

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATIONS**

**CC:** \_\_\_\_\_  
**Amend No.** \_\_\_\_\_

**Date Prepared:** November 23, 2010    **Council Meeting Date:** January 4, 2011

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**TO:** Carl Swenson, City Manager  
**THROUGH:** Susan J. Daluddung, Deputy City Manager  
**FROM:** Andrew Granger, P. E., Engineering Director  
**SUBJECT:** Public Utility Easement, Cotton Crossing Road Improvements, Monroe Street and Grand Avenue Frontage Road (EN00069)

**RECOMMENDATION:**

Discussion and possible action to adopt a Resolution authorizing the City Manager to execute a Public Utility Easement associated with the Cotton Crossing Road Improvements at Monroe Street and Grand Avenue Frontage Road, and authorize the City Clerk to record the easement.

**SUMMARY:**

During the construction of Phase 2 of the Cotton Crossing Road Improvements it was determined that an additional public utility easement was needed at the northwest corner of Monroe Street and the Grand Avenue Frontage Road. In an effort to minimize delays to the project the City allowed the relocation of existing facilities prior to granting the easement.

City staff recommends the dedication of an eight foot wide public utility easement from the two City owned parcels at the northwest corner of Monroe Street and the Grand Avenue Frontage Road to the public. This dedication 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 this easement.

**ATTACHMENT:** (if applicable)

1. Vicinity Map
2. Resolution

**CONTACT:** Kris Luna, Sr Real Property Administrator, (623) 773-7199

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**CITY CLERK USE ONLY:**

- Consent Agenda
- Carry Over to Date: \_\_\_\_\_
- Approved
- Unfinished Business (Date heard previous: \_\_\_\_\_)
- New Business

**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**



Monroe Street and  
Grand Avenue Frontage Rd

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



**VICINITY MAP**

RESOLUTION NO. 2011-02

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AUTHORIZING THE GRANTING OF A PUBLIC UTILITY EASEMENT ASSOCIATED WITH THE COTTON CROSSING ROAD IMPROVEMENTS.

WHEREAS, the City of Peoria has constructed the Cotton Crossing Road Improvements at Monroe Street and the Grand Avenue Frontage Road which require the granting of land rights to the public.

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 Public Utility Easement to the Public, and authorize the City Manager to execute the document; and

THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Peoria, Arizona authorize the granting of the attached Public Utility Easement to the public, and authorize the City Manager to execute the easement.

Resolution No. 2011-02  
Public Utility Easement  
January 4, 2011  
Page 2 of 2

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria,  
Arizona this 4<sup>th</sup> day of January, 2011.

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Bob Barrett, Mayor

ATTEST:

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Wanda Nelson, City Clerk

APPROVED AS TO FORM:

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Stephen M. Kemp, City Attorney

Attachment(s):

1. Public Utility Easement

When Recorded/Executed Mail to:

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

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### **PUBLIC UTILITY EASEMENT**

The City of Peoria, an Arizona municipal corporation, in Maricopa County, Arizona, Grantor, for and in consideration of the sum of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to the public, in Maricopa County, Arizona, a permanent and perpetual easement for the following purposes, namely: The right to enter upon for construction, maintenance, operation and replacement of all public utilities over, under, and across the following described property situated in the County of Maricopa, State of Arizona, described as follows:

See Attached Description, Exhibit "A"

And 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 sell and convey it; and that they will warrant the title and quiet possession thereto against the lawful claim of all persons.

The said easement to include the right to cut back and trim such portion of the branches and tops of the trees now growing or that may hereafter grow upon the above described premises, as may extend over said easement, so as to prevent the same from interfering with the efficient maintenance and operation of said public utilities and storm drain.

In the event the right, privilege and easement herein granted shall be abandoned and permanently cease to be used for the purposes herein granted all rights herein granted shall cease and revert to the grantors, their heirs or assigns.



# EXHIBIT A

A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DOCUMENT NUMBER 2005-0418609, RECORDS OF MARICOPA COUNTY, BEING A PORTION OF LOTS 14 AND 15, BLOCK 31 OF "THE TOWNSITE OF PEORIA", A SUBDIVISION PLAT RECORDED IN BOOK 3, PAGE 62, RECORDS OF MARICOPA COUNTY, LOCATED IN SECTION 26, TOWNSHIP 3 NORTH RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHWEST CORNER OF SAID LOT 14, THENCE NORTH 01 DEGREES 12 MINUTES 21 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 14, A DISTANCE OF 7.99 FEET TO A POINT ON A LINE PARALLEL WITH AND 8.00 FEET WEST OF THE WESTERNMOST LINE DESCRIBED IN THE DEDICATION OF A PUBLIC ROADWAY RECORDED IN DOCUMENT NUMBER 2007-1149671, RECORDS OF MARICOPA COUNTY, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, THE CENTER OF WHICH BEARS NORTH 19 DEGREES 39 MINUTES 02 SECONDS WEST, A DISTANCE OF 47.29 FEET;

THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 21 DEGREES 55 MINUTES 39 SECONDS, A DISTANCE OF 18.10 FEET;

THENCE NORTH 48 DEGREES 25 MINUTES 19 SECONDS EAST, CONTINUING ALONG SAID PARALLEL LINE, A DISTANCE OF 45.05 FEET TO A POINT ON THE EAST LINE OF SAID LOT 14;

THENCE NORTH 48 DEGREES 25 MINUTES 19 SECONDS EAST, CONTINUING ALONG SAID PARALLEL LINE, A DISTANCE OF 18.08 FEET TO A POINT ON A CURVE, CONCAVE TO THE NORTHWEST, THE CENTER OF WHICH BEARS NORTH 41 DEGREES 34 MINUTES 21 SECONDS WEST, A DISTANCE OF 72.29 FEET;

THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, CONTINUING ALONG SAID PARALLEL LINE, THROUGH A CENTRAL ANGLE OF 49 DEGREES 34 MINUTES 27 SECONDS, A DISTANCE OF 62.55 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 15;



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[www.sunrise-eng.com](http://www.sunrise-eng.com)

SECTION: 26

TOWNSHIP & RANGE: 3N 1E

QWEST JOB NO.: 0213JB6

DRAWN BY: TE CHECKED BY: TE

SHEET 01 OF 05

DATE: 11/02/10

FIELD: MH/BT



# EXHIBIT A

THENCE NORTH 88 DEGREES 48 MINUTES 52 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 8.00 FEET A POINT ON THE WESTERNMOST LINE OF SAID ROADWAY DEDICATION, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE TO THE WEST, THE CENTER OF WHICH BEARS SOUTH 88 DEGREES 50 MINUTES 58 SECONDS WEST, A DISTANCE OF 80.29 FEET;

THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE AND CONTINUING ALONG THE SAID WESTERNMOST LINE, THROUGH A CENTRAL ANGLE OF 49 DEGREES 34 MINUTES 21 SECONDS, A DISTANCE OF 69.47 FEET;

THENCE SOUTH 48 DEGREES 25 MINUTES 19 SECONDS WEST, CONTINUING ALONG SAID WESTERNMOST LINE, A DISTANCE OF 24.87 FEET TO A POINT ON THE WEST LINE OF SAID LOT 15;

THENCE CONTINUING SOUTH 48 DEGREES 25 MINUTES 19 SECONDS WEST, ALONG SAID WESTERNMOST LINE, A DISTANCE OF 38.26 FEET TO A POINT ON A CURVE, CONCAVE TO THE NORTHWEST, THE CENTER OF WHICH BEARS NORTH 41 DEGREES 34 MINUTES 41 SECONDS WEST, A DISTANCE OF 55.29 FEET;

THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 23 DEGREES 08 MINUTES 16 SECONDS, A DISTANCE OF 22.33 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 14;

THENCE SOUTH 87 DEGREES 10 MINUTES 33 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1.42 FEET TO THE **POINT OF BEGINNING**.

AN AREA CONTAINING 1200 SQUARE FEET OR 0.028 ACRES, MORE OR LESS.



