

PLANNING COMMISSION REPORT



Meeting Date: August 27, 2025
General Plan Element: *Land Use*
General Plan Goal: *Coordinate Planning to Balance Infrastructure*

ACTION

Kunkel GLO Abandonment - 78th Street 1-AB-2025

Request to consider the following:

1. A recommendation to City Council regarding a request by owner to abandon the west 8 feet of the eastern 33-foot General Land Office Patent Easements (GLO) and the entire 33-foot GLO along the southern property boundary of the parcel located at 26800 N 78th St. with existing Single Family Residential Environmentally Sensitive Lands Foothills Overlay (R1-70 ESL FO) zoning.

Goal/Purpose of Request

This request for abandonment will provide additional land for development flexibility for the single-family lot. The owner will dedicate other property interests to the City of Scottsdale.

Key Items for Consideration

- Access is improved by this proposed abandonment.
- Conformance with the Transportation Master Plan and Local Area Infrastructure Plan.
- The applicant will dedicate 25-foot right-of-way along N. 78th Street, a 15-foot water and sewer facility easement, and a 10-foot-wide water meter easement.
- No public input received regarding the proposed abandonment.

OWNER

Kunkel Revocable Trust
(602) 214-5362

APPLICANT CONTACT

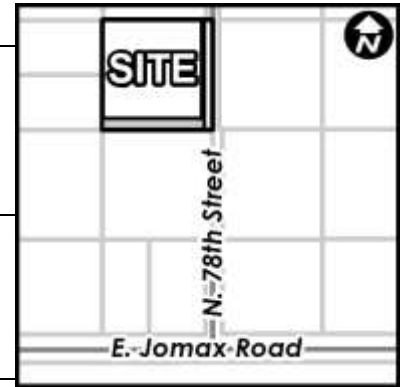
Jeff Kunkel
Jeff Kunkel

(602) 214-5362

LOCATION

26800 N 78th St

BACKGROUND



General Plan

The General Plan Land Use Element designates the property as Rural Neighborhoods. This category includes relatively large lot single-family neighborhoods. Densities in Rural Neighborhoods are usually one house per acer (or more) of land.

Character Area Plan

The subject property falls within the Desert Foothills Character Area Plan. The Desert Foothills Character Area Plan is intended to preserve the natural desert, promote connected areas of desert open space and trails, and seeks to balance rural lifestyle with the unique and fragile upper Sonoran Desert.

Zoning

The subject property is zoned Single-family Residential Environmentally Sensitive Lands Foothills Overlay (R1-70 ESL FO). The (R1-70 ESL FO) zoning district allows for single-family dwellings and uses incidental or accessory thereto, together with required recreational, religious and educational services. The surrounding property is also zoned Single-family Residential Environmentally Sensitive Lands Foothills Overlay (R1-70 ESL FO).

Context

The subject property is located at the northwest corner of E. Cavedale Drive (alignment) and N. 78th Street. The site is generally west of N. Hayden Road and north of E. Jomax Road. Please refer to the context graphics attached.

The subject 33-foot General Land Office Patent Easement(s) (GLO) located along the eastern and southern boundaries of 26800 N 78th Street were dedicated in June 1938, through patent serial number 1204008. The subject GLO roadway easements were reserved on the original patent deed to assure legal access. Currently the 33 feet GLO easements are unimproved.

General Land Office Patent Easements (general information)

- Within the City of Scottsdale there are General Land Office (GLO) lots or parcels of various sizes created by the Federal Small Tract Act. This act was passed in 1938 and repealed in 1976.
- Most GLO lots were patented with 33-foot (or sometimes 50-foot) roadway and public utility easements typically “as near as practicable to the exterior boundaries” of the GLO lot.
- The City has viewed these patent roadway and utility easements as assured access for these lots, at least until a local circulation plan is established.

- As GLO lots come in for development (i.e., lot splits, subdivisions or requesting building permits) staff requires city right-of-way dedications per city circulation plans. The City's transportation plan establishes a street system to replace the grid pattern created by the GLO easements.
- Any patent easements may be requested to be abandoned if it is in excess of the current requirements of the City's circulation plans (including trails) or City roadway standards, and not required to ensure access to any other lot.
- On 1981, City Ordinance 1386 was adopted delegating the authority for the release of GLO easements to the Engineering Services Director.
- On March 2, 1999, the City Council repealed Ordinance 1386 and adopted Ordinance 3219 which requires the abandonment of the GLO patent roadway easements to go through the same public hearing process currently used for all rights-of-way, alleys, and roadway easements. The City Attorney's office has concluded that this process for consideration of GLO roadway abandonment satisfies legal requirements.
- On August 12, 2005, Arizona Revised Statute section 9-500.24 became effective. This provision gives the local municipality the right to abandon GLO patent easements and concurs with the City's position on abandonment of GLO patent easements.

Related Policies, References:

2008 Scottsdale Transportation Master Plan
Desert Foothills Area Local Area Infrastructure Plan (LAIP)

IMPACT ANALYSIS

Land Use

The property is zoned for single-family residential use and will continue to function as a single-family residence

Traffic/Trails

Access to the subject property will continue to be provided by N. 78th Street from E Jomax. East/west trail alignments in the area are intended to be accommodated within the public right-of-way along E. Redbird Road to the north and E. Jomax Road to the south. North/south alignments are intended to be accommodated along N. 78th Street. The 78th Street trail is located in the area to be dedicated as fee-simple right-of-way by the applicant.

Emergency/Municipal Services and Utilities

All existing emergency and municipal access will be provided to the properties surrounding the abandonment area and maintained through existing dedicated public right-of-way along N. 78th Street. No impacts are anticipated.

Public Utilities

The public utilities have been notified of the applicant's request. The utility companies have indicated that there are no conflicts with the proposed abandonment and support the abandonment. A public utility easement will be retained over the area of the abandonment.

Community Involvement

Notifications of this abandonment were mailed to neighbors within 750 feet of the subject property by both the applicant and the City. At the time of writing this report there have been few inquiries from the neighbors all of which have been requesting information on the nature of this abandonment with no formal opposition to the abandonment.

Community Impact

No community impacts are anticipated as a result of the requested abandonment area. The applicant agrees to pay \$6,234.14 as compensation to the City for the value of the abandonment area at the standard \$0.50 per square foot rate for this circumstance.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission make a recommendation to City Council for approval of the abandonment request, finding that the proposal is consistent with and conforms to the adopted General Plan, subject to the following:

1. The property owner dedicate a 25-foot-wide right-of-way for N 78th Street.
2. The property owner dedicate a 15-foot-wide water and sewer facilities easement near the northeast corner of the property.
3. The property owner dedicate a 10-foot-wide water meter easement near the northeast corner of the property.
4. The property owner pay to the city the combined total amount of \$6,234.14, as compensation to the city for the abandonment of right-of-way.

