

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATIONS**

CC: _____
Amend No. _____

Date Prepared: May 27, 2010

Council Meeting Date: July 6, 2010

TO: Carl Swenson, City Manager
THROUGH: Susan J. Daluddung, Deputy City Manager
FROM: Andrew Granger, P.E., Engineering Director
SUBJECT: Dedications of Public Roadway from City Owned Parcels for Two Capital Improvement Projects

RECOMMENDATION:

Discussion and possible action to adopt a Resolution authorizing the City Manager to execute three (3) Dedications of Public Roadway for the street improvements associated with two Capital Improvement Projects located at 83rd Avenue from Williams Road to Calle Lejos and 83rd Avenue from Butler Drive to Hatcher Road.

SUMMARY:

Street and drainage improvements for two capital improvement projects require the dedication of land rights to the public. City staff recommends the dedications of public roadway from City owned property along 83rd Avenue between Williams Road and Calle Lejos and from City owned property at the northeast corner of 83rd Avenue and Butler Drive.

These dedications will allow for the current and future expansion of City roadways and utilities in the immediate area.

FISCAL NOTE: (if applicable)

There is no fiscal impact to the City associated with the granting of these Dedications of Public Roadway.

ATTACHMENTS: (if applicable)

1. Vicinity Map
2. Location Maps
3. Resolution

CONTACT: Kristine Luna, SR/WA, Sr. Real Property Administrator, (623) 773-7199

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. #** _____
LCON# _____ **LIC. #** _____
Action Date: _____



NOT TO SCALE

- DOVE VALLEY RD
- LONE MOUNTAIN RD
- MONTGOMERY RD
- DIXILETA DR
- PEAK VIEW RD
- DYNAMITE BL
- PINNACLE VISTA DR
- JOMAX RD
- YEARLING RD
- HAPPY VALLEY RD
- CALLE LEJOS
- PINNACLE PEAK RD
- WILLIAMS RD
- DEER VALLEY RD
- ROSE GARDEN LN
- BEARDSLEY RD
- UTOPIA RD
- UNION HILLS DR
- GROVERS AVE
- BELL RD
- PARADISE LN
- GREENWAY RD
- ACOMA DR
- THUNDERBIRD RD
- SWEETWATER AVE
- CACTUS RD
- CHOLLA ST
- PEORIA AVE
- MOUNTAIN VIEW RD
- OLIVE AVE
- BUTLER DR
- NORTHERN AVE

