

RESOLUTION NO. 7190

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ABANDONING A PORTION OF THE PUBLIC RIGHT-OF-WAY FOR 122ND STREET BETWEEN JUAN TABO ROAD AND PINNACLE PEAK ROAD AND FOR 124TH STREET BETWEEN HAPPY VALLEY ROAD AND PINNACLE PEAK ROAD AND FOR 126TH STREET BETWEEN HAPPY VALLEY ROAD AND PINNACLE PEAK ROAD AND FOR 128TH STREET BETWEEN MARIPOSA GRANDE DRIVE AND PINNACLE PEAK ROAD AND FOR HAPPY VALLEY ROAD BETWEEN 122ND PLACE AND 126TH STREET AND FOR JUAN TABO ROAD BETWEEN 122ND STREET AND 126TH STREET AND FOR ALAMEDA ROAD BETWEEN 122ND STREET AND 126TH STREET AND FOR MARIPOSA GRANDE ROAD BETWEEN 122ND STREET AND 128TH STREET AND FOR PINNACLE PEAK ROAD BETWEEN 122ND STREET AND 124TH STREET AND FOR PINNACLE PEAK ROAD BETWEEN 125TH STREET AND 128TH STREET

(27-AB-2006)

WHEREAS:

A. A.R.S. Sec. 28-7201, et seq., provide that a city may dispose of a public roadway or portion thereof that is no longer necessary for public use.

B. After notice to the public, hearings have been held before the City of Scottsdale ("City") planning commission and City Council on the proposed abandonment of that portion of the street right-of-way (the "Abandonment Right-of-way") described on Exhibit "A" attached hereto.

C. The City Council finds that the Abandonment Right-of-way is no longer necessary for public use.

D. The City Council finds that consideration and other public benefit commensurate with the value of the Abandonment Right-of-way, giving due consideration to its degree of fragmentation and marketability, will be provided to City by the owner of the abutting property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Scottsdale, Arizona, as follows:

1. Abandonment. Subject to the reservations and conditions below, City's interests comprising the Abandonment Right-of-way are hereby abandoned.

2. Reservations. All of the following interests are reserved to City and excluded from this abandonment:

2.1 Any and all interests in the Abandonment Right-of-way that this resolution or the related plat may require to be dedicated to the City.

2.2 Any N.V.A.E. or other non-vehicular access easement or covenant in favor of the City that may already have been imposed on the Abandonment Right-of-way prior to this resolution, if any.

2.3 Any N.A.O.S. or other open space or similar easement or covenant in favor of the City that may already have been imposed on the Abandonment Right-of-way prior to this resolution, if any.

2.4 An easement for all existing utilities.

2.5 Such rights and interests, if any, as are required to be reserved by A.R.S. Sec. 28-7210 and A.R.S. Sec. 28-7215.


3. Effective Date. This resolution shall not be recorded or become effective until all of the following conditions are satisfied in accordance with all applicable laws and regulations and at no expense to City:

3.1 The owner of Parcels 1, 2 (east half only), 3, 6, 7, 10, 11, 14 (excluding west half of west half) and 15 as shown on Goldie Brown Pinnacle Peak Ranch: Unit One Parcel map recorded in Book 191, page 26 of the public records of Maricopa County, Arizona (and all lenders, tenants, and other interest holders in such parcel) shall obtain City approval for and record a formal plat covering both the parcel and the Abandonment Right-of-way, shall and dedicate to City such rights-of-way and other real property interests in connection therewith as City may require, and shall create such public and private easements and other interests as City may require.

3.2 The zoning administrator executes the certificate at the bottom of this resolution indicating that the above conditions have been satisfied.

3.3 If any of the foregoing conditions are not satisfied within one year after the date of this resolution, or if this resolution is not recorded within one year after the date of this resolution, then the City Clerk shall mark this resolution to indicate that this resolution is void.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 24th day of April, 2007.