RESPONSIBLE DEPARTMENTS

Planning and Development Services

Current Planning Services

Transportation

Engineering

Water resources

Asset Management

STAFF CONTACT

Jason Katz

Planner

480-312-2542

E-mail: jkatz@scottsdaleaz.gov

APPROVED BY



Jason Katz, Report Author

7/18/2025

Date



Tim Curtis, AICP, Current Planning Director
Planning Commission Liaison
Phone: 480-312-7713 Email: tcurtis@scottsdaleaz.gov

7/31/2025

Date



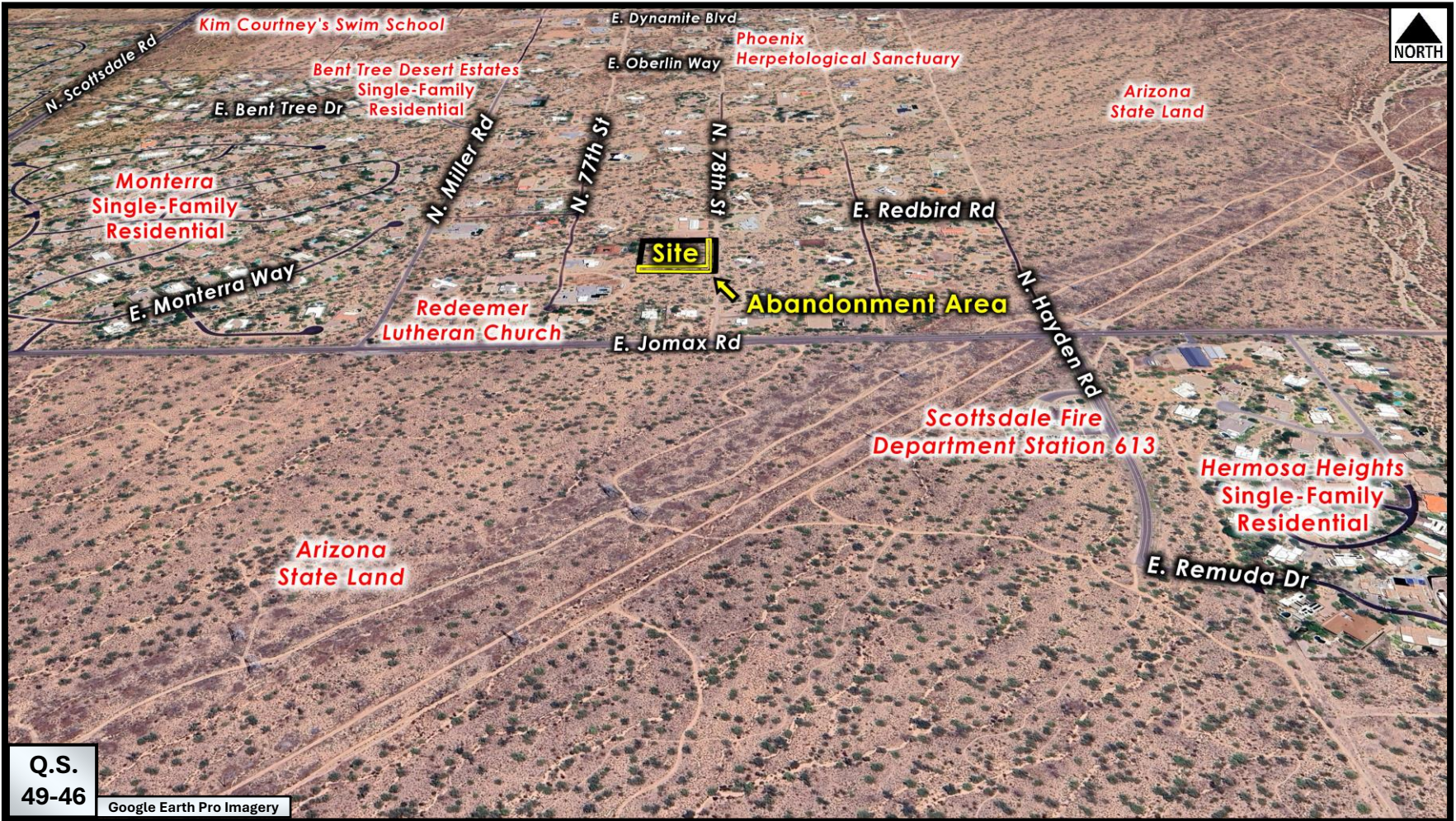
Erin Perreault, AICP, Senior Director
Planning and Development Services
Phone: 480-312-7093 Email: eperreault@scottsdaleaz.gov

08/01/2025

Date

ATTACHMENTS

1. Context Aerial
- 1A. Aerial Close-Up
2. Applicant's Narrative
3. Resolution No. 13481
 - Exhibit A: Plat Coversheet
 - Exhibit B: Plat Graphic
 - Exhibit C: Depiction of subject parcel
4. Zoning Aerial
5. Required Dedications Map
6. Legal Graphic of Abandonment Area
7. Neighborhood Outreach
8. City Notification Map



Context Aerial

1-AB-2025

ATTACHMENT #1



Close-up Aerial

1-AB-2025

ATTACHMENT #1A

4: Application Narrative and 6: Consideration for Abandonment Information

Objective:

Bring property into alignment with the planned Transportation and Sewer and Water Department needs of the City of Scottsdale.

Property owner to add an additional 5 foot dedicated easement/right of way on the East Boundary of the property to bring the total dedicated Right-of-Way up to 25 feet.

In conjunction with this the remaining General Land Office Patent Easements are no longer required the Owners are petitioning to have the remaining easements released/abandoned and are prepared to compensate the city of Scottsdale for these easements. The release areas are an 8 foot wide strip of land on the East Boundary and 33 foot wide strip on the Southern boundary.

Property owner to add

- Water meter easement -10 foot wide strip from the Eastern easement to the center of the water meter and a 6 foot radius from the center of the meter into the subject property.
- Water and Sewer Right of Way on the South Boundary of the property. This is a 15 foot wide strip on the southern boundary.

The City of Scottsdale Real Estate department has assigned a value GLO PE release at \$0.50 per square foot. Other similar properties in the area have been allowed a \$0.20 per square foot compensation for the Water and Sewer Easements, but this allowance is no longer allowed by the City of Scottsdale as of June, 2021.

Calculation of the compensation to be provided is as follows.

GLO PE 33 Foot Southern Boundary Area Calculation

Width of GLO PE release on Southern boundary

$$330.88' - 25' = 305.88' +/-$$

GLO PE Release area (southern boundary)

$$305.88' \times 33' = \mathbf{10,094.04 \text{ Square Feet +/-}}$$

GLO PE 8 foot Eastern Boundary Area Calculation

Length of GLO PE release on eastern boundary

$$329.78' - 33' = 296.78' +/-$$

Release area (eastern boundary)

$$296.78' \times 8' = \mathbf{2,374.24 \text{ Square Feet +/-}}$$

Total Area GLO PE to be released

4: Application Narrative and 6: Consideration for Abandonment Information

10,094.04 Sq Ft + 2,374.24 Sq Ft = **12,468.28 Sq Ft**

GLO PE Value Calculation

12,468.28 Sq Ft X \$0.50 per Sq Ft = \$6,234.14

Total Transaction Valuation \$6,234.14

RESOLUTION NO. 13481

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA ABANDONING, SUBJECT TO CONDITIONS AND RESERVATIONS, CERTAIN INTERESTS IN A PORTION OF THE PUBLIC RIGHTS-OF-WAY FOR PROPERTY LOCATED AT 26800 N. 78TH STREET.