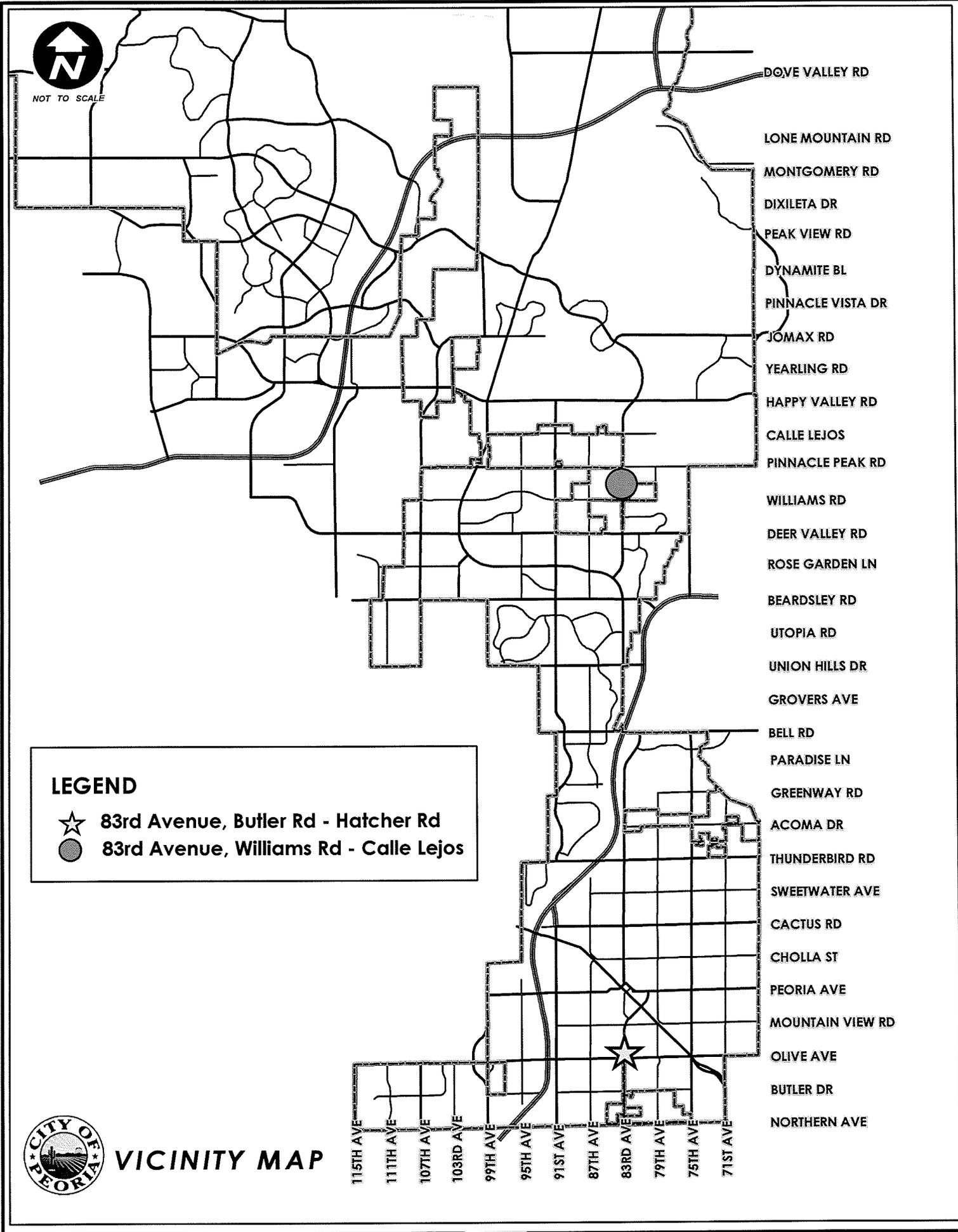
LEGEND

- ☆ 83rd Avenue, Butler Rd - Hatcher Rd
- 83rd Avenue, Williams Rd - Calle Lejos



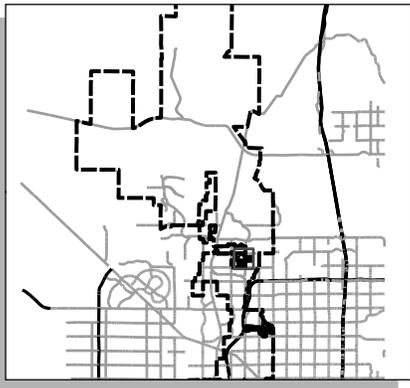
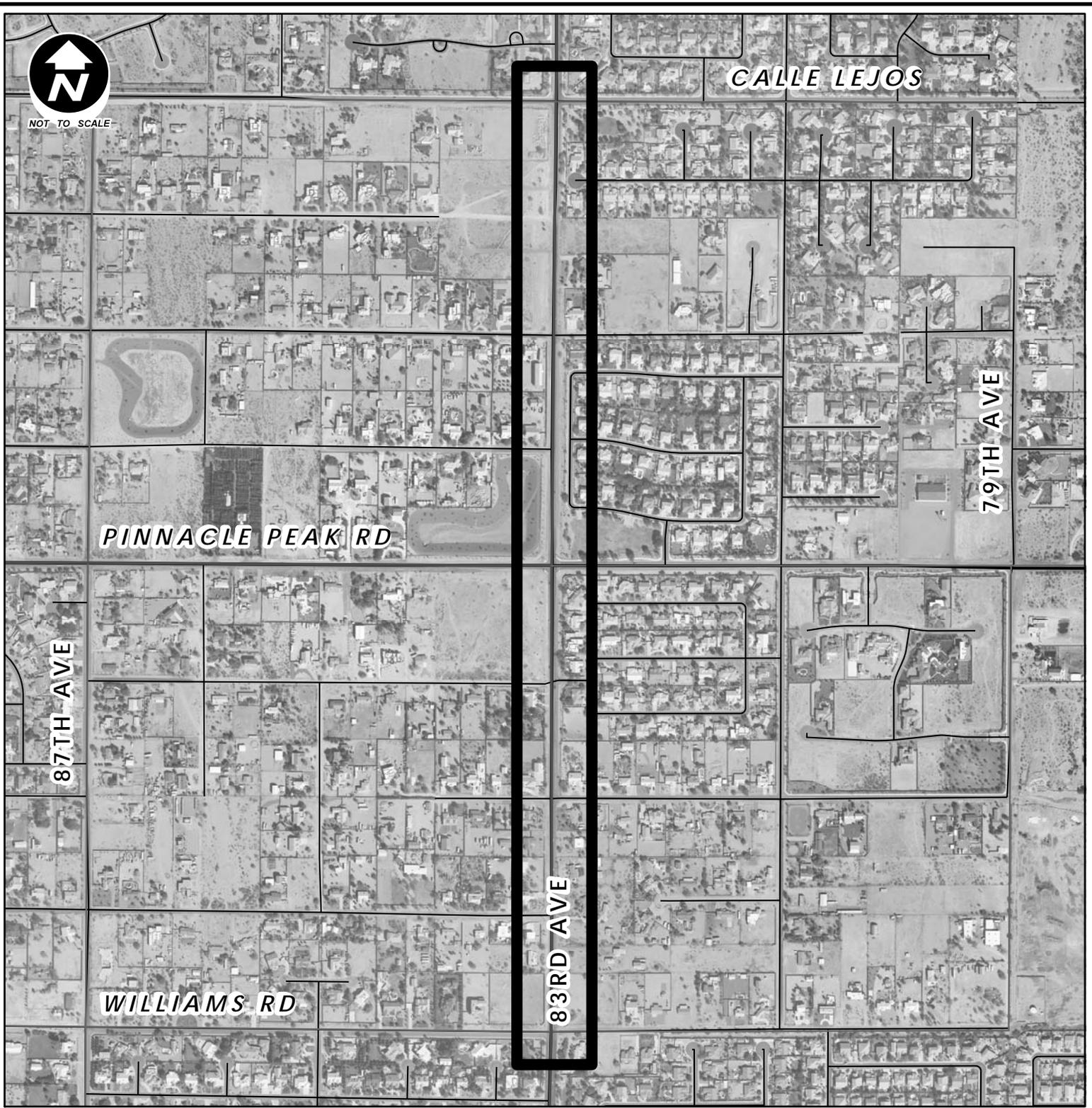
VICINITY MAP