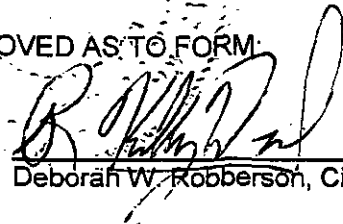
Mary Manross, Mayor

ATTEST:

By: 

Carolyn Jagger, City Clerk

APPROVED AS TO FORM:

By: 

Deborah W. Robberson, City Attorney

CERTIFICATE

I am the zoning administrator of the City of Scottsdale. I certify that I have confirmed that the conditions stated in paragraph 3 of the abandonment resolution above have been fulfilled and the resolution is ready to be recorded and become effective

DATED this _____ day of _____, 2007.

signature

name printed

Wood, Patel & Associates, Inc.
(602) 335-8500
www.woodpatel.com

Revised March 20, 2007
Revised February 15, 2007
Revised April 26, 2006
June 10, 2005
WP# 062654.09
Page 1 of 2
See Exhibit "A-1"

PARCEL DESCRIPTION
Sereno Canyon
Proposed Public Utility and Roadway Easement Abandonment (PU&RE)

A portion of that certain Public Utility and Roadway Easement (PU&RE) as shown on the Goldie Brown Pinnacle Peak Ranch: Unit One Parcel Map recorded in Book 191, page 26, Maricopa County Records (M.C.R.), lying within Section 11, Township 4 North, Range 5 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

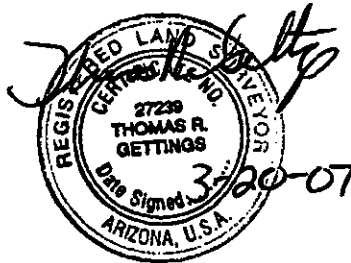
The north 55 feet of Parcels 14 and 15 said Goldie Brown Pinnacle Peak Ranch: Unit One Parcel Map;

EXCEPTING THEREFROM

The west half of the west half of said Parcel 14;

Containing 2.9166 acres, or 127,045 square feet of land, more or less.

This parcel description is based on the Parcel Map of Goldie Brown Pinnacle Peak Ranch: Unit One recorded in Book 191, page 26, M.C.R. and client provided information. This parcel description is located within an area surveyed by Wood, Patel & Associates, Inc. during the month of May, 2004 and any monumentation noted in this parcel description is within acceptable tolerance (as defined in Arizona Boundary Survey Minimum Standards dated 02/14/2002) of said positions based on said survey.



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Revised March 20, 2007
Revised March 1, 2007
Revised April 26, 2006
June 10, 2005
WP# 062654.09
Page 1 of 2
See Exhibit "A-2"

PARCEL DESCRIPTION
Sereno Canyon
Proposed Public Utility and Roadway Easement Abandonment (PU&RE)

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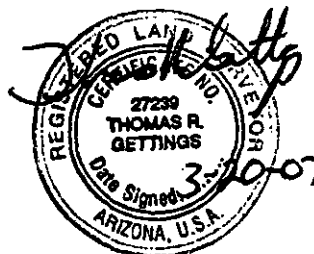
The north 20 feet of Parcel 10 and the south 20 feet of Parcel 15 of said Goldie Brown Pinnacle Peak Ranch: Unit One Parcel Map;

EXCEPTING THEREFROM

The east 15 feet of said Parcels 10 and 15, and the west 20 feet of said Parcels 10 and 15;

Containing 1.2791 acres, or 55,717 square feet of land, more or less.