(1-AB-2025)
(Kunkel GLO Abandonment - 78th Street)

WHEREAS:

A. A.R.S. Sec. 28-7201, et seq. and A.R.S. §9-500.24 provide that a city may dispose of a public roadway or portion thereof that is no longer necessary for public use.

B. Scottsdale Revised Code §2-221 and other applicable laws provide that the City may dispose of other real property interests.

C. After notice to the public, the City of Scottsdale Planning Commission and City Council have held hearings on the proposed abandonment of a certain portion of the street right-of-way and other interests (collectively the "Abandonment Rights-of-way").

D. The Abandonment Rights-of-way are legally described on **Exhibit "A"** and depicted on **Exhibit "B"** attached hereto, and comprise an area of approximately 12,468.28 square-feet.

E. The Abandonment Rights-of-way fall within, serve, affect or are near a parcel comprising approximately 2.51 acres ("Owner's Parcel"), as depicted on **Exhibit "C"** attached hereto.

F. The Council finds that, subject to the conditions, requirements, reservations and limitations of this resolution, the Abandonment Rights-of-way are no longer necessary for public use.

G. The Council has considered the City expenditure, if any, authorized by this resolution and the direct consideration that City will receive and finds that there is a clearly identified public purpose for City's expenditure, if any, and that City will receive direct consideration substantially equal to its expenditure.

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

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

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

2. Reservations. City reserves to itself and excludes from this abandonment all of the following cumulative, perpetual interests:

2.1 Any and all interests in the Abandonment Rights-of-way that any related application, zoning case, plat, lot split, use permit, or other land use regulatory process or requirements may require to be dedicated to City.

2.2 Any of the following in favor of City that may already have been imposed on the Abandonment Rights-of-way prior to this resolution, if any:

2.2.1 Any V.N.A.E. or other vehicular non-access easement or covenant.

2.2.2 Any N.A.O.S. or other open space or similar easement or covenant.

2.2.3 Any drainage or flood control easement or similar easement or covenant.

2.2.4 Any public non-motorized access easement or trail easement or similar easement or covenant.

2.2.5 Any scenic corridor, setback or similar easement or covenant.

2.3 An easement for all existing utilities, if any.

2.4 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 the Zoning Administrator determines that all of the following conditions (the "Conditions") are satisfied in accordance with all applicable laws, regulations and policies and at no expense to City:

3.1 The owner of the parcel shall pay to City the total amount of Six Thousand Two Hundred Thirty-Four Dollars and 14/100 (\$6234.14) as compensation to the City for the Abandonment Right-of-way, in addition to any application fees or other amounts related to this resolution and in addition to any other amounts payable to City.

3.2 The owner has delivered to City a deed, plat or other instrument that dedicates to City, in accordance with City specifications, a 15-foot-wide sewer and water facilities easement over the southern portion of Owner's parcel.

3.3 The owner has delivered to City a deed, plat or other instrument that dedicates to City, in accordance with City specifications, a 10-foot-wide water meter easement over a portion of Owner's parcel 75-feet south of the northern property boundary, along North 78th Street.

3.4 If determined to be necessary by the Zoning Administrator, the owner shall remove all vegetation and boulders in the right-of-way along the south property line of the parcel.

3.5 Construction

3.6 Deed

3.7 Demolition

3.8 As proof of satisfaction of the conditions set forth in Section 3, The Zoning Administrator shall execute the certificate at the bottom of this resolution indicating that the Conditions have been satisfied.

4. Administration of Conditions. If the foregoing Conditions are not all satisfied prior to the second annual anniversary of this resolution, the Zoning Administrator shall report the same to the City Clerk and then the City Clerk shall mark this resolution to indicate that this resolution is void.

5. Exhibit Labeling. The text of this resolution controls any conflict with the exhibits as to the nature of the interests created, reserved or otherwise affected by this resolution. For example, if the text of this resolution indicates that City is reserving a particular type of easement, but the exhibit text or labels indicate a different type of real estate interest, then the text controls.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this _____ day of _____, 2025.

CITY OF SCOTTSDALE, an Arizona municipal corporation

Lisa Borowsky, Mayor

ATTEST:

By: _____
Ben Lane, City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

Luis Santaella, Interim City Attorney
By: Joe Padilla, Deputy 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 _____, 20_____.

Signature

name printed

DO NOT PUT IN FINAL RESOLUTION

Table of Exhibits

<u>EXHIBIT</u>	<u>PARAGRAPH</u>	<u>DESCRIPTION</u>
A	D	Legal description of street right-of-way to be abandoned
B	D	Scaled and dimensioned drawing to accompany legal description of street right-of-way to be abandoned
C	E	Depiction of Subject Parcel.

FINAL PLAT FOR

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, COUNTY OF MARICOPA, STATE OF ARIZONA

OWNER: KUNKEL REVOCABLE TRUST

DEDICATIONS

STATE OF ARIZONA)
COUNTY OF MARICOPA) S.S.

KNOW ALL MEN BY THESE PRESENTS:

JEFFREY FORREST KUNKEL & MARY LUCILLE KUNKEL, AS TRUSTEES OF THE KUNKEL REVOCABLE TRUST DATED DECEMBER 30, 2020, OWNER, HEREBY PUBLISHES THIS FINAL PLAT FOR A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, COUNTY OF MARICOPA, STATE OF ARIZONA. THIS PLAT SETS FOR THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, STREETS AND EASEMENTS CONSTITUTING THE SUBDIVISION. EACH LOT, TRACT, STREET AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, NAME OR DESCRIPTION GIVEN EACH RESPECTIVELY ON THIS PLAT. THE EASEMENTS ARE DEDICATED FOR THE PURPOSES, AND SUBJECT TO THE CONDITIONS, STATED.

JEFFREY FORREST KUNKEL & MARY LUCILLE KUNKEL, AS TRUSTEES OF THE KUNKEL REVOCABLE TRUST DATED DECEMBER 30, 2020, OWNER, GRANTOR, DEDICATES IN FEE, TO THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION, GRANTEE, THE PUBLIC STREETS AS SHOWN HEREON. SEE SRC, CHAPTER 47, AS AMENDED, FOR GRANTEE'S MAINTENANCE OBLIGATIONS. WITHOUT LIMITATION, GRANTEE MAY (1) GRADE, FILL, DRAIN, PAVE, CONSTRUCT, OPERATE, MAINTAIN, REPAIR, AND REBUILD ROADS, HIGHWAYS, UTILITY LINES, PIPES AND RELATED FACILITIES, WITH BRIDGES, CULVERTS, DRAINAGEWAYS, RAMPS, SIDEWALKS, CURBS, GUTTERS, CUTS AND OTHER RELATED IMPROVEMENTS, AND (2) CUT AND TRIM BRANCHES, TREES AND GROWTH THAT EXTEND INTO THE IMPROVEMENTS, TO PREVENT INTERFERENCE WITH THE EFFICIENT MAINTENANCE AND OPERATION OF THE IMPROVEMENTS.

