

RESOLUTION NO. 11673

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, ABANDONING THROUGH EXTINGUISHMENT A PORTION OF A 20-FOOT NON-EXCLUSIVE PUBLIC UTILITIES EASEMENT LOCATED AT 6361 SOUTH POWER ROAD.**

WHEREAS, pursuant to Arizona Revised Statutes Title 28 §§ 7201-7215 and/or Mesa City Code Title 9, Chapter 10, the City Council has the authority to abandon, vacate or extinguish (collectively, hereafter, "abandon") unnecessary roadway, right-of-way, or easements to which the City holds right or title to. Additionally, the City generally has the right to release restrictive covenants it holds on real property.

WHEREAS, the City Council has determined that a portion of a 20-foot non-exclusive public utilities easement recorded in Document No. 2007-0962984, records of Maricopa County, Arizona, located at 6361 South Power Road, as hereafter described in **Exhibit A** ("Non-Exclusive Public Utilities Easement"), is no longer needed.

WHEREAS Mesa City Code 9-10-2 permits the City Council to extinguish easements no longer needed by the City upon application and payment of the application fee.


NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1: All rights of the City of Mesa in and to that portion of the Non-Exclusive Public Utilities Easement are abandoned and deemed extinguished:


PLEASE REFER TO THE LEGAL DESCRIPTION AND DEPICTION ON **EXHIBIT A** ATTACHED HERETO AND MADE A PART HEREOF FOR THE ABANDONED AREA

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 17<sup>th</sup> day of May, 2021.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk



**EXHIBIT A**  
**LEGAL DESCRIPTION**  
**PUBLIC UTILITY EASEMENT ABANDONMENT**



A PORTION OF AN EXISTING PUBLIC UTILITY EASEMENT ACCORDING TO DOCUMENT NO. 2007-0962984, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 7 EAST, AND IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A FOUND BRASS CAP IN A HAND HOLE AT THE NORTHWEST CORNER OF SAID SECTION 31, FROM WHICH FOUND BRASS CAP FLUSH AT THE WEST QUARTER CORNER OF SAID SECTION 31 BEARS SOUTH 00 DEGREES 40 MINUTES 01 SECONDS EAST, A DISTANCE OF 2631.56 FEET;

THENCE ALONG SAID SECTION LINE, SOUTH 00 DEGREES 40 MINUTES 01 SECOND EAST, A DISTANCE OF 714.49 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID SECTION LINE, NORTH 85 DEGREES 18 MINUTES 58 SECONDS EAST, A DISTANCE OF 48.45 FEET;

THENCE SOUTH 53 DEGREES 02 MINUTES 02 SECONDS EAST, A DISTANCE OF 115.75 FEET;

THENCE SOUTH 12 DEGREES 29 MINUTES 26 SECONDS EAST, A DISTANCE OF 59.00 FEET;

THENCE SOUTH 00 DEGREES 23 MINUTES 45 SECONDS EAST, A DISTANCE OF 42.84 FEET;

THENCE SOUTH 89 DEGREES 58 MINUTES 08 SECONDS WEST, A DISTANCE OF 28.51 FEET;

THENCE NORTH 00 DEGREES 52 MINUTES 34 SECONDS EAST, A DISTANCE OF 51.15 FEET;

THENCE NORTH 12 DEGREES 30 MINUTES 08 SECONDS WEST, A DISTANCE OF 43.43 FEET;