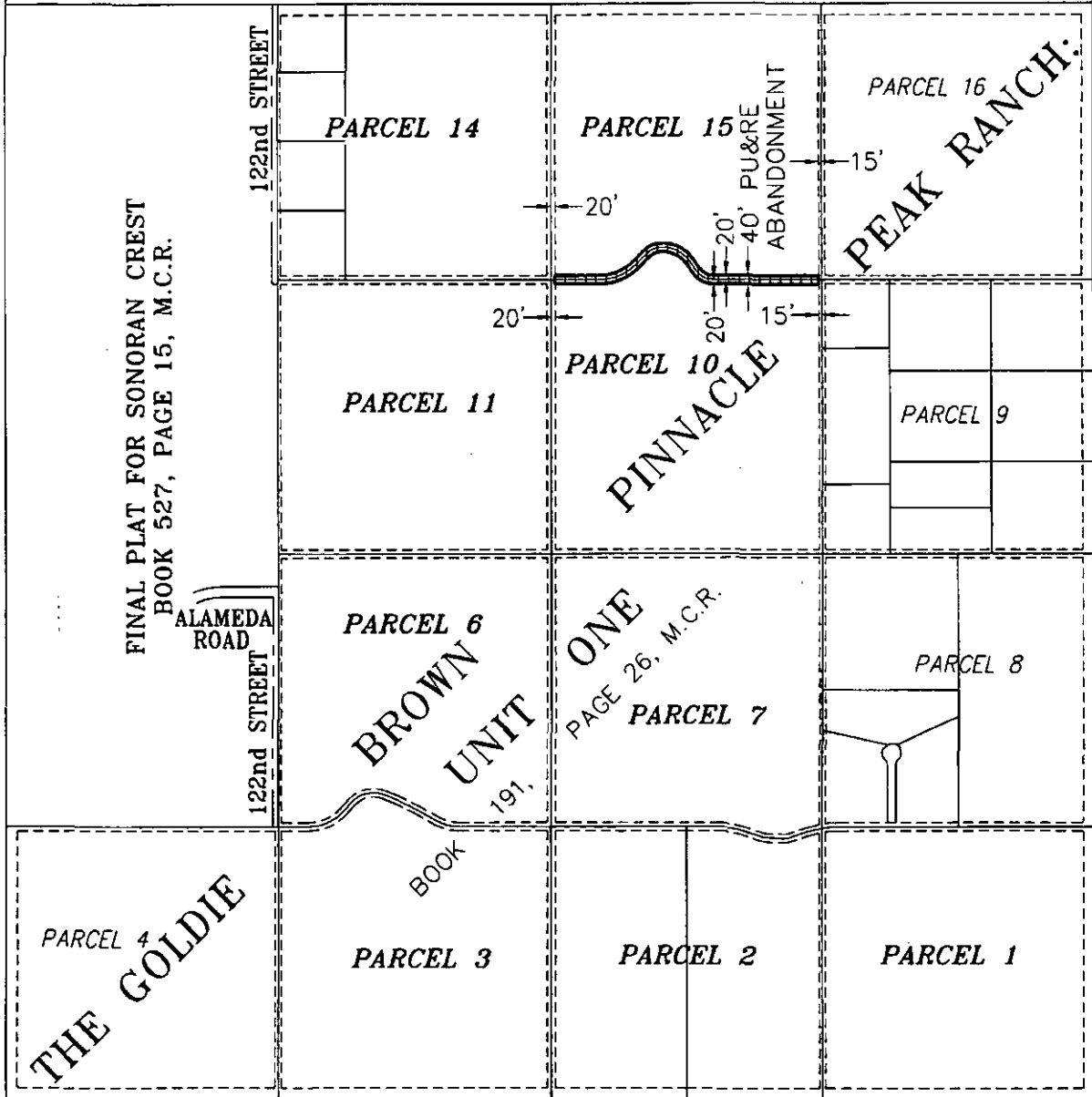
This parcel description is based on the Parcel Map of Goldie Brown Pinnacle Peak Ranch: Unit One recorded in Book 191, page 26, M.C.R. and client provided information. This parcel description is located within an area surveyed by Wood, Patel & Associates, Inc. during the month of May, 2004 and any monumentation noted in this parcel description is within acceptable tolerance (as defined in Arizona Boundary Survey Minimum Standards dated 02/14/2002) of said positions based on said survey.



NORTHWEST CORNER OF SECTION 11, T.4N., R.5E. G.L.O. BRASS CAP

NORTHEAST CORNER OF SECTION 11, T.4N., R.5E. G.L.O. BRASS CAP

HAPPY VALLEY ROAD ALIGNMENT



SOUTHWEST CORNER OF PINNACLE PEAK ROAD ALIGNMENT G.L.O. BRASS CAP

SOUTHEAST CORNER OF SECTION 11, T.4N., R.5E. 1/2" REBAR W/CAP (ILLEGIBLE), BENT

WOOD/PATEL

2051 West Northern
Phoenix, AZ 85021
Phone: (602) 335-8500
Fax: (602) 335-8580

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EXHIBIT "A-2"

SERENO CANYON
PROPOSED PUBLIC UTILITY AND ROADWAY
EASEMENT ABANDONMENT (PU&RE)
REVISED 03-20-07
WP#062654.09
PAGE 2 OF 2
NOT TO SCALE

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Revised March 20, 2007
Revised February 15, 2007
Revised April 26, 2006
June 10, 2005
WP# 062654.09
Page 1 of 2
See Exhibit "A-3"

PARCEL DESCRIPTION
Sereno Canyon
Proposed Public Utility and Roadway Easement Abandonment (PU&RE)

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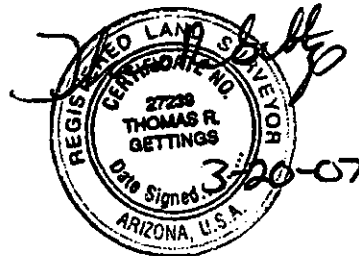
The north 20 feet of Parcel 11 and the south 20 feet of Parcel 14 of said Goldie Brown Pinnacle Peak Ranch: Unit One Parcel Map;

EXCEPTING THEREFROM

The west half of the west half of said Parcels 11 and 14, and the east 20 feet of said Parcels 11 and 14;

Containing 0.8906 acres, or 38,795 square feet of land, more or less.