EASEMENTS:

JEFFREY FORREST KUNKEL & MARY LUCILLE KUNKEL, AS TRUSTEES OF THE KUNKEL REVOCABLE TRUST DATED DECEMBER 30, 2020, OWNER, GRANTOR, DEDICATES TO THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION, GRANTEE:

NATURAL AREA OPEN SPACE (NAOS), INCLUDING RESTORED DESERT: A PERPETUAL, NON-EXCLUSIVE EASEMENT SHOWN HEREON AS TRACTS, UPON, OVER, UNDER AND ACROSS THE PROPERTY ON THIS PLAT, FOR PRESERVING THE EASEMENT AS NATURAL DESERT OPEN SPACE.

- GRANTEE SHALL NOT USE THE PROPERTY IN ANY WAY INCONSISTENT WITH THE PRESERVATION OF THE EASEMENT IN ITS UNDISTURBED CONDITION AS PERMANENT NATURAL DESERT OPEN SPACE.
- GRANTEE SHALL NOT GRADE, CRUB OR EXCAVATE THE EASEMENT, OR CONSTRUCT ANY STRUCTURE ON THE EASEMENT, EXCEPT AS APPROVED BY GRANTEE, IN WRITING, SPECIFICALLY REFERRING TO THIS EASEMENT.
- GRANTEE SHALL RESTORE THE EASEMENT IN ACCORDANCE WITH PLANS APPROVED BY GRANTEE, IF THE EASEMENT IS DISTURBED. THE RESTORED DESERT SHALL BE PRESERVED AS DESERT OPEN SPACE.
- GRANTEE MAY ENJOIN ANY VIOLATION OF THIS EASEMENT. GRANTEE MAY ENTER THE PROPERTY TO ENFORCE THIS EASEMENT. HOWEVER, THIS EASEMENT DOES NOT CREATE PUBLIC ACCESS TO THE PROPERTY.
- MENTIONING REMEDIES IN THIS EASEMENT DOES NOT LIMIT GRANTEE'S RIGHT TO OTHER REMEDIES.

WATER & SEWER FACILITIES (WSF): A PERPETUAL, NON-EXCLUSIVE EASEMENT SHOWN HEREON UPON, OVER, UNDER AND ACROSS THE PROPERTY ON THIS PLAT FOR WATER AND SEWER PIPES AND OTHER RELATED FACILITIES, AND FOR CONSTRUCTION, OPERATION, USE, MAINTENANCE, REPAIR, MODIFICATION AND REPLACEMENT OF PIPES AND OTHER RELATED FACILITIES.

GRANTEE WARRANTS AND COVENANTS TO GRANTEE AND ITS SUCCESSORS AND ASSIGNS THAT GRANTEE IS LAWFULLY SEIZED AND POSSESSED OF THE PROPERTY, THAT GRANTEE HAS A GOOD AND LAWFUL RIGHT TO MAKE THE CONVEYANCE DESCRIBED HEREIN, AND THAT GRANTEE SHALL HAVE TITLE AND QUIET POSSESSION AGAINST CLAIMS OF ALL PERSONS.

THE PERSON EXECUTING THIS DOCUMENT ON BEHALF OF A CORPORATION, TRUST OR OTHER ORGANIZATION WARRANTS HIS OR HER AUTHORITY TO DO SO AND THAT ALL PERSONS NECESSARY TO BIND GRANTEE HAVE JOINED IN THIS DOCUMENT. THIS DOCUMENT RUNS IN FAVOR OF THE GRANTEE'S SUCCESSORS AND ASSIGNS.

DATED THIS _____ DAY OF _____, 2025.

GRANTOR: KUNKEL REVOCABLE TRUST

BY: _____

ITS: _____

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA)
COUNTY OF MARICOPA) S.S.

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____

BY: _____

FOR AND ON BEHALF OF THE KUNKEL REVOCABLE TRUST

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____

PARENT PARCEL LEGAL DESCRIPTION

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT ALL OIL, GAS AND OTHER MINERAL DEPOSITS AS RESERVED IN THE PATENT TO SAID LAND.

SHEET INDEX

SHEET 1: DEDICATION, RATIFICATION, BOUNDARY, PROPERTY INFORMATION, & APPROVALS.
SHEET 2: NEW DEDICATIONS.
SHEET 3: EASEMENT RELEASES.

OWNER OF RECORD

JEFFREY & MARY KUNKEL
26800 N. 78TH STREET
SCOTTSDALE, ARIZONA 85266
PHONE: (602) 214-5362
CONTACT: JEFFREY KUNKEL
EMAIL: JEFFXTREMST@GMAIL.COM
APN: 212-22-049

SURVEYOR

LANDCOR CONSULTING
1955 S. VAL VISTA DR. #121
MESA, AZ 85204
PHONE: (810)-287-8513
CONTACT: NICK JARRETT, R.L.S.
EMAIL: NICK@landcorconsulting.com

CITY OF SCOTTSDALE RELEASE OF EASEMENT

THE CITY OF SCOTTSDALE, ARIZONA, A MUNICIPAL CORPORATION, FOR VALUABLE CONSIDERATION, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, DOES HEREBY RELEASE THE INTEREST OF THE CITY OF SCOTTSDALE, BUT DOES NOT RELEASE ANY INTEREST OWNED OR HELD BY ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER, IN THOSE CERTAIN DEDICATED EASEMENTS IDENTIFIED AS:

NATURAL AREA OPEN SPACE AND DRAINAGE EASEMENT AS SHOWN HEREON.

IT IS EXPRESSLY UNDERSTOOD THAT THIS RELEASE IS INTENDED TO AFFECT ONLY THAT INTEREST HELD BY THE CITY OF SCOTTSDALE, ARIZONA, IN THE ABOVE MENTIONED EASEMENTS, AND DOES NOT INCLUDE NOR AFFECT ANY PROPERTY OR PORTION THEREOF WHICH IS NOT HEREIN ABOVE DESCRIBED SPECIFICALLY.

DATED THIS _____ DAY OF _____, 20____
CITY OF SCOTTSDALE

BY: _____

ACKNOWLEDGMENT

STATE OF ARIZONA)
COUNTY OF MARICOPA) S.S.

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____

BY: _____

FOR AND ON BEHALF OF THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION.