- 115TH AVE
- 111TH AVE
- 107TH AVE
- 103RD AVE
- 99TH AVE
- 95TH AVE
- 91ST AVE
- 87TH AVE
- 83RD AVE
- 79TH AVE
- 75TH AVE
- 71ST AVE





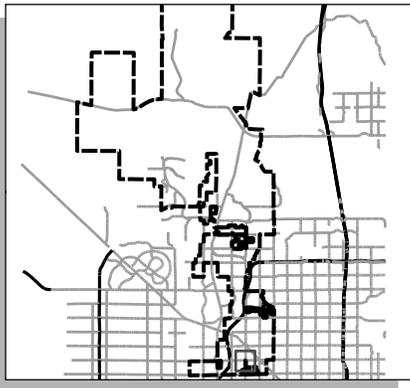
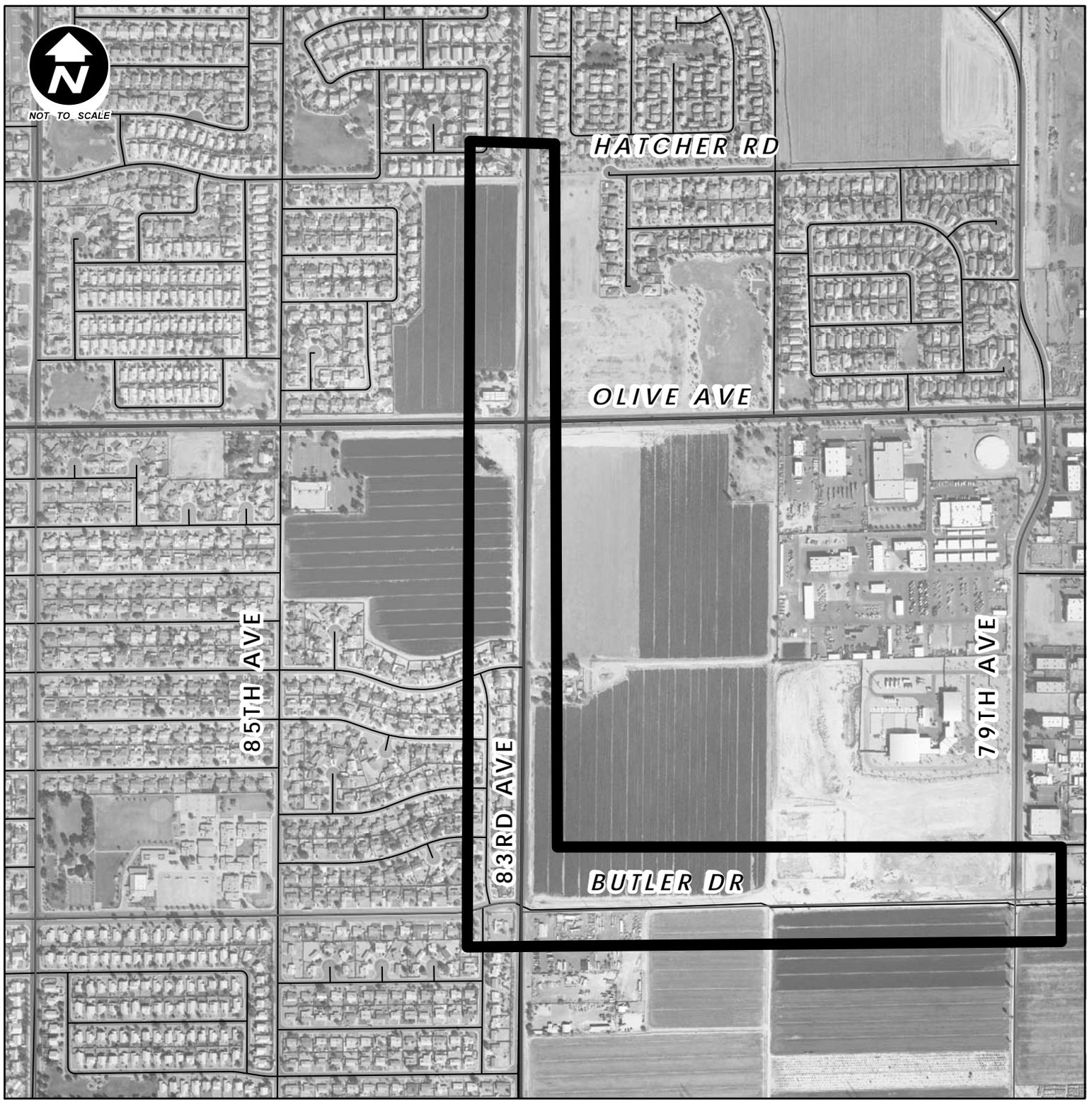
NOT TO SCALE



City of Peoria Roadway Dedication Location Map



NOT TO SCALE



City of Peoria Roadway Dedication Location Map

RESOLUTION NO. 2010-58

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AUTHORIZING THE GRANTING OF DEDICATIONS OF PUBLIC ROADWAY ASSOCIATED WITH TWO CAPITAL IMPROVEMENT PROJECTS LOCATED ON 83RD AVENUE BETWEEN WILLIAMS ROAD TO CALLE LEJOS AND 83RD AVENUE BETWEEN BUTLER DRIVE TO HATCHER ROAD.