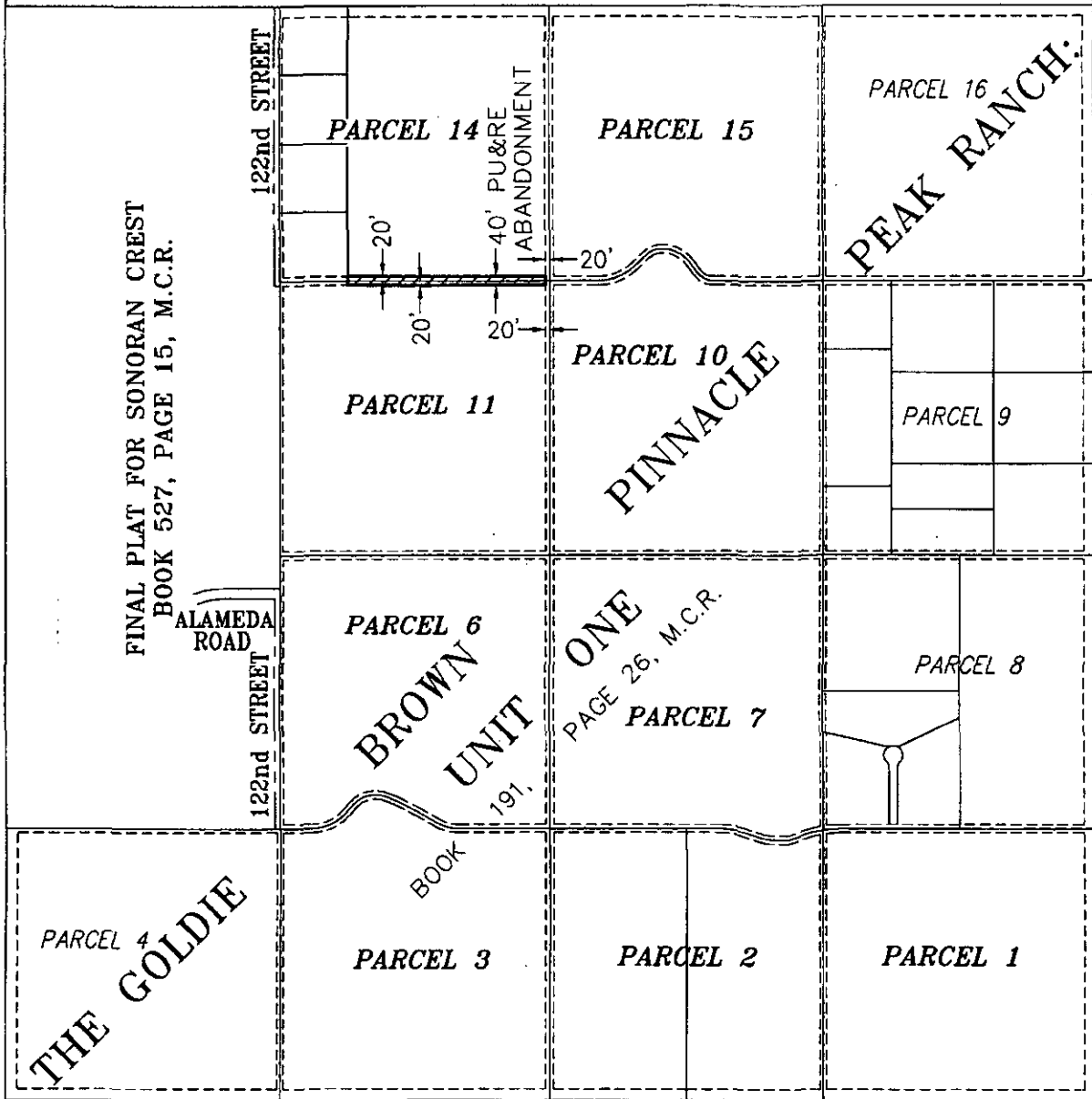
This parcel description is based on the Parcel Map of Goldie Brown Pinnacle Peak Ranch: Unit One recorded in Book 191, page 26, M.C.R. and client provided information. This parcel description is located within an area surveyed by Wood, Patel & Associates, Inc. during the month of May, 2004 and any monumentation noted in this parcel description is within acceptable tolerance (as defined in Arizona Boundary Survey Minimum Standards dated 02/14/2002) of said positions based on said survey.