EXHIBIT A

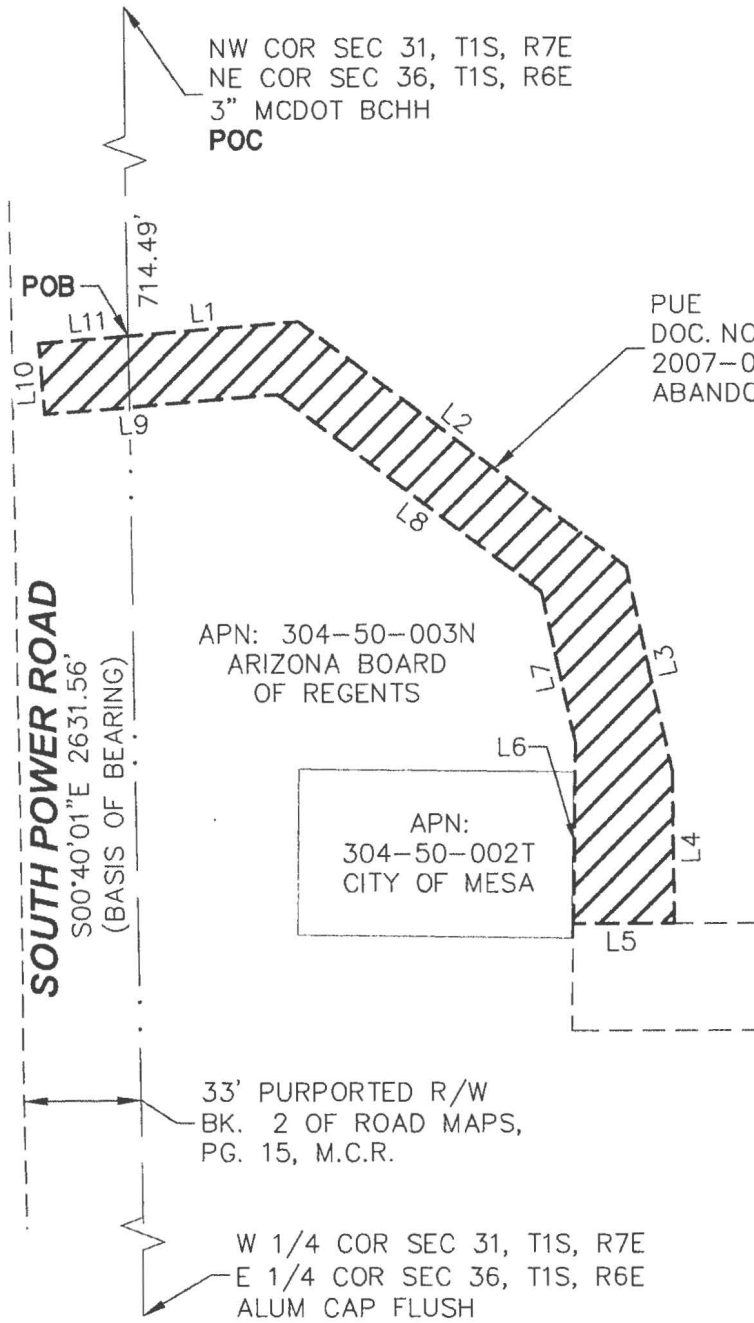
THENCE NORTH 53 DEGREES 02 MINUTES 02 SECONDS WEST, A DISTANCE OF 93.07 FEET;  
THENCE SOUTH 85 DEGREES 18 MINUTES 58 SECONDS WEST, A DISTANCE OF 66.26 FEET;

THENCE NORTH 04 DEGREES 41 MINUTES 02 SECONDS WEST, A DISTANCE OF 20.00 FEET;

THENCE NORTH 85 DEGREES 18 MINUTES 58 SECONDS EAST, A DISTANCE OF 25.42 FEET TO THE **POINT OF BEGINNING.**



# EXHIBIT A-1



PUE  
DOC. NO.  
2007-0962984  
ABANDONED HEREON

APN: 304-50-003N  
ARIZONA BOARD  
OF REGENTS

APN:  
304-50-002T  
CITY OF MESA

33' PURPORTED R/W  
BK. 2 OF ROAD MAPS,  
PG. 15, M.C.R.

W 1/4 COR SEC 31, T1S, R7E  
E 1/4 COR SEC 36, T1S, R6E  
ALUM CAP FLUSH

LINE TABLE

LINE	DIRECTION	LENGTH
L1	N85°18'58"E	48.45'
L2	S53°02'02"E	115.75'
L3	S12°29'26"E	59.00'
L4	S00°23'45"E	42.84'
L5	S89°58'08"W	28.51'
L6	N00°52'34"E	51.15'
L7	N12°30'08"W	43.43'
L8	N53°02'02"W	93.07'
L9	S85°18'58"W	66.26'
L10	N04°41'02"W	20.00'
L11	N85°18'58"E	25.42'

N.T.S.



A RICK ENGINEERING COMPANY

## PUE ABANDONMENT CABANA ON POWER MESA, ARIZONA

Ph (480) 922 0780 **Land Surveying Services** Fx (480) 922 0781  
22425 N. 16th ST., SUITE 1, PHOENIX, ARIZONA 85024

JOB # 19-059	DWG: 2019-059 PUE REL	DATE 03/11/21
SCALE: NTS	DRAWN: TH	CHK: JAS
		SHEET 1 OF 1