WHEREAS, The City of Peoria is constructing improvements on 83rd Avenue between Williams Road to Calle Lejos and 83rd Avenue between Butler Drive to Hatcher Road which require the dedication of land rights for public roadways;

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 these dedications of public roadway for the construction improvements associated with 83rd Avenue between Williams Road to Calle Lejos and 83rd Avenue between Butler Drive to Hatcher Road, 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 these land rights to the public, and authorize the City Manager to execute the documents.

Resolution No. 2010-58
Dedications of Public Roadway
July 6, 2010
Page 2

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria,
Arizona this 6th day of July, 2010.

Bob Barrett, Mayor

ATTEST:

Mary Jo Waddell, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

ATTACHMENTS:

1. Dedication of Public Roadway (3)

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 July, 2010.

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

By: _____
Carl Swenson
City Manager

ATTEST:

Mary Jo Waddell, City Clerk

APPROVED AS TO FORM:

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

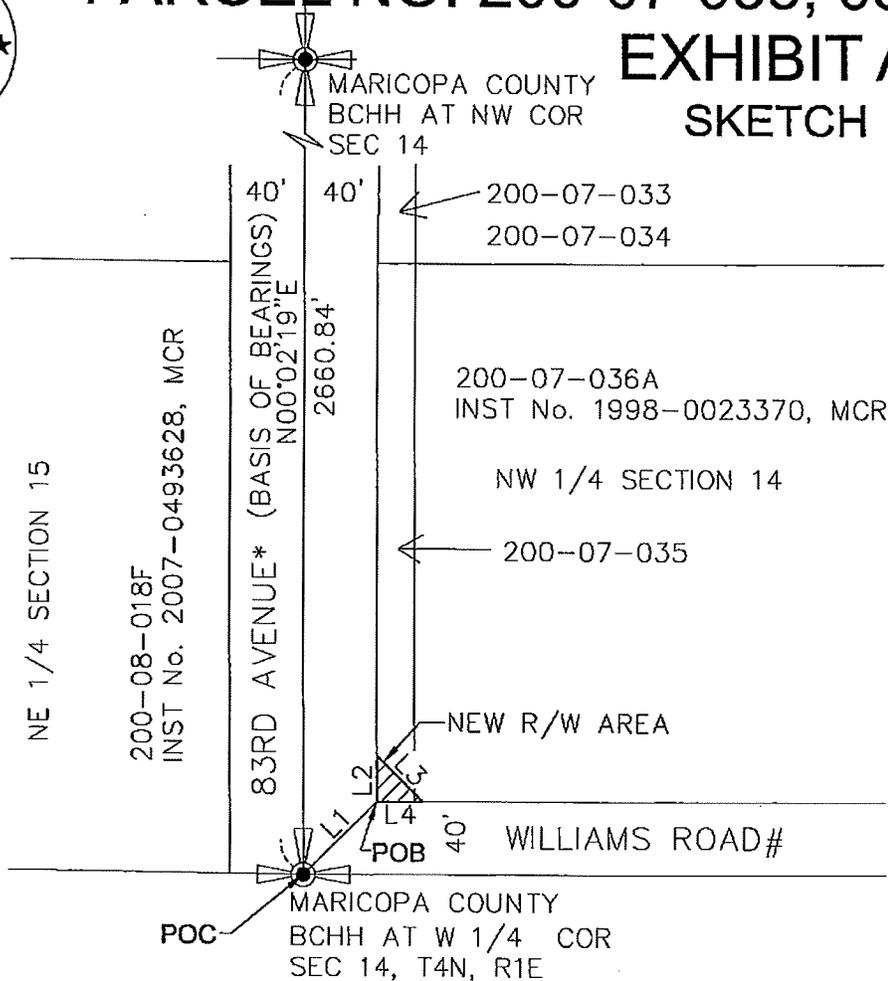
My Commission Expires:



PARCEL NO. 200-07-035, 036A

EXHIBIT A

SKETCH



SCALE:
1"=100'
NW 1/4
SEC 14
T 4 N
R 1 E

*DOCKET 4879,
PAGE 41, MCR

#INST No. 2006-
0898127, MCR

*,# = RIGHT-OF-WAY
REFERENCES

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N44°56'45"E	56.66'
L2	N00°02'19"E	25.00'
L3	S45°03'15"E	35.30'
L4	S89°51'10"W	25.00'

NEW R/W AREA
= 312.50 S.F.

**City of Peoria - 83rd Avenue
Widening**

Date: 2/9/2009 Williams Road to Calle Lejos

Preparing Firm: Ritoch-Powell & Associates, Inc.
3800 N. Central Ave., Suite 605
Phoenix, AZ 85012
Ph: 602-263-1177
Fax: 602-277-6286



EXP. 6/30/11



PARCEL NO. 200-07-035, 036A

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land being a portion of that tract as conveyed by deed of record in Instrument Number 1998-0023370 Maricopa County Records and located in the Northwest Quarter of Section 14, Township 4 North, Range 1 East of the Gila & Salt River Meridian, City of Peoria, Maricopa County, Arizona, more particularly described as follows:

Commencing at the west quarter corner of said Section 14 (Maricopa County brass cap in hand hole) from which point the northwest corner thereof (Maricopa County brass cap in hand hole) bears N 00°02'19" E a distance of 2660.84 feet;

Thence N 44°56'45" E, across the right-of-way of 83rd Avenue, a distance of 56.66 feet to a point being the intersection of the east right-of-way line thereof with the north right-of-way line of Williams Road, the POINT OF BEGINNING;

Thence N 00°02'19" E, along said east right-of-way line, a distance of 25.00 feet;

Thence S 45°03'15" E, across said tract, a distance of 35.30 feet to a point on said north right-of-way line;

Thence S 89°51'10" W, along said right-of-way line, a distance of 25.00 feet to the POINT OF BEGINNING.