NORTHWEST CORNER OF SECTION 11, T.4N., R.5E.
G.L.O. BRASS CAP

NORTHEAST CORNER OF SECTION 11, T.4N., R.5E.
G.L.O. BRASS CAP

HAPPY VALLEY ROAD ALIGNMENT



FINAL PLAT FOR SONORAN CREST
BOOK 527, PAGE 15, M.C.R.

ALAMEDA ROAD

THE GOLDIE

BROWN UNIT
BOOK 191

PINNACLE
PAGE 26, M.C.R.

PEAK RANCH

SOUTHWEST CORNER OF SECTION 11, T.4N., R.5E.
G.L.O. BRASS CAP

PINNACLE PEAK ROAD ALIGNMENT

SOUTHEAST CORNER OF SECTION 11, T.4N., R.5E
1/2" REBAR W/CAP
(ILLEGIBLE), BENT

WOOD/PATEL

2051 West Northern
Phoenix, AZ 85021
Phone: (602) 335-8500
Fax: (602) 335-8580

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EXHIBIT "A-3"

SERENO CANYON
PROPOSED PUBLIC UTILITY AND ROADWAY
EASEMENT ABANDONMENT (PU&RE)
REVISED 03-20-07
WP#062654.09
PAGE 2 OF 2
NOT TO SCALE

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Revised February 15, 2007
Revised April 26, 2006
June 10, 2005
WP# 062654.09
Page 1 of 2
See Exhibit "A-4"

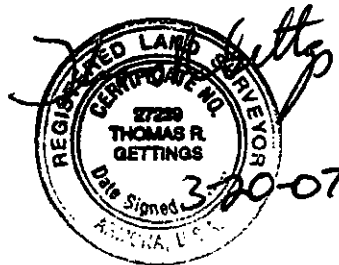
PARCEL DESCRIPTION
Sereno Canyon
Proposed Public Utility and Roadway Easement Abandonment (PU&RE)

A portion of that certain Public Utility and Roadway Easement (PU&RE) as shown on the Goldie Brown Pinnacle Peak Ranch: Unit One Parcel Map recorded in Book 191, page 26, Maricopa County Records (M.C.R.), lying within Section 11, Township 4 North, Range 5 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

The north 20 feet of the west half of the west half of Parcel 11 of said Goldie Brown Pinnacle Peak Ranch: Unit One Parcel Map;

Containing 0.1515 acres, or 6,599 square feet of land, more or less.