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____

REFERENCE DOCUMENTS

- MCR DOCKET NUMBER 3262, PAGE 163
- MCR DOCUMENT NUMBER 1993-776111
- MCR DOCUMENT NUMBER 1993-776112
- MCR DOCUMENT NUMBER 1993-776114
- MCR DOCUMENT NUMBER 2024-0548689
- MCR ABANDONMENT RESOLUTION NUMBER _____
- TITLE COMMITMENT INFORMATION:
COMPANY: SECURITY TITLE AGENCY, INC.
6909 E GREENWAY PKWY, SUITE 180
SCOTTSDALE ARIZONA, 85254
480-481-8650
DOC NUMBER: ST54240210

LEGEND:

- PROPERTY BOUNDARY
- EXISTING EASEMENT
- EXISTING NAOS
- DEDICATED NAOS
- ADJACENT PROPERTY LINE
- FOUND REBAR AND CAP, LS 17391
- ⊗ FOUND ALUMINUM CAP, LS 54336
- CALCULATED POSITION

SITE INFORMATION

OWNER: JEFFREY KUNKEL & MARY KUNKEL
ADDRESS: 26800 N. 78TH ST SCOTTSDALE, ARIZONA 85266
TAX ASSESSORS PARCEL NUMBER: 212-22-049
ZONING: R1-70 ESL FO
LANDFORM CLASSIFICATION: LOWER DESERT
PARCEL AREA: 101,136 SQFT. / 2,321 AC.
NAOS PROVIDED: 27,040 SQFT.

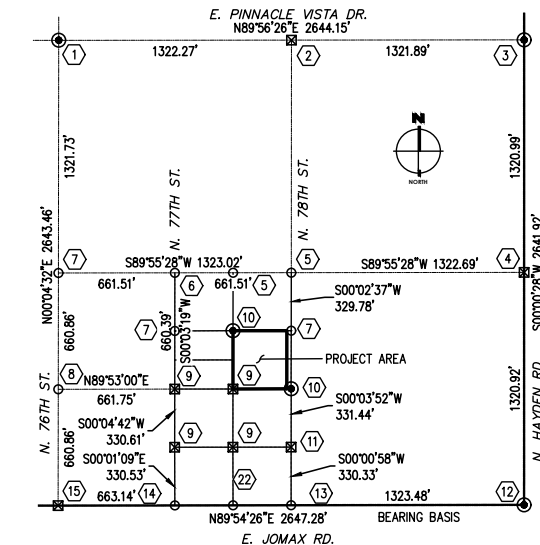
CITY OF SCOTTSDALE STAFF PLAT APPROVAL

THIS PLAT HAS BEEN REVIEWED FOR COMPLIANCE WITH THE CITY OF SCOTTSDALE'S DESIGN STANDARDS AND POLICY MANUAL SPECIFICATIONS.

BY: _____ DATE _____
CHIEF DEVELOPMENT OFFICER

THIS SUBDIVISION HAS BEEN REVIEWED FOR COMPLIANCE WITH THE DEVELOPMENT STANDARDS OF THE CITY OF SCOTTSDALE'S DEVELOPMENT REVIEW BOARD (DRB) CASE NO. NA , AND ABANDONMENT CASE(S) NO. 1-AB-2025 , AND ALL CASE RELATED STIPULATIONS.

BY: _____ DATE _____
DEVELOPMENT ENGINEERING MANAGER



VICINITY MAP

SE 1/4 OF SECTION 35 T5N, R4E G&SRM. SCALE - 1" = 500'

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER MERIDIAN BEING N89°54'26"E BETWEEN THE SOUTH QUARTER CORNER OF SAID SECTION 35 AND THE SOUTHEAST CORNER OF SECTION OF SAID SECTION 35.

NOTES

THE WORDS CERTIFY, CERTIFICATE AND CERTIFICATION, SHOWN AND USED HEREON, ARE DEFINED/OUTLINED BY ARS 32-151; IN THAT A PERSON OR FIRM REGISTERED BY THE BOARD IS EXPRESSING A PROFESSIONAL OPINION REGARDING THE FACTS OR FINDINGS THAT ARE THE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE OR EXPRESS IMPLIED WARRANTY OR GUARANTEE. ALL DIMENSIONS ARE MEASURED UNLESS STATED OR NOTED OTHERWISE.

ZONING AND SETBACK INFORMATION, IF SHOWN OR STATED, IS BASED UPON PUBLICLY AVAILABLE DOCUMENTS FROM THE GOVERNING AGENCIES OF THIS SUBJECT PROPERTY. ZONING AND SETBACKS ARE SUBJECT TO CHANGES AND VARIANCES AT ANYTIME, THEREFORE LANDCOR CONSULTING WILL TAKE NO RESPONSIBILITY IN THESE MATTERS.

SEE SHEET 2 FOR DEDICATIONS INFORMATION.

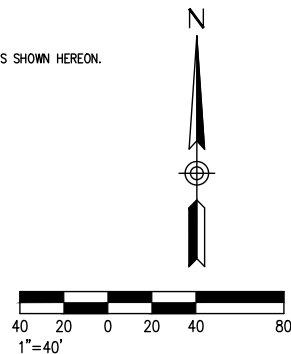
THE EASEMENTS DESCRIBED WITHIN THE COMMITMENT OF TITLE INSURANCE ARE SHOWN HEREON. NO WARRANTY IS GIVEN BY THIS SURVEY TO THE POSSIBILITY OF OTHER EASEMENTS OR RESTRICTIONS RECORDED OR NOT RECORDED THAT COULD AFFECT THIS PROPERTY.

MONUMENT DESCRIPTIONS

- FOUND CITY OF SCOTTSDALE BRASS FLUSH WITH PAVEMENT, ACCEPTED POSITION AS CENTER OF SAID SECTION 35.
- FOUND 1/2" IRON PIPE, NO I.D., ACCEPTED.
- FOUND G.L.O. BRASS, ACCEPTED POSITION AS EAST QUARTER CORNER OF SAID SECTION 35.
- FOUND 1/2" REBAR, NO I.D., ACCEPTED.
- SEARCHED FOR NOT FOUND, CALCULATED POSITION AS SHOWN HEREON.
- SEARCHED FOR NOT FOUND, CALCULATED POSITION AS SHOWN HEREON.
- SEARCHED FOR NOT FOUND, CALCULATED POSITION AS SHOWN HEREON.
- SEARCHED FOR NOT FOUND, CALCULATED POSITION AS SHOWN HEREON.
- FOUND 1/2" REBAR, NO I.D., ACCEPTED AND AFFIXED A BRASS TAG RLS 54336.
- FOUND 1/2" REBAR WITH CAP RLS 17591, ACCEPTED.
- FOUND 1/2" REBAR, NO I.D., ACCEPTED.
- FOUND CITY OF SCOTTSDALE BRASS FLUSH WITH PAVEMENT, ACCEPTED POSITION AS SOUTHEAST CORNER OF SAID SECTION 35.
- SEARCHED FOR NOT FOUND, CALCULATED POSITION AS SHOWN HEREON.
- SEARCHED FOR NOT FOUND, CALCULATED POSITION AS SHOWN HEREON.
- FOUND 1/2" IRON PIPE, NO I.D., ACCEPTED AS SOUTH QUARTER CORNER OF SAID SECTION 35.
- FOUND 1/2" REBAR WITH CAP RLS 34399, ACCEPTED.
- FOUND 1/2" REBAR, NO I.D., ACCEPTED AND AFFIXED A BRASS TAG RLS 54336.
- ALUMINUM CAP RLS 21790, ACCEPTED.
- FOUND 1/2" REBAR WITH CAP RLS 17591, ACCEPTED.
- FOUND 1/2" REBAR, NO I.D., ACCEPTED.
- SEARCHED FOR NOT FOUND, CALCULATED POSITION AS SHOWN HEREON.