The above described parcel contains 0.0072 acre of land (312.50 s.f.), more or less, including any easements of record.

The basis of bearing for the above description is N 00°02'19" E for the west line of the Northwest Quarter of Section 14, Township 4 North, Range 1 East of the Gila & Salt River Meridian, City of Peoria, Maricopa County, Arizona as shown on a Record of Survey of PLSS Subdivision, Maricopa County Geodetic Densification and Cadastral Survey (GDACS) of Sections 1-25 & 34-36 of Township 4 North, Range 1 East of the Gila & Salt River Meridian, recorded in Book 775, Page 37, Maricopa County Records.

Page 2 of 2

Maricopa Department of Transportation-
83rd Avenue Widening
Date: 2/9/2009 Williams Road to Calle Lejos

Preparing Firm: Ritoch-Powell & Associates, Inc.
3800 N. Central Ave., Suite 605
Phoenix, AZ 85012
Ph: 602-263-1177
Fax: 602-277-6286



EXP. 6/30/11

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 descriptions, 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 July, 2010.

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

By: _____
Carl Swenson
City Manager

ATTEST:

Mary Jo Waddell, City Clerk

APPROVED AS TO FORM:

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:

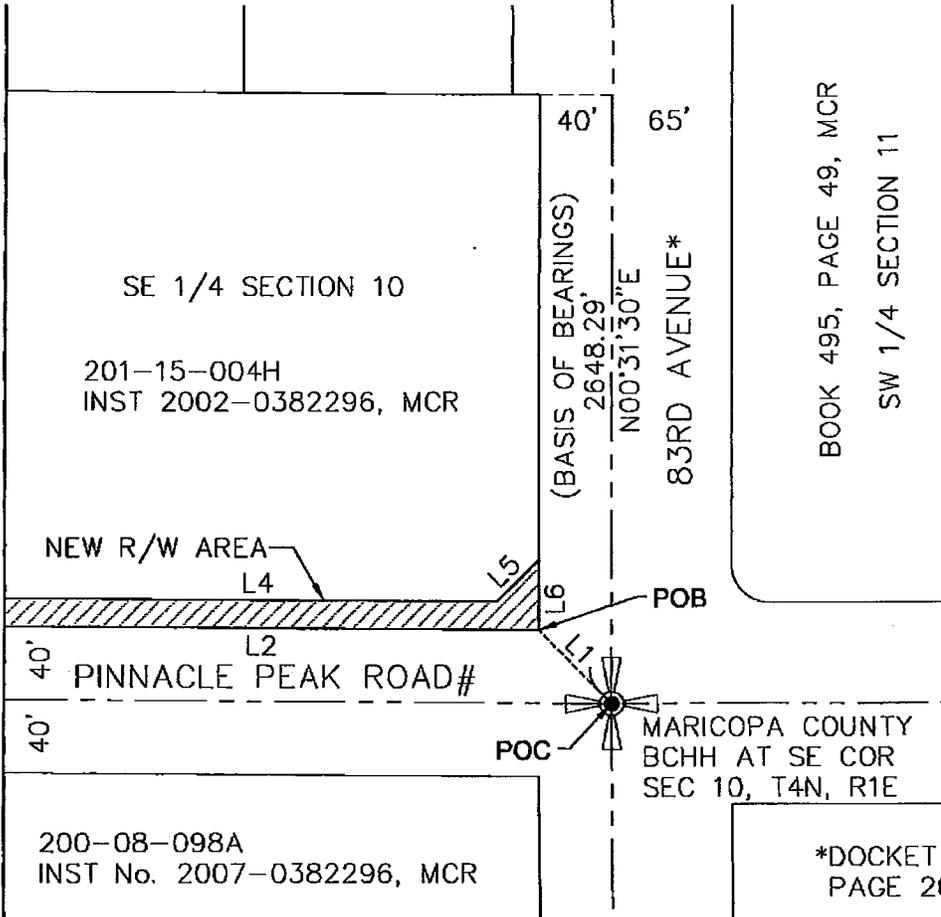


PARCEL NO. 201-15-004H

MARICOPA COUNTY
BCHH AT E 1/4 COR
SEC 10

EXHIBIT A SKETCH

MATCH LINE SEE PAGE 2



BOOK 495, PAGE 49, MCR
SW 1/4 SECTION 11

SCALE:
1"=100'
SE 1/4
SEC 10
T 4 N
R 1 E

200-08-098A
INST No. 2007-0382296, MCR

*DOCKET 4925,
PAGE 202, MCR

#DOCKET 11775,
PAGE 734, MCR

*,#=RIGHT-OF-WAY REFERENCES

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N44°33'15"W	56.49'
L2	N89°38'00"W	622.85'
L3	N00°33'53"E	15.20'
L4	S89°38'00"E	599.79'
L5	N45°26'45"E	32.64'
L6	S00°31'30"W	38.25'

**NEW R/W AREA
= 9,732.82 S.F.**

Parcel 1

Page 1 of 4

**City of Peoria - 83rd Avenue
Widening
Date: 4/31/09 Williams Road to Calle Lejos**

**Preparing Firm: Ritoch-Powell & Associates, Inc.
3800 N. Central Ave., Suite 605
Phoenix, AZ 85012
Ph: 602-263-1177
Fax: 602-277-6286**