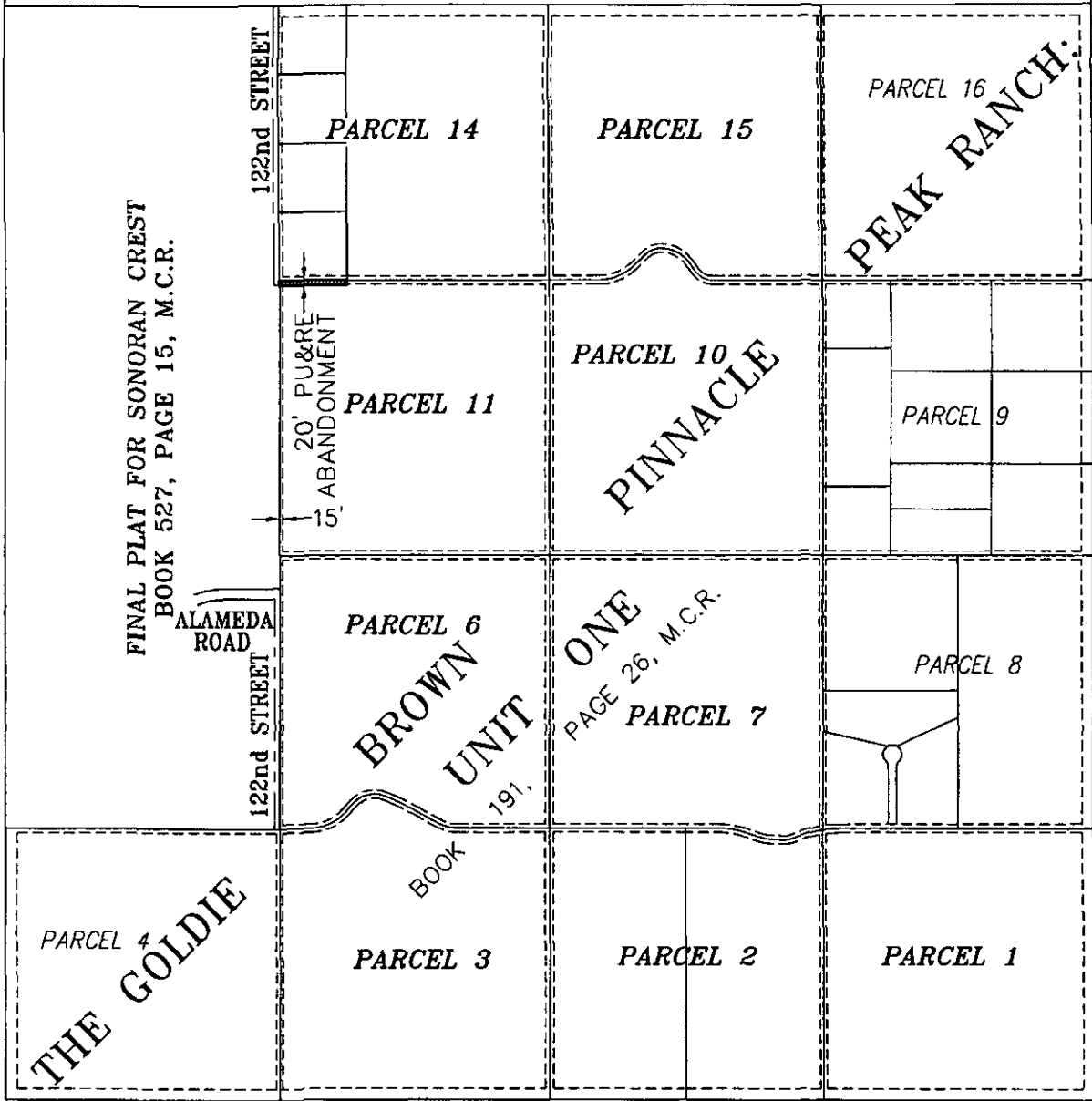
This parcel description is based on the Parcel Map of Goldie Brown Pinnacle Peak Ranch: Unit One recorded in Book 191, page 26, M.C.R. and client provided information. This parcel description is located within an area surveyed by Wood, Patel & Associates, Inc. during the month of May, 2004 and any monumentation noted in this parcel description is within acceptable tolerance (as defined in Arizona Boundary Survey Minimum Standards dated 02/14/2002) of said positions based on said survey.



NORTHWEST CORNER OF SECTION 11, T.4N., R.5E.
G.L.O. BRASS CAP

NORTHEAST CORNER OF SECTION 11, T.4N., R.5E.
G.L.O. BRASS CAP

HAPPY VALLEY ROAD ALIGNMENT



SOUTHWEST CORNER OF SECTION 11, T.4N., R.5E.
G.L.O. BRASS CAP

PINNACLE PEAK ROAD ALIGNMENT

SOUTHEAST CORNER OF SECTION 11, T.4N., R.5E
1/2" REBAR W/CAP
(ILLEGIBLE), BENT

WOOD/PATEL

2051 West Northern
Phoenix, AZ 85021
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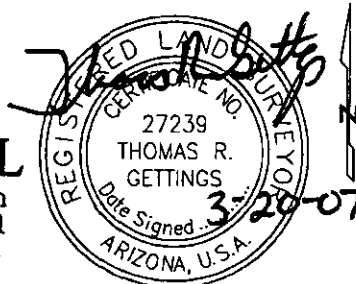


EXHIBIT "A-4"

SERENO CANYON
PROPOSED PUBLIC UTILITY AND ROADWAY
EASEMENT ABANDONMENT (PU&RE)
REVISED 03-20-07
WP#0462654.09
PAGE 2 OF 2
NOT TO SCALE

