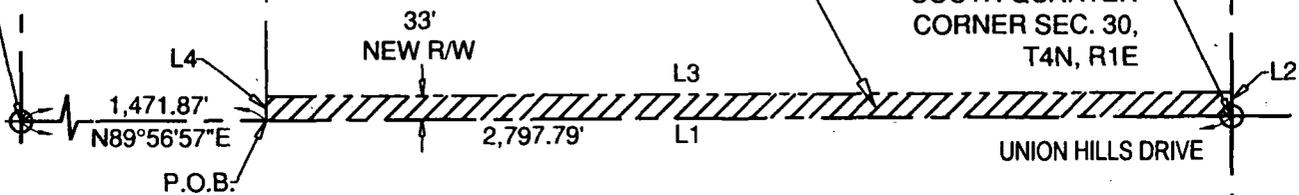
A PORTION OF THE SW4 OF  
SECTION 30, T4N, R1E, GILA  
& SALT RIVER MERIDIAN,  
MARICOPA COUNTY, ARIZONA

MID-SECTION LINE

FOUND BRASS CAP IN  
HANDHOLE  
SOUTHWEST CORNER  
SEC. 30, T4N, R1E

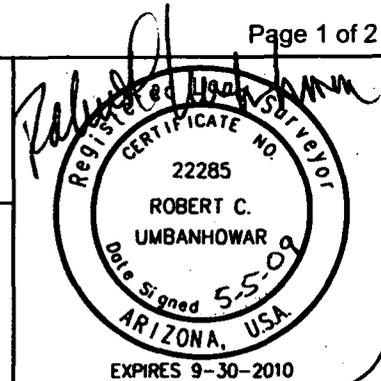
NEW RIGHT-OF-WAY AREA  
= 43,754 S.F.

FOUND CITY OF  
PEORIA BRASS  
CAP FLUSH  
SOUTH QUARTER  
CORNER SEC. 30,  
T4N, R1E



City of Peoria - Union Hills Drive  
Roadway Improvements  
115th Avenue to Paradise RV Park

Preparing Firm: **RITTOCH-POWELL & ASSOCIATES, INC.**  
3800 N. Central Ave., Suite 605  
Phoenix, AZ 85012  
Ph: 602-263-1177  
Fax: 602-277-6286





# EXHIBIT A

## LEGAL DESCRIPTION

APN: 200-35-825 NEW RIGHT OF WAY

### LEGAL DESCRIPTION FOR NEW RIGHT OF WAY

THE SOUTH 33 FEET OF THE EAST ONE HALF OF THE SOUTHWEST ONE QUARTER OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 1 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF SURPRISE BRASS CAP IN A HANDHOLE MARKING THE SOUTHWEST CORNER OF SAID SECTION 30, FROM WHICH A CITY OF PEORIA BRASS CAP FLUSH, MARKING THE QUARTER CORNER COMMON TO SECTIONS 30 AND 31, BEARS NORTH 89° 56' 57" EAST A DISTANCE OF 2,797.79 FEET;

THENCE ALONG THE SOUTH LINE OF SECTION 30, NORTH 89° 56' 57" EAST A DISTANCE OF 1,471.87 FEET TO A POINT DESCRIBED ON THE ALTA SURVEY ON FILE IN BOOK 367 PAGE 38, MCR, SAID POINT BEING THE SOUTHEAST CORNER OF G.L.O. LOT 4 AND THE **TRUE POINT OF BEGINNING** FOR THIS DESCRIPTION;

THENCE CONTINUING ALONG THE SOUTH LINE OF SECTION 30, NORTH 89° 56' 57" EAST A DISTANCE OF 1,325.92 FEET TO THE ONE QUARTER CORNER OF SECTIONS 30 AND 31;

THENCE NORTHERLY ALONG THE NORTH-SOUTH MID SECTION LINE OF SECTION 30, NORTH 00° 01' 58" WEST A DISTANCE OF 33.00 FEET;

THENCE WESTERLY ALONG A LINE PARALLEL WITH AND 33 FEET OFFSET FROM THE SOUTH LINE OF SECTION 30, SOUTH 89° 56' 57" WEST A DISTANCE OF 1,325.85 FEET;

THENCE SOUTHERLY ALONG THE LINE COMMON TO G.L.O. LOT 4 AND THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST ONE QUARTER OF SECTION 30, SOUTH 00° 05' 33" WEST A DISTANCE OF 33.00 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 43,754 SQUARE FEET OR 1.00 ACRES MORE OR LESS.

City of Peoria - Union Hills Drive  
Roadway Improvements  
115th Avenue to Paradise RV Park

Preparing Firm: **RITCOCH-POWELL & ASSOCIATES, INC.**  
3800 N. Central Ave., Suite 605  
Phoenix, AZ 85012  
Ph: 602-263-1177  
Fax: 602-277-6286