Nicholas W. Jarrett



FINAL PLAT FOR

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, COUNTY OF MARICOPA, STATE OF ARIZONA

PARCEL BOUNDARY & EASEMENT DEDICATIONS AS SHOWN HEREON & EXISTING EASEMENTS

APN: 212-22-050C

LEGEND:

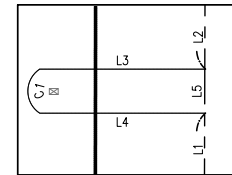
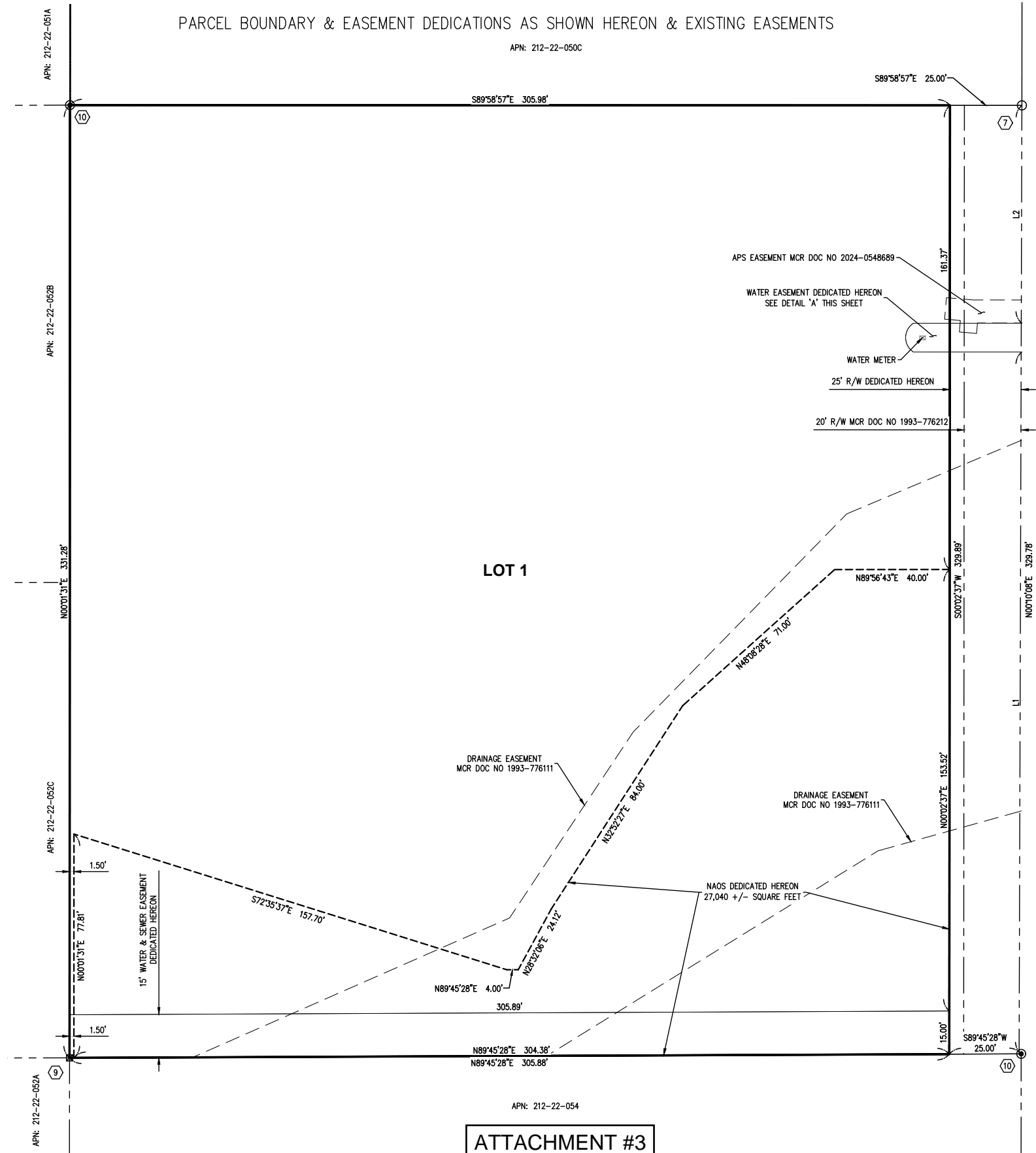
- PROPERTY BOUNDARY
- EXISTING EASEMENT
- EXISTING NAOS
- DEDICATED NAOS
- ADJACENT PROPERTY LINE
- FOUND REBAR AND CAP, LS 17391
- FOUND ALUMINUM CAP, LS 54336
- CALCULATED POSITION
- WATER METER

NOTES

SEE SHEET 1 FOR SECTION TIES.
ALL BEARINGS AND DISTANCES ARE MEASURED UNLESS OTHERWISE NOTED.
SEE SHEET 1 FOR MONUMENT DESCRIPTIONS.

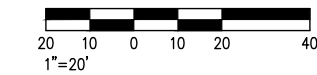
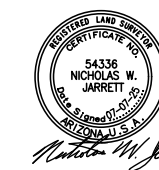
NAOS CALCULATIONS

EXISTING NAOS = 27,482 +/- SQUARE FEET
PROPOSED NAOS = 27,040 +/- SQUARE FEET



LINE TABLE		
NO.	LENGTH	DIRECTION
L1	244.03'	N00°02'37"E
L2	75.75'	N00°02'37"E
L3	37.69'	N90°00'00"E
L4	37.68'	N90°00'00"W
L5	10.00'	S00°02'37"W

CURVE TABLE					
CURVE NO.	LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	11.82'	6.00'	112°53'07"	N00°00'00"E	10.00'



Legend



Proposed Abandonment Area



Required R/W Dedication Area



Required Easement Dedication Area

Parcel No.
212-22-050C

Parcel No.
212-22-052B

212-22-049
26800 N 78th Street

Parcel No.
212-22-048A

Parcel No.
212-22-052C

N. 78th Street

E. Cavedale Drive (Alignment)

Resolution No. XXXXX
EXHIBIT "C"
Page 1 of 1

Parcel No.
212-22-054

ATTACHMENT #3
Exhibit C





Zoning Aerial

1-AB-2025

ATTACHMENT #4

EXHIBIT 2A

WATER & SEWER UTILITY LEGAL DESCRIPTION

WATER AND SEWER EASEMENT DEDICATION:

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, COUNTY OF MARICOPA, STATE OF ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 15.00 FEET OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35.

AREA OF DESCRIPTION; 4,963 +/- SQFT OF 0.113 +/- ACRES.