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Revised March 20, 2007
Revised February 15, 2007
Revised April 26, 2006
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Page 1 of 2
See Exhibit "A-5"

PARCEL DESCRIPTION
Sereno Canyon
Proposed Public Utility and Roadway Easement Abandonment (PU&RE)

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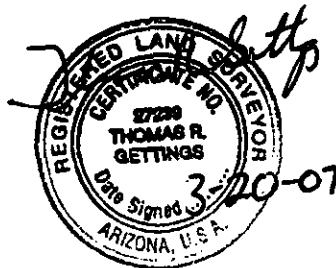
The north 20 feet of Parcels 6 and 7, and the south 20 feet of Parcels 10 and 11 of said Goldie Brown Pinnacle Peak Ranch: Unit One Parcel Map;

EXCEPTING THEREFROM

The east 20 feet and the west 15 feet of said Parcels 6 and 11, the west 20 feet and the east 15 feet of said Parcels 7 and 10;

Containing 2.3607 acres, or 102,830 square feet of land, more or less.

This parcel description is based on the Parcel Map of Goldie Brown Pinnacle Peak Ranch: Unit One recorded in Book 191, page 26, M.C.R. and client provided information. This parcel description is located within an area surveyed by Wood, Patel & Associates, Inc. during the month of May, 2004 and any monumentation noted in this parcel description is within acceptable tolerance (as defined in Arizona Boundary Survey Minimum Standards dated 02/14/2002) of said positions based on said survey.



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Page 1 of 2
See Exhibit "A-6"

PARCEL DESCRIPTION
Sereno Canyon
Proposed Public Utility and Roadway Easement Abandonment (PU&RE)

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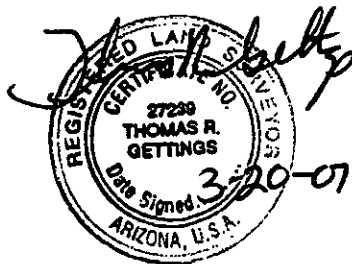
The north 20 feet of the west 15 feet of Parcel 1, the north 20 feet of the east half of Parcel 2, the north 20 feet of Parcel 3 and the south 20 feet of Parcels 6 and 7 of said Goldie Brown Pinnacle Peak Ranch: Unit One Parcel Map;

EXCEPTING THEREFROM

The west 15 feet of said Parcels 3 and 6;

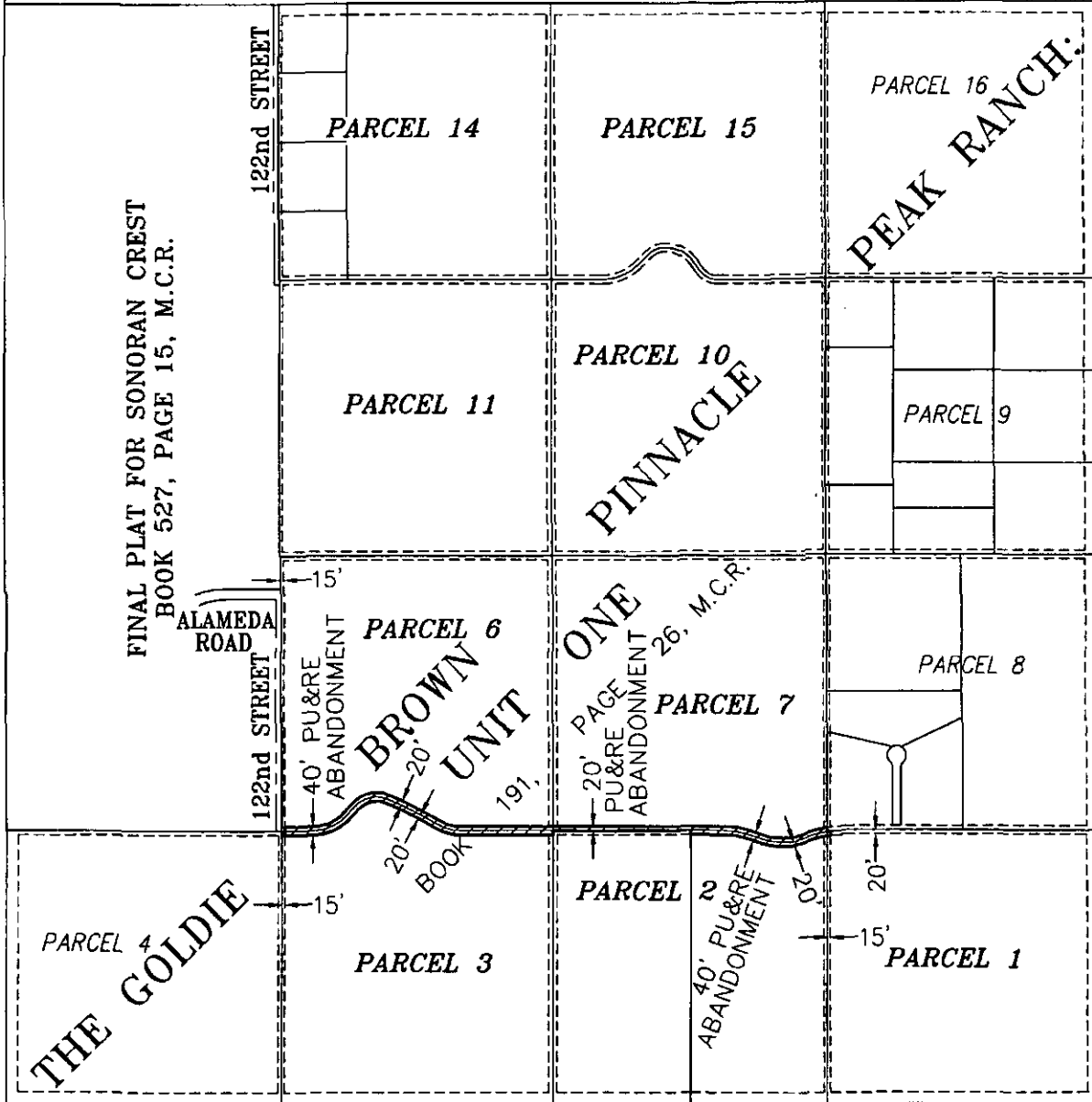
Containing 2.2101 acres, or 96,270 square feet of land, more or less.