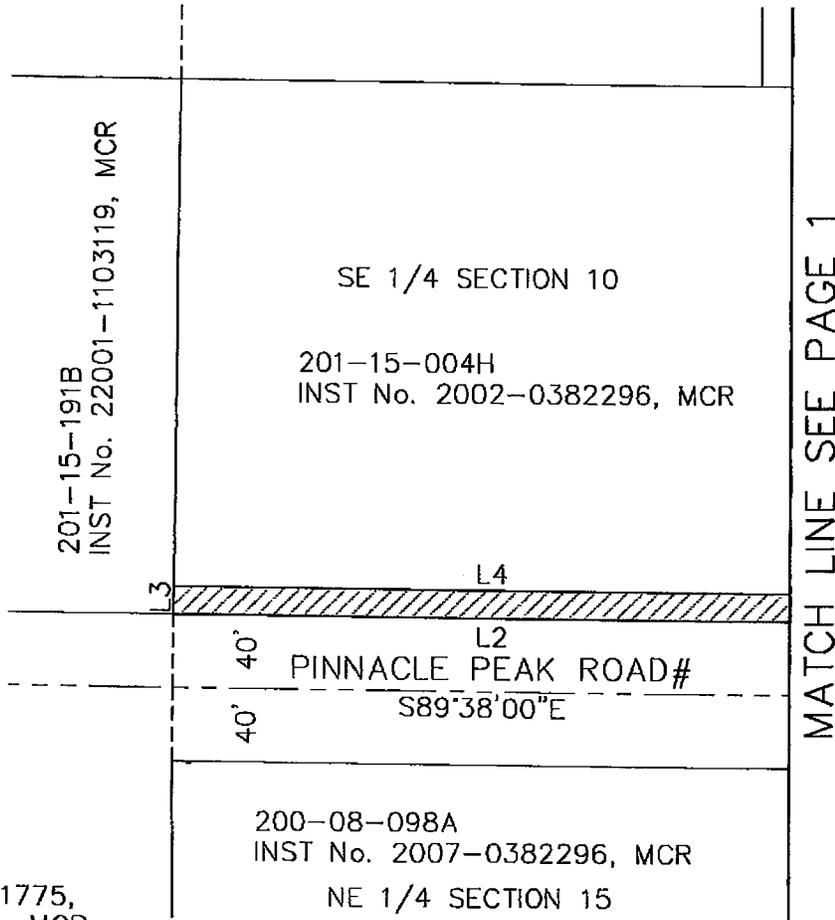
EXP. 6/30/11



PARCEL NO. 201-15-004H

EXHIBIT A

SKETCH



SCALE:
1"=100'
SE 1/4
SEC 10
T 4 N
R 1 E

#DOCKET 11775,
PAGE 734, MCR

#RIGHT-OF-WAY REFERENCE

See Page 1 for
LINE TABLE

City of Peoria - 83rd Avenue

Widening

Williams Road to Calle Lejos

Date: 4/21/09

Preparing Firm: **Ritoch-Powell & Associates, Inc.**

3800 N. Central Ave., Suite 605

Phoenix, AZ 85012

Ph: 602-263-1177

Fax: 602-277-6286



EXP. 6/30/11



PARCEL NO. 201-15-004H

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land being a portion of that tract as conveyed by deed of record in Instrument Number 2002-0382296 Maricopa County Records and located in the Southeast Quarter of Section 10, Township 4 North, Range 1 East of the Gila & Salt River Meridian, City of Peoria, Maricopa County, Arizona, more particularly described as follows:

Commencing at the southeast corner of said Section 10 (Maricopa County brass cap in hand hole) from which point the east quarter corner thereof (Maricopa County brass cap in hand hole) bears N 00°31'30" E a distance of 2648.29 feet;

Thence N 44°33'15" W, across the right-of-way of said 83rd Avenue, a distance of 56.49 feet to the intersection of the right-of-way line thereof with the north right-of-way line of Pinnacle Peak Road, the POINT OF BEGINNING;

Thence N 89°38'00" W, along said north right-of-way line, a distance of 622.85 feet to the southwest corner of said tract;

Thence N 00°33'53" E, along said west line, a distance of 15.20 feet;

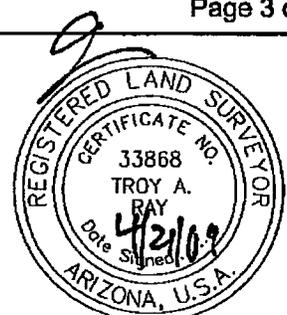
CONTINUED ON PAGE 4

Page 3 of 4

**City of Peoria - 83rd Avenue
Widening
Williams Road to Calle Lejos**

Date: 4/21/09

Preparing Firm: Ritoch-Powell & Associates, Inc.
3800 N. Central Ave., Suite 605
Phoenix, AZ 85012
Ph: 602-263-1177
Fax: 602-277-6286



EXP. 6/30/11



PARCEL NO. 201-15-004H
EXHIBIT A
LEGAL DESCRIPTION

CONTINUED FROM PAGE 3

Thence S 89°38'00" E, across said tract along a line 15.20 feet north of and parallel to said north right-of-way line, a distance of 599.79 feet;

Thence N 45°26'45" E, continuing across said tract, a distance of 32.64 feet to a point on said west right-of-way line;

Thence S 00°31'30" W, along said right-of-way line, a distance of 38.25 feet to the POINT OF BEGINNING.

The above described parcel contains 0.2234 acre of land (9732.82 s.f.), more or less, including any easements of record.