AND

WATER EASEMENT DEDICATION:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, COUNTY OF MARICOPA, STATE OF ARIZONA;

THENCE ALONG THE EAST LINE OF SAID PROPERTY NORTH 00°02'37" EAST, A DISTANCE OF 244.03 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID EAST LINE NORTH 90°00'00" WEST, A DISTANCE OF 37.68 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 6.00 FEET, A CENTRAL ANGLE OF 112°53'07", AND A CHORD THAT BEARS NORTH 00°00'00" EAST, A CHORD DISTANCE OF 10.00 FEET;

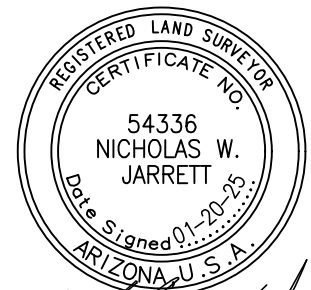
THENCE ALONG THE ARC OF SAID CURVE 11.82 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 37.69 FEET TO A POINT ON SAID EAST LINE;

THENCE ALONG SAID EAST LINE SOUTH 00°02'37" WEST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

AREA OF DESCRIPTION; 396 +/- SQUARE FEET OR 0.009 +/- ACRES.

EXHIBIT 2B MADE APART BY REFERENCE HEREON.



Nicholas W. Jarrett



1955 S VAL VISTA DR., # 121
MESA, AZ 85204
Ph: (480) 553-9433
landcorconsulting.com

PAGE 1 OF 2

DATE: 01/20/25

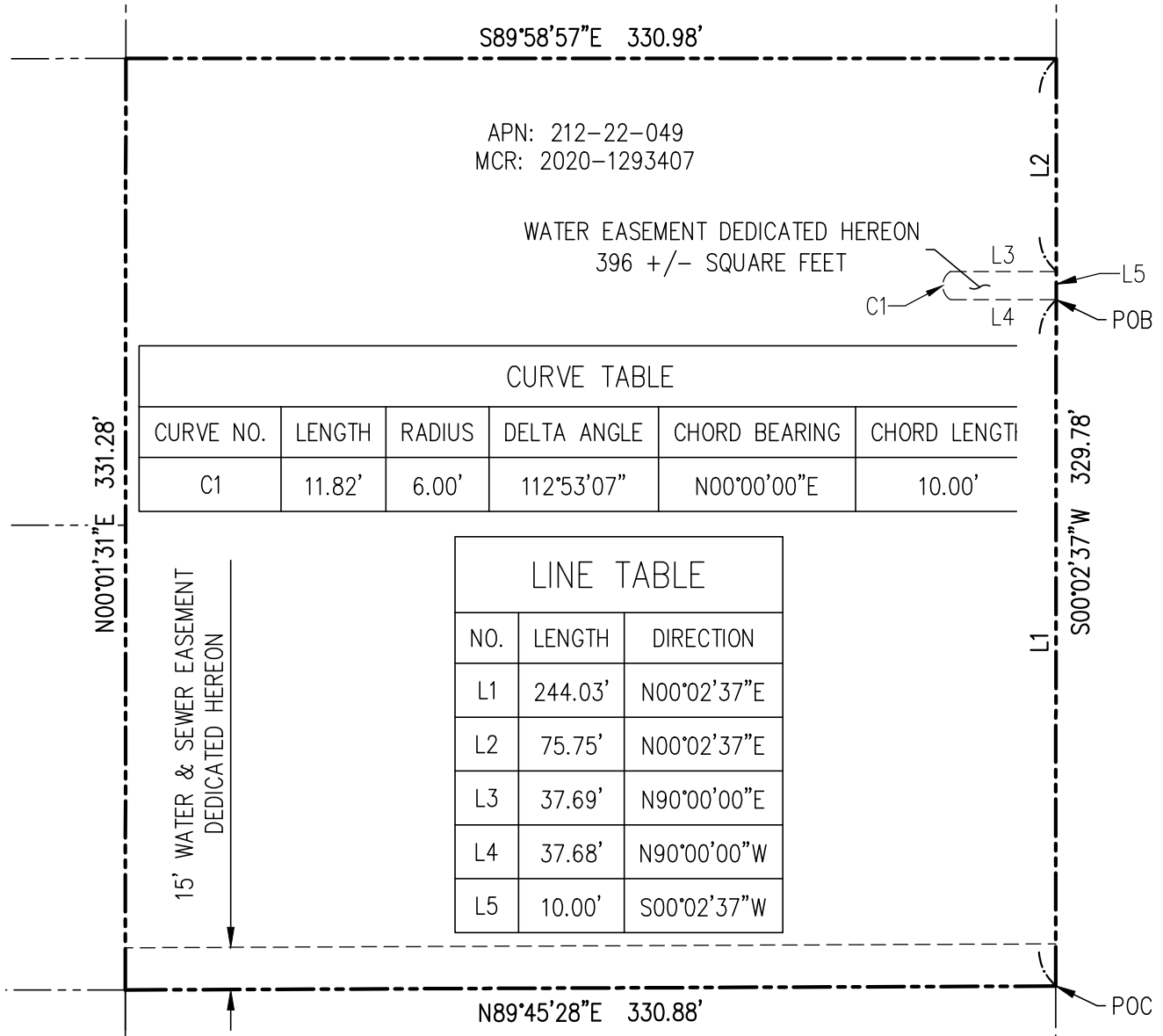
SCALE: N.T.S.

