

**Correspondence Between  
Staff and Applicant**



August 26, 2015

Lisa Morgan  
David & Lisa Morgan  
12590 E Gold Dust Ave  
Scottsdale, AZ 85259

Re: 135-PA-2014  
4-AB-2015  
Morgan Residence Abandonment

Dear Lisa Morgan,

This is to advise you that the case referenced above was approved at the August 25, 2015 City Council meeting. Once the final plans and stipulations have been satisfied and recorded, the resolution (Resolution No. 10200) may be obtained from the City Clerk's office or city website @ <https://eservices.scottsdaleaz.gov/eServices/ClerkDocs/Default.aspx>. If you have any questions, please contact me at 480-312-4214.

Sincerely,

Doris McClay  
Planner



## Planning and Development Services Division

7447 East Indian School Road  
Scottsdale, Arizona 85251

June 23, 2015

David & Lisa Morgan  
12590 E Gold Dust Ave  
Scottsdale, AZ 85259

RE: Determination of a Planning Commission hearing.

Dear David and Lisa Morgan:

Your Development Application 4-AB-2015, Morgan Residence Abandonment is scheduled on the July 22, 2015 Planning Commission hearing agenda.

You will likely be required to make a presentation to the Planning Commission. Applicant's presentation is limited to ten minutes. If you choose to present your application to the Planning Commission utilizing a Power Point presentation, I will need to have the electronic file by 1:00 p.m. on Monday, July 20<sup>th</sup>. Please limit the presentation to the application. Your presentation is limited to a maximum of 10 minutes.

The Community & Economic Development Division has had this application in review for 22 Staff Review Days.

Thank you,



Doris McClay  
Planner

C: Case File



ARIZONA PUBLIC SERVICE

September 4, 2014

David and Lisa Morgan  
12590 E Gold Dust Ave  
Scottsdale Arizona, 85259

**David Schlieff**  
*Land Agent II*  
*Land Services Department*

Mail Station 3286  
P.O. Box 53933  
Phoenix, AZ 85072-3933  
T: 602 - 371-7295  
F: 602 - 371-6586  
david.schlieff@aps.com

**RE: Patent Right of Way Release Concurrence**

Dear Mr. and Mrs. Morgan

Per your request for Arizona Public Service Company's (APS) concurrence to release the Patent Right of Way along the Easterly line of the property at Assessor Parcel Number 217-32-037D, Maricopa County, Arizona and described in your request, dated September 2, 2014, the following information is provided.

I have researched our records and found that the subject property is situated within the APS service territory.

These records show that there are no existing facilities within said Patent Right of Way.

This letter shall advise that APS does consent to the release of said Patent Right of Way described in your request.

Should you have further questions concerning this matter, please contact me at (602) 371-7295 or david.schlieff@aps.com.

Sincerely,

A handwritten signature in black ink that reads "David Schlieff". The signature is written in a cursive, flowing style.

David Schlieff R.L.S.  
Land Agent II  
Land Services Department  
Arizona Public Service Company

September 2, 2014

David and Lisa Morgan  
12590 E Gold Dust Ave  
Scottsdale AZ, 85259

Hello:

I am the owner of a property located in Scottsdale with the address of 12590 E Gold Dust Ave, Scottsdale, AZ 85259. APN 217-32-037D. The major cross streets are 124<sup>th</sup> ST and Shea Blvd. The parcel is located .25 miles south of Shea and 1 block East of 125<sup>th</sup> St.

I am in the process of applying for a GLO abandonment , project # 135-PA-2014, for the easement running North to South along the East property line. Per the City of Scottsdale requirements, I am requesting an email of no conflict for the release of this easement from your utility company.

At your earliest convenience, please review this request and provide there is no conflict. Please email a letter to me stating such.

Please confirm receipt of this email.

Thank you in advance for your cooperation in this matter.

David Morgan  
480-227-2993  
[dmorg57@yahoo.com](mailto:dmorg57@yahoo.com)

NO CONFLICTS WITH THIS REQUEST

City of Scottsdale  
Water Resources Administration  
9379 E. San Salvador  
Scottsdale, AZ 85258

Doug Mann 9.4.2014



Right of Way Dept.  
Engineering  
135 W. Orion Street  
1st Floor  
Tempe, AZ 85283  
November 11, 2014

David Morgan  
12590 E. Gold Dust Avenue  
Scottsdale, AZ 85259

CenturyLink Tracking #  
**A1402733**

Response to request for   abandonment

This is in response to your request of November 10, 2014 for the abandonment of Public Utility Easement on the property located at 12590 E. Gold Dust Avenue as described / illustrated in your letter. A review of our existing facilities has been made in reference to the area involved. CenturyLink has no objection to the abandonment as described above.

If you have any questions or need additional information, please contact Michael Pietlukiewicz at 480-768-4222.