This parcel description is based on the Parcel Map of Goldie Brown Pinnacle Peak Ranch: Unit One recorded in Book 191, page 26, M.C.R. and client provided information. This parcel description is located within an area surveyed by Wood, Patel & Associates, Inc. during the month of May, 2004 and any monumentation noted in this parcel description is within acceptable tolerance (as defined in Arizona Boundary Survey Minimum Standards dated 02/14/2002) of said positions based on said survey.



NORTHWEST CORNER OF
SECTION 11, T.4N., R.5E.
G.L.O. BRASS CAP

NORTHEAST CORNER OF
SECTION 11, T.4N., R.5E.
G.L.O. BRASS CAP



SOUTHWEST CORNER OF
SECTION 11, T.4N., R.5E.
G.L.O. BRASS CAP

SOUTHEAST CORNER OF
SECTION 11, T.4N., R.5E.
1/2" REBAR W/CAP
(ILLEGIBLE), BENT

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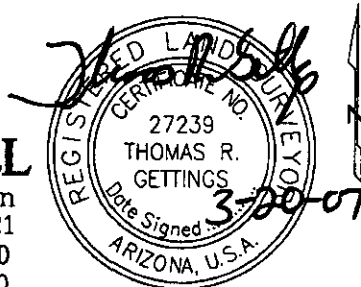


EXHIBIT "A-6"

SERENO CANYON
PROPOSED PUBLIC UTILITY AND ROADWAY
EASEMENT ABANDONMENT (PU&RE)
REVISED 03-20-07
WP#062654.09
PAGE 2 OF 2
NOT TO SCALE

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Page 1 of 2
See Exhibit "A-7"

PARCEL DESCRIPTION
Sereno Canyon
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The north 20 feet of Parcel 1 said Goldie Brown Pinnacle Peak Ranch: Unit One Parcel Map;

EXCEPTING THEREFROM

The west 15 feet of said Parcel 1;

Containing 0.5998 acres, or 26,127 square feet of land, more or less.

This parcel description is based on the Parcel Map of Goldie Brown Pinnacle Peak Ranch: Unit One recorded in Book 191, page 26, M.C.R. and client provided information. This parcel description is located within an area surveyed by Wood, Patel & Associates, Inc. during the month of May, 2004 and any monumentation noted in this parcel description is within acceptable tolerance (as defined in Arizona Boundary Survey Minimum Standards dated 02/14/2002) of said positions based on said survey.