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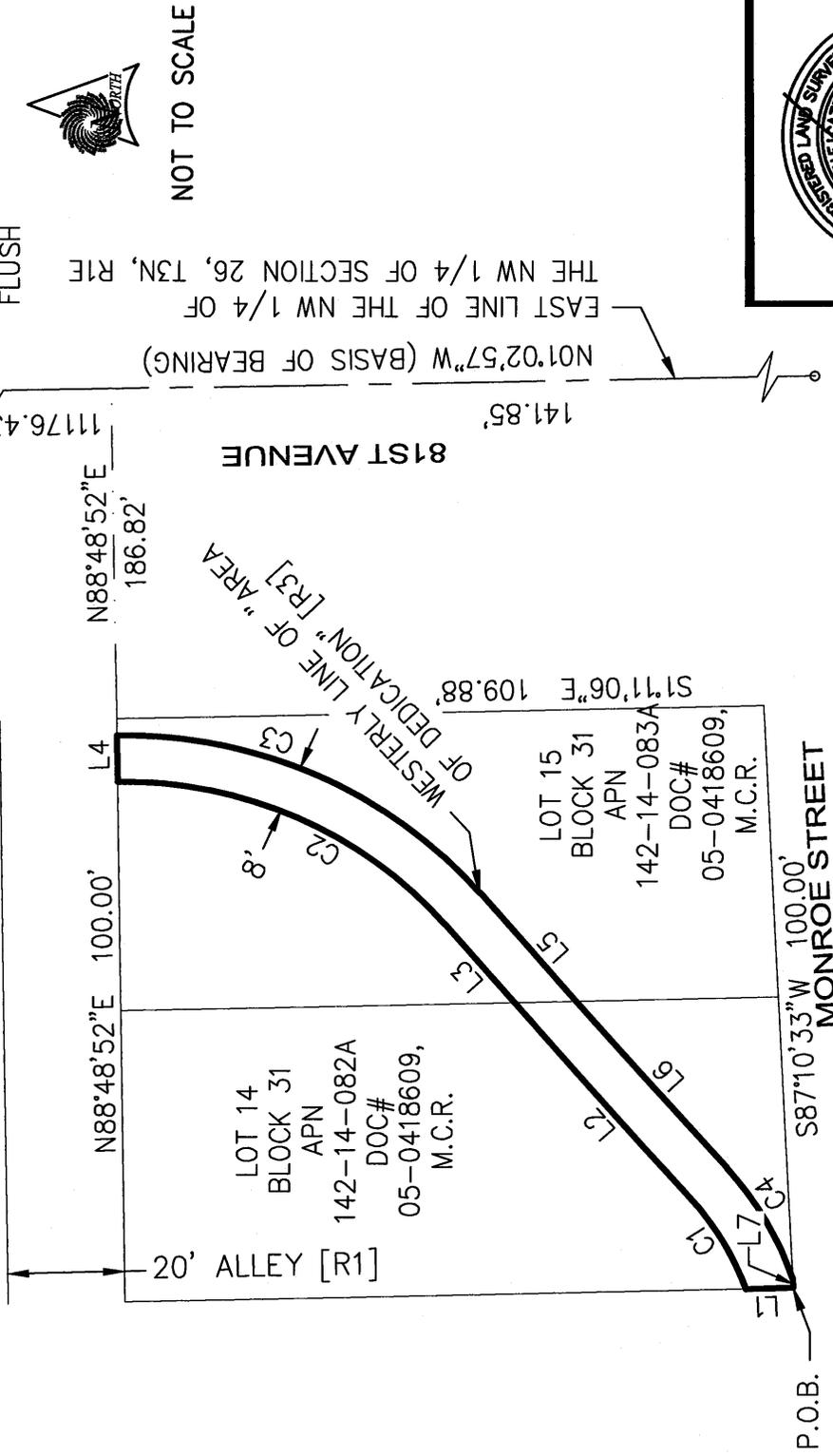
SHEET 02 OF 05

DATE: 11/02/10

FIELD: MH/BT



# EXHIBIT B



NOT TO SCALE



**SUNRISE ENGINEERING**

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TOWNSHIP & RANGE: 3N 1E	SHEET 03	OF 05
QUEST JOB NO.: 0213JB6	DATE: 11/02/10	
	FIELD: MH/BT	

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# EXHIBIT B

Line Table					
Line #	Direction	Length	Line #	Direction	Length
L1	N1°12'21"W	7.99'	L5	S48°25'19"W	24.87'
L2	N48°25'19"E	45.05'	L6	S48°25'19"W	38.26'
L3	N48°25'19"E	18.08'	L7	S87°10'33"W	1.42'
L4	N88°48'52"E	8.00'	INTENTIONALLY LEFT BLANK		

Curve Table					
Curve	Delta	Radius	Length	Chord Bearing	Chord Dist
C1	21°55'39"	47.29	18.10'	N59°23'09"E	17.99'
C2	49°34'27"	72.29	62.55'	N23°38'25"E	60.61'
C3	49°34'21"	80.29	69.47'	S23°38'08"W	67.32'
C4	23°08'16"	55.29	22.33'	S59°59'27"W	22.18'



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# EXHIBIT B

## LEGEND

	SECTION LINE
	LOT LINE
	EASEMENT LINE
	MATHEMATICAL TIE LINE
	SURVEY MONUMENT AS NOTED
	CALCULATED SURVEY CONTROL POINT
APN	ASSESSOR PARCEL NUMBER
M.C.R.	MARICOPA COUNTY RECORDS
DOC #	DOCUMENT NUMBER
BK & P	BOOK AND PAGE
P.O.B.	POINT OF BEGINNING
[R#]	SUPPORTING DOCUMENT NUMBER

## SUPPORTING DOCUMENTS [R#]

- |                            |                            |
|----------------------------|----------------------------|
| 1. BK 3 P 62, M.C.R.       | 4. BK 863, P 7, M.C.R.     |
| 2. BK 897 P 26, M.C.R.     | 5. BK 1019, P 13, M.C.R.   |
| 3. DOC# 07-1149671, M.C.R. | 6. DOC# 05-0418609, M.C.R. |



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SECTION: 26

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DRAWN BY: TE

SHEET 04

DATE:

FIELD: MH/BT

CHECKED BY: TE

OF 05

11/02/10