Yours truly,

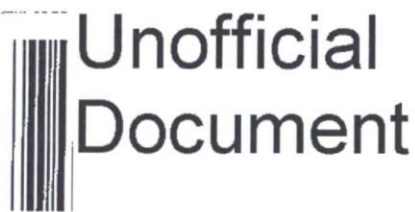
A handwritten signature in dark ink, appearing to read "Michael Pietlukiewicz", with a stylized flourish at the end.

Michael Pietlukiewicz  
Lead Analyst

4-AB-2015  
5/22/2015



THE SCOTTSDALE CITY  
COUNCIL TURN AROUND 40



MA

94-0735435 10/11/94 05:00

TAMMIE 3 OF 4

RESOLUTION NO. 4125

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, VACATING AND ABANDONING A PORTION OF THE PUBLIC RIGHT-OF-WAY, APPLICATION NO. 9-AB-94, PURSUANT TO THE PROVISIONS OF THE ARIZONA REVISED STATUTES, ARTICLE I, CHAPTER 14, TITLE 28.

WHEREAS, application has been made to the Council of the City of Scottsdale for abandonment of a portion of public right-of-way, and

WHEREAS, A.R.S. Sec. 28-1902 provides that a city may dispose of a roadway or portion thereof when said property or portion thereof is no longer necessary for public use, and

WHEREAS, after notice to the public, hearings have been held before the Planning Commission and Council of the City of Scottsdale on the proposed abandonment of a portion of the public right-of-way, described in Application No. 9-AB-94, within the City of Scottsdale, and

WHEREAS, it is the opinion of the Council that the portion of public right-of-way described herein below is no longer necessary for public uses as roadway,

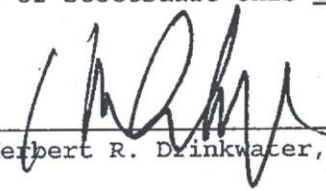
WHEREAS, the City Council finds that consideration and other public benefit commensurate with the value of the property, giving due consideration to its degree of fragmentation and marketability, will be provided by the owner of the abutting property to the city;

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

That the real property situated within the City of Scottsdale, Maricopa County, Arizona, and described in Exhibit "A" attached hereto and by this reference made a part hereof; be and the same is hereby vacated and abandoned subject to the reservation of a public utility easement over, under and across the entire 40 and 50 foot wide right-of-ways of 126th Street as described in the same said Exhibit "A". A map marked Exhibit "B" disclosing the area vacated is attached hereto and by this reference made a part hereof.

Page 2  
Resolution NO. 4125

PASSED AND ADOPTED by the Council of the City of Scottsdale this 4th day of  
October, 1994.

  
Herbert R. Drinkwater, Mayor

ATTEST:

Sonia Robertson  
City Clerk

By:   
Pamela Hile

City Clerk

Unofficial Document

APPROVED AS TO FORM

  
Fredda Bisman, City Attorney



## Exhibit A

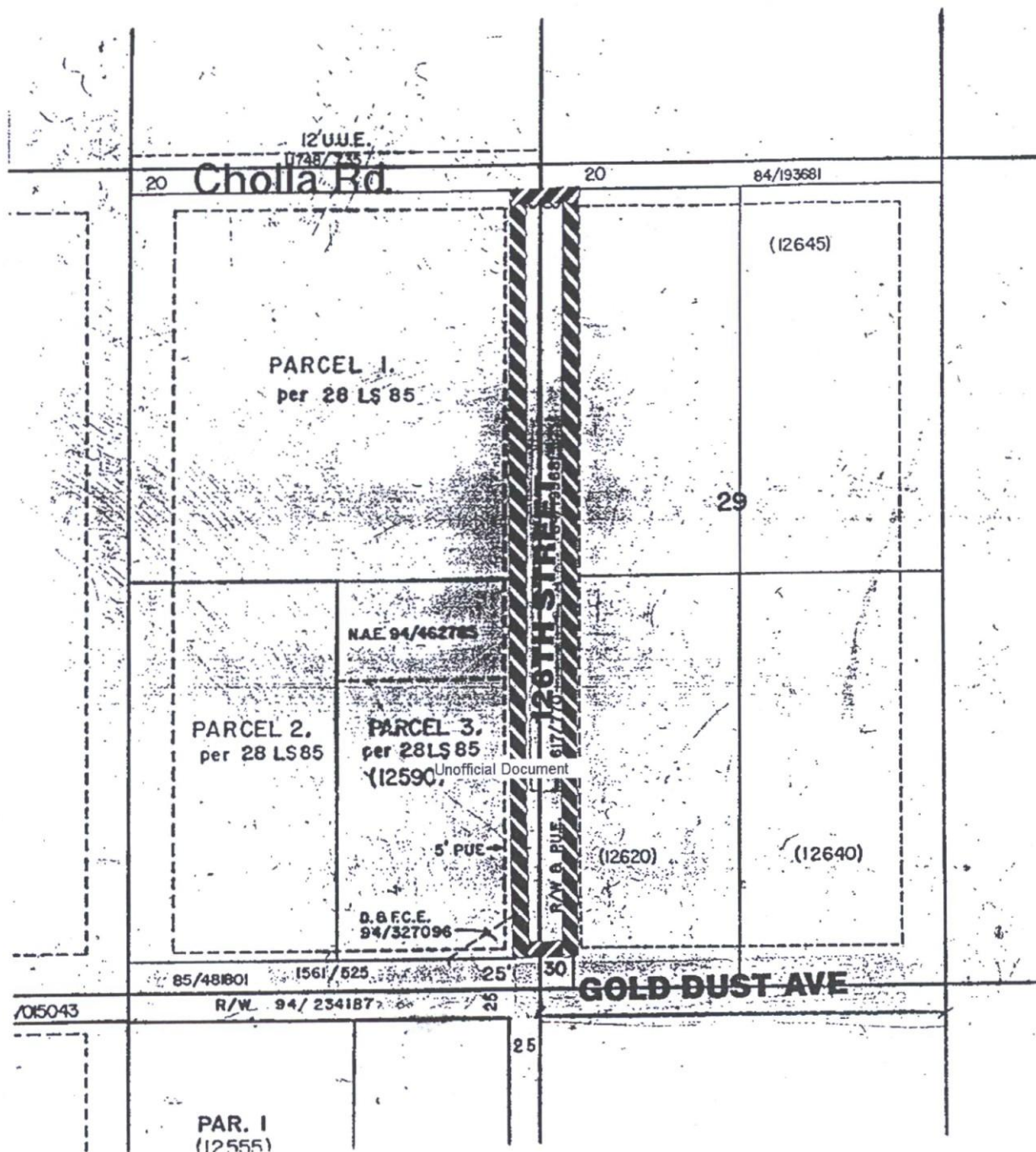
### LEGAL DESCRIPTION FOR THE ABANDONMENT OF 126TH STREET

W 20 feet of the N  $\frac{1}{2}$  of Lot 29, Sec. 26, T3N, R5E of the GSRB&M except the N 20 feet.

E 25 feet of Lot 28, Sec. 26, T3N, R5E of GSRB&M except the N 20 feet and the South 25 feet.

W 30 feet of the S  $\frac{1}{2}$  of the W  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Sec. 26, T3N, R5E of GSRB&M, except the South 25 feet.

Unofficial Document



9-AB-94  
Exhibit B

↑  
North

NTS



**Community & Economic Development Division  
Planning, Neighborhood & Transportation**

7447 East Indian School Road  
Scottsdale, Arizona 85251

Date: 5.22.15  
Contact Name: DAVID MORGAN  
Firm name: \_\_\_\_\_  
Address: 12590 E GOLD POST AVE  
City, State Zip: SCOTTSDALE AZ

RE: Application Accepted for Review.

135 - PA - 2014

Dear MR. MORGAN:

It has been determined that your Development Application for 135. PA. 2014  
has been accepted for review.

Upon completion of the Staff's review of the application material, I will inform you in writing or electronically either: 1) the steps necessary to submit additional information or corrections; 2) the date that your Development Application will be scheduled for a public hearing or, 3) City Staff will issue a written or electronic determination pertaining to this application. If you have any questions, or need further assistance please contact me.

Sincerely,

Name: Doris McElay  
Title: Planner  
Phone number: 480 312 4214  
Email address: Dmcelay@scottsdaleaz.gov



Lisa Morgan <ldmorgan21@gmail.com>

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## Title and statements for GLO Release-David Morgan

6 messages

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**Lisa Morgan** <ldmorgan21@gmail.com>

Sun, Apr 19, 2015 at 9:27 AM

To: Jesus Murillo <jmurillo@scottsdaleaz.gov>, David Morgan <dmorg57@yahoo.com>

Bcc: Lisa Morgan <ldmorgan21@gmail.com>

Hi Jesus:

Here is the information you requested.

Thank you,

David and Lisa Morgan

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### 3 attachments



**COMMITMENT-Title-Morgan.pdf**

372K



**B of I March 2015 Statement.pdf**

1853K



**HI01782816-Amendment-0-02112015211021.pdf**

11K

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**Murillo, Jesus** <JMurillo@scottsdaleaz.gov>

Fri, Apr 24, 2015 at 3:05 PM

To: Lisa Morgan <ldmorgan21@gmail.com>, David Morgan <dmorg57@yahoo.com>

Hello David and Lisa,

Thank you for this. This is enough to present to my attorney to see if he is comfortable with the documentation. Eventually we will need the title to be updated to include the amount (to be the value of the property) and confirm the City to be the proposed insured. I want his response before I ask you to do that. I have a meeting with him on Monday and Tuesday, and hope he will have a response by then.