The basis of bearing for the above description is N 00°31'30" E for the east line of the Southeast Quarter of Section 10, Township 4 North, Range 1 East of the Gila & Salt River Meridian, City of Peoria, Maricopa County, Arizona as shown on a Record of Survey of PLSS Subdivision, Maricopa County Geodetic Densification and Cadastral Survey of Sections 1-25 & 34-36 of Township 4 North, Range 1 East of the Gila & Salt River Meridian, recorded in Book 775, Page 37, Maricopa County Records.

Page 4 of 4

City of Peoria - 83rd Avenue
Widening
Date: 4/21/09 **Williams Road to Calle Lejos**

Preparing Firm: Ritoch-Powell & Associates, Inc.
3800 N. Central Ave., Suite 605
Phoenix, AZ 85012
Ph: 602-263-1177
Fax: 602-277-6286



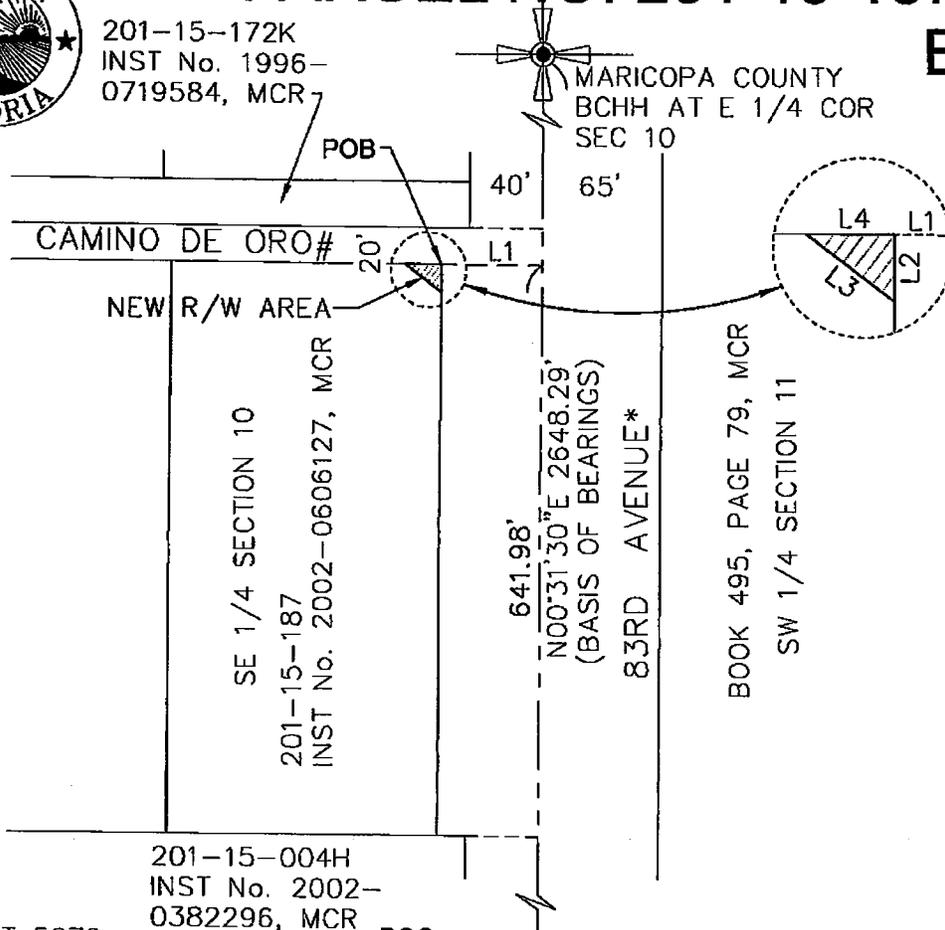
EXP. 6/30/11



PARCEL NO. 201-15-187

201-15-172K
INST No. 1996-
0719584, MCR

EXHIBIT A SKETCH



SCALE:
1"=100'
SE 1/4
SEC 10
T 4 N
R 1 E

*DOCKET 5279,
PAGE 138, MCR

#INST No. 1997-
0268840, MCR

*,#=RIGHT-OF-WAY
REFERENCES

**NEW R/W AREA
= 152.09 S.F.**

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N89°28'30"W	55.00'
L2	S00°31'30"W	15.10'
L3	N52°40'27"W	25.15'
L4	S89°34'22"E	20.14'

Parcel 2

**City of Peoria - 83rd Avenue
Widening**
Date: 3/18/09 **Williams Road to Calle Lejos**

Preparing Firm: **Ritoch-Powell & Associates, Inc.**
3800 N. Central Ave., Suite 605
Phoenix, AZ 85012
Ph: 602-263-1177
Fax: 602-277-6286



EXP. 6/30/11



PARCEL NO. 201-15-187

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land being a portion of that tract as conveyed by deed of record in Instrument Number 2002-0606127 Maricopa County Records and located in the Southeast Quarter of Section 10, Township 4 North, Range 1 East of the Gila & Salt River Meridian, City of Peoria, Maricopa County, Arizona, more particularly described as follows:

Commencing at the southeast corner of said Section 10 (Maricopa County brass cap in hand hole) for which point the east quarter corner thereof (Maricopa County brass cap in hand hole) bears N 00°31'30" E a distance of 2648.29 feet;

Thence N 00°31'30" E, along the east line of said Southeast Quarter, a distance of 641.98 feet;

Thence N 89°28'30" W, across the right-of-way of said 83rd Avenue, a distance of 55.00 feet to the intersection of the west right-of-way line thereof with the south right-of-way line of Camino de Oro, the POINT OF BEGINNING;

Thence S 00°31'30" W, along said west right-of-way line, a distance of 15.10 feet;

Thence N 52°40'27" W, across said tract, a distance of 25.15 feet to a point on said south right-of-way line;

Thence S 89°34'22" E, along said south right-of-way line, a distance of 20.14 feet to the POINT OF BEGINNING.

