

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

CC: 12C  
Amend No. \_\_\_\_\_

Date Prepared: October 20, 2009 Council Meeting Date: November 17, 2009

---

**TO:** Carl Swenson, City Manager

**THROUGH:** Susan J. Daluddung, Deputy City Manager 

**FROM:** Scott Whyte, Economic Development Services Director 

**THROUGH:** Rebecca Zook, P.E., Engineering Supervisor 

**PREPARED BY:** Della Ernest, Administrative Assistant II

**SUBJECT:** Adopt a Resolution accepting Deeds and Easements for various Real Property interests acquired by the City and previously recorded by the Maricopa County Recorder.

**RECOMMENDATION:**

Discussion and possible action to adopt a Resolution accepting Deeds and Easements for various Real Property interests acquired by the City and previously recorded.

**SUMMARY:**

The City of Peoria periodically acquires a number of property interests including deeds, roadway dedications and various types of easements. All documents are reviewed for accuracy and recorded. A Resolution to accept these documents 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.

Staff recommends the adoption of the attached Resolution.

**ATTACHMENT:**

1. Resolution

- 
- Consent Agenda  
 Carry Over to Date: \_\_\_\_\_  
 Approved  
 Unfinished Business (Date heard previous: \_\_\_\_\_)  
 New Business  
 Public Hearing: No Action Taken

ORD. # \_\_\_\_\_ RES. # 09-133  
LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

RESOLUTION NO. 09-133

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;

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

WHEREAS, the City has determined that acquisition of these property interests is in the interest of the public health, safety and welfare.

NOW THEREFORE, be it 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.

Olive Avenue & Loop 101 Traffic Interchange  
Jade II Enterprises, LLC  
SPECIAL WARRANTY DEED  
*Major Arterial*  
Maricopa County Recording No. 2009-0877083  
(Project No. P0607 / EN00219)

SWC 91st Avenue &  
Olive Avenue

McDarby Minor Land  
David McDarby, Frida McDarby Trust  
NON VEHICULAR ACCESS EASEMENT (NVAE)  
Maricopa County Recording No. 2009-0904194  
(Project No. ML09-02 / DEED 09-025)

69<sup>th</sup> Avenue &  
Mariposa Grande

McDarby Minor Land  
David McDarby, Frida McDarby Trust  
STORMWATER/SURFACE CROSS DRAINAGE EASEMENT  
Maricopa County Recording No. 2009-0904201  
(Project No. ML09-02 / DEED 09-027)

69<sup>th</sup> Avenue &  
Mariposa Grande

Resolution No. 09-133  
Acceptance of Deeds and Easements  
November 17, 2009  
Page: 2

McDarby Minor Land  
David McDarby, Frida McDarby Trust  
DEDICATION OF PUBLIC ROADWAY  
Maricopa County Recording No. 2009-0904463  
(Project No. ML09-02 / DEED 09-028)

69<sup>th</sup> Avenue &  
Mariposa Grande

McDarby Minor Land  
David McDarby, Frida McDarby Trust  
PUBLIC UTILITY EASEMENT  
Maricopa County Recording No. 2009-0904465  
(Project No. ML09-02 / DEED 09-026)

69<sup>th</sup> Avenue &  
Mariposa Grande

Tessera Solar  
Salt River Project  
ROADWAY EASEMENT  
*Major Arterial*  
Maricopa County Recording No. 2009-0956158  
(Project No. R090037 / DEED 09-030)

East of 75<sup>th</sup> Avenue &  
North of Northern Avenue

Update to Existing ROW License (LCON07289A)  
Salt River Project  
RIGHT OF WAY LICENSE  
*Major Arterial*  
Maricopa County Recording No. 2009-057946

Westside of 83<sup>rd</sup> Avenue,  
Thunderbird to Sweetwater

Ryan's Touchdown  
Monte Lee & Candace Ryan  
PUBLIC UTILITY EASEMENT  
Maricopa County Recording No. 2009-0928406  
(Project No. R090048 / DEED 09-029)  
(EASEMENT RECORDED BY GRANTOR)

8443 W. Washington

## SECTION 2. Public Easement and Land Rights

That 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.

Resolution No. 09-133  
Acceptance of Deeds and Easements  
November 17, 2009  
Page: 3

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria,  
Arizona, this 17<sup>th</sup> of November 2009.

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

ATTEST:

\_\_\_\_\_  
Mary Jo Waddell, City Clerk

APPROVED AS TO FORM:

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