Have a great weekend.

Sincerely,

Jesus

**From:** Lisa Morgan [mailto:ldmorgan21@gmail.com]

**Sent:** Sunday, April 19, 2015 9:28 AM

4-AB-2015  
5/22/2015



• **To:** Murillo, Jesus; David Morgan  
**Subject:** Title and statements for GLO Release-David Morgan

[Quoted text hidden]

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**dmorg57** <dmorg57@yahoo.com>  
To: "ldmorgan21@gmail.com" <ldmorgan21@gmail.com>

Fri, Apr 24, 2015 at 3:46 PM

Sent from my Verizon Wireless 4G LTE smartphone  
[Quoted text hidden]

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**Murillo, Jesus** <JMurillo@scottsdaleaz.gov>  
To: Lisa Morgan <ldmorgan21@gmail.com>

Tue, May 5, 2015 at 5:50 PM

Hello David and Lisa,

Have not heard back from the attorney, I have a meeting scheduled with him on Thursday morning, and hope to add this item to the conversation.

Sincerely,

Jesus

**From:** Lisa Morgan [mailto:ldmorgan21@gmail.com]  
**Sent:** Sunday, April 19, 2015 9:28 AM  
**To:** Murillo, Jesus; David Morgan  
**Subject:** Title and statements for GLO Release-David Morgan

Hi Jesus:

[Quoted text hidden]

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**Lisa Morgan** <ldmorgan21@gmail.com>  
To: Dave Morgan <dmorg57@yahoo.com>

Wed, May 6, 2015 at 8:35 AM

Sent from my iPhone

Begin forwarded message:

**From:** "Murillo, Jesus" <JMurillo@ScottsdaleAz.Gov>  
**Date:** May 5, 2015 at 5:50:09 PM MST  
**To:** "Lisa Morgan" <ldmorgan21@gmail.com>



• • • **Subject: RE: Title and statements for GLO Release-David Morgan**

[Quoted text hidden]

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**Murillo, Jesus** <JMurillo@scottsdaleaz.gov>

Thu, May 7, 2015 at 7:58 PM

To: Lisa Morgan <ldmorgan21@gmail.com>, David Morgan <dmorg57@yahoo.com>

Hello Lisa and David,

I met with my attorney today, and he stated that we will be accepting the information as you have provided. We still need to have the Commitment for Title updated, as David and I discussed ("Proposed Insured" City of Scottsdale and the "Amount" being the value of the Property). He was not really excited about it, but was willing to work with us.

Sincerely,

Jesus

**From:** Lisa Morgan [mailto:ldmorgan21@gmail.com]

**Sent:** Sunday, April 19, 2015 9:28 AM

**To:** Murillo, Jesus; David Morgan

**Subject:** Title and statements for GLO Release-David Morgan

Hi Jesus:

[Quoted text hidden]

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**Subject:** RE: RE: RE: Amendment to Title - 1814149

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**From:** Murillo, Jesus (JMurillo@ScottsdaleAz.Gov)

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**To:** dmorg57@yahoo.com;

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**Date:** Thursday, May 14, 2015 10:43 AM

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Hello Mr. Morgan,

This looks good. Please keep this email as my confirmation of the Commitment for Title being acceptable for submittal. Provide this email with your submittal, and it will keep the Title acceptable for 60 days, so you don't need another Title from the title company. Doris is back in town, and will be the coordinator for your abandonment case.

Sincerely,

Jesus

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**From:** dmorg57 [mailto:dmorg57@yahoo.com]  
**Sent:** Thursday, May 14, 2015 10:15 AM  
**To:** Murillo, Jesus  
**Subject:** Fwd: RE: RE: Amendment to Title - 1814149

Hello Jesus, please take a look at the enclosed and let me know if the new insurance amount is what is needed.

Thank-you,

David Morgan

480-675-5966



November 13, 2014

Mr. David Morgan  
12590 E Gold Dust Ave.  
Scottsdale, AZ 85259

RE: Abandonment Request for 12590 E Gold Dust Ave..

Mr. Morgan,

I have reviewed the abandonment of the G L O Easement request for 12590 E Gold Dust Ave.in Scottsdale, AZ. Based upon the supplied drawings/exhibits that you've submitted, it has been determined that COX has no facilities within the PUE and therefore we approve your request to abandon.

Please note that although Cox Communications approves this abandonment we do so with the understanding that we will not assume any construction, relocation and/or repairs costs associated or in result of this abandonment.

If I can be of further assistance, please contact me using the contact information below.

Kenny Hensman

*Kenny Hensman*

COX Communications  
Permitting Group  
Right of Way Agent II  
kenny.hensman@cox.com

4-AB-2015  
5/22/2015