The above described parcel contains 0.0035 acre of land (152.09 s.f.), more or less, including any easements of record.

The basis of bearing for the above description is N 00°31'30" E for the east line of the Southeast Quarter of Section 10, Township 4 North, Range 1 East of the Gila & Salt River Meridian, City of Peoria, Maricopa County, Arizona as shown on a Record of Survey of PLSS Subdivision, Maricopa County Geodetic Densification and Cadastral Survey of Sections 1-25 & 34-36 of Township 4 North, Range 1 East of the Gila & Salt River Meridian, recorded in Book 775, Page 37, Maricopa County Records.

Page 2 of 2

**City of Peoria - 83rd Avenue
Widening**

Date: 3/18/09 Williams Road to Calle Lejos

Preparing Firm: Ritoch-Powell & Associates, Inc.
3800 N. Central Ave., Suite 605
Phoenix, AZ 85012
Ph: 602-263-1177
Fax: 602-277-6286



EXP. 6/30/11

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 July, 2010.

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

By: _____
Carl Swenson
City Manager

ATTEST:

Mary Jo Waddell, City Clerk

APPROVED AS TO FORM:

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

LEGAL DESCRIPTION

PARCEL 1:

A PORTION OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM AN IRON PIPE AT THE CENTER OF SAID SECTION 35, FROM WHICH A MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION BRASS CAP IN HAND HOLE AT THE NORTH QUARTER CORNER OF SAID SECTION 35 BEARS N00°25'20"E AT A DISTANCE OF 2635.27 FEET;

THENCE N00°25'20"E (AN ASSUMED BEARING), ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 35, FOR A DISTANCE OF 40.02 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 40 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 35;

THENCE S88°33'35"W, ALONG SAID NORTH LINE, FOR A DISTANCE OF 40.02 FEET TO A POINT ON THE WEST LINE OF THE EAST 40 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 35, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING S88°33'35"W, ALONG SAID NORTH LINE, FOR A DISTANCE OF 1,289.74 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 35;

THENCE S00°29'02"W, ALONG SAID WEST LINE, FOR A DISTANCE OF 7.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 33 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 35;

THENCE S88°33'35"W, ALONG SAID NORTH LINE, FOR A DISTANCE OF 984.41 FEET; THENCE N00°32'43"E FOR A DISTANCE OF 27.02 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 60 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 35;

THENCE S88°33'35"W, ALONG SAID NORTH LINE FOR A DISTANCE OF 290.33 FEET TO A POINT ON THE EAST LINE OF THE WEST 55 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 35;

THENCE N00°32'43"E, ALONG SAID EAST LINE FOR A DISTANCE OF 70.04 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 130 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 35;

Title: New Right-of-Way along 83rd Avenue & Butler Drive

Preparing Firm: EPS Group, Inc.

Address: 2045 S. Vineyard Ave., Suite 101, Mesa, AZ 85210

Phone: 480.503.2250

Fax: 480.503.2258





EXHIBIT A

LEGAL DESCRIPTION

THENCE N88°33'35"E, ALONG SAID NORTH LINE, FOR A DISTANCE OF 10.01 FEET TO A POINT ON THE EAST LINE OF THE WEST 65 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 35;

THENCE S45°26'51"E FOR A DISTANCE OF 41.71 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 100 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 35;

THENCE N88°33'35"E, ALONG SAID NORTH LINE, FOR A DISTANCE OF 136.33 FEET;

THENCE S85°31'12"E FOR A DISTANCE OF 436.28 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 55 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 35;

THENCE N88°33'35"E, ALONG SAID NORTH LINE, FOR A DISTANCE OF 1,922.56 FEET;

THENCE N44°29'28"E FOR A DISTANCE OF 43.14 FEET TO A POINT ON THE WEST LINE OF THE EAST 40 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 35;

THENCE S00°25'20"W, ALONG SAID WEST LINE, FOR A DISTANCE OF 45.03 FEET TO THE POINT OF BEGINNING.

AN AREA CONTAINING 58,486 SQUARE FEET OR 1.3427 ACRES, MORE OR LESS.

PARCEL 2:

THAT PORTION OF THE PARCEL DESCRIBED IN SPECIAL WARRANTY DEED, RECORDED IN DOCUMENT NUMBER 2003-1754483, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, WHICH LIES WITHIN THE FOLLOWING DESCRIBED PARCEL:

THE EAST 10 FEET OF THE WEST 65 FEET OF THE NORTHWEST QUARTER SAID SECTION 35, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, EXCEPT THE SOUTH 130 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 35.

AN AREA CONTAINING 15,739 SQUARE FEET OR 0.3614 ACRES, MORE OR LESS.

Page 2 of 3

Title: New Right-of-Way along 83rd Avenue & Butler Drive

Preparing Firm: EPS Group, Inc.

Address: 2045 S. Vineyard Ave., Suite 101, Mesa, AZ 85210

Phone: 480.503.2250

Fax: 480.503.2258