LEGAL DESCRIPTION

JOB NO.
2194

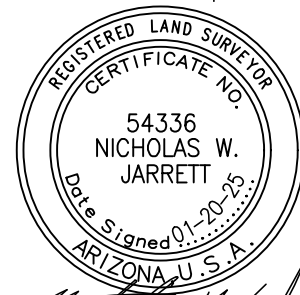
ATTACHMENT #5

EXHIBIT 2B WATER & SEWER UTILITY EASEMENT



LEGEND

- PROPERTY BOUNDARY
- NEW EASEMENT LINES
- ADJACENT PROPERTY LINE



Nicholas W. Jarrett



EXHIBIT 2A MADE APART BY REFERENCE HEREON

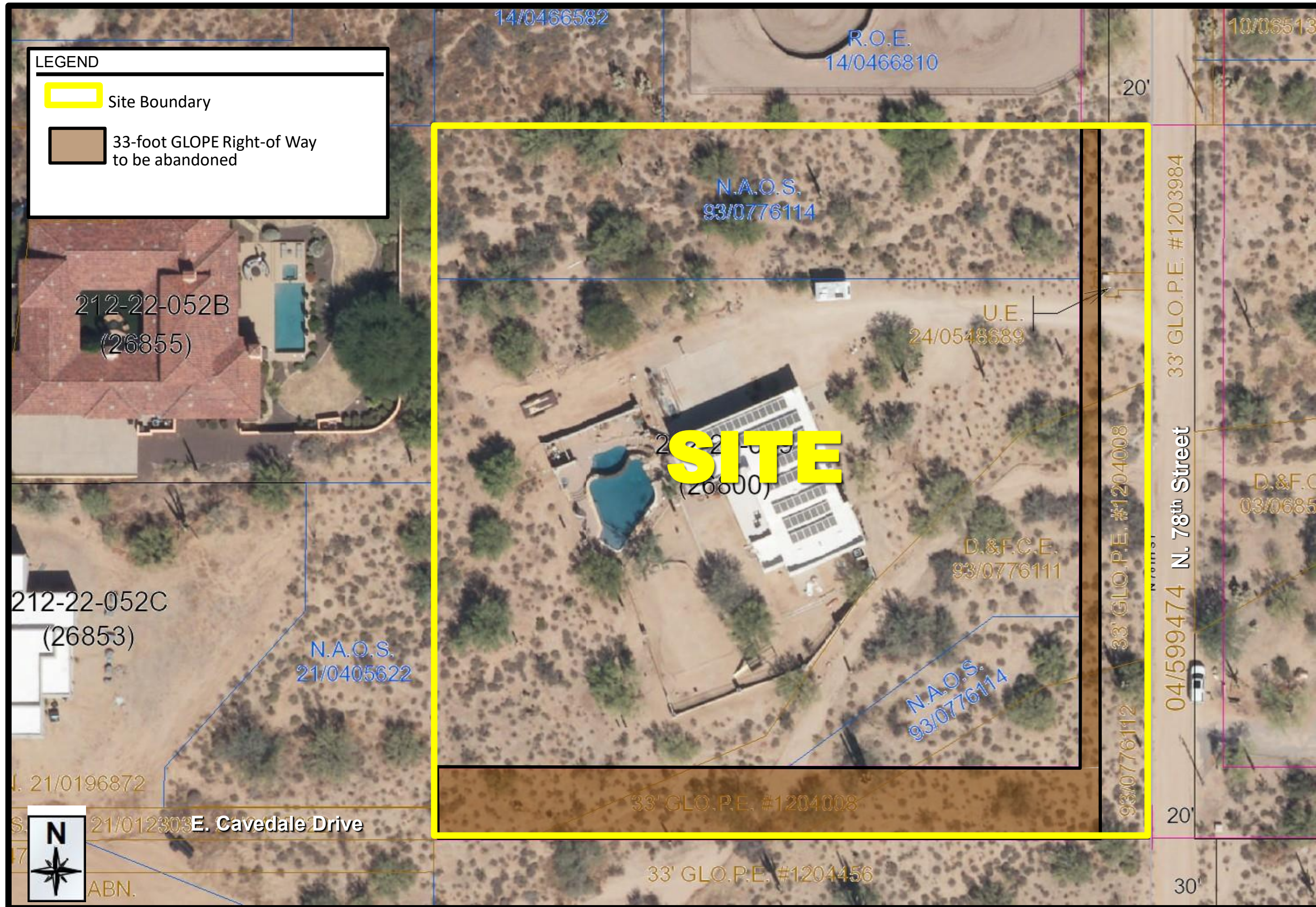


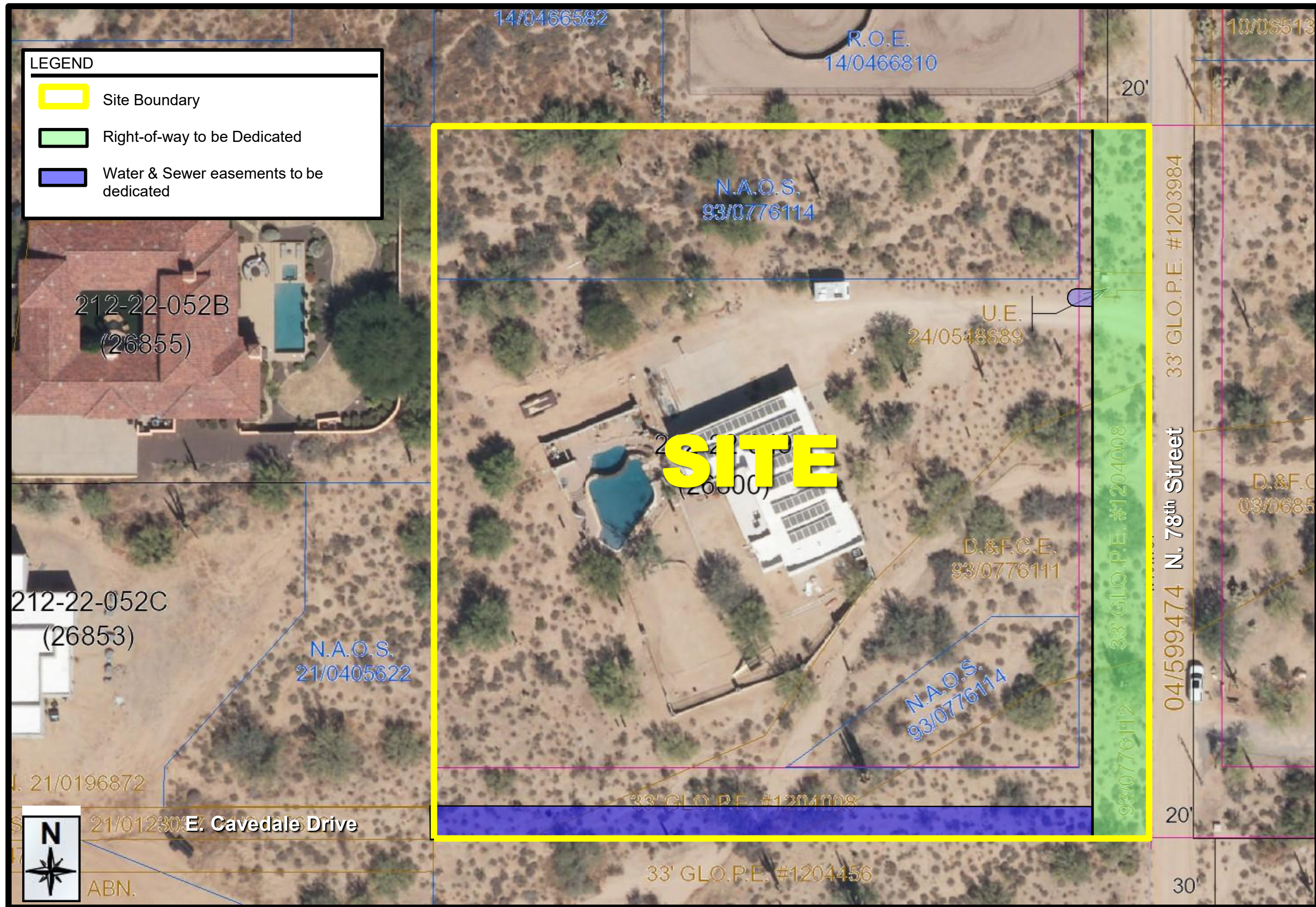
1955 S VAL VISTA DR., # 121
MESA, AZ 85204
Ph: (480) 553-9433
landcorconsulting.com

DATE: 01/20/25
SCALE: 1" = 60'

WATER AND SEWER EASEMENT

JOB NO.
2194





Property Address: 26800 N. 78th Street
APN: 212-22-049
Pre-Application Number: 651-PA-2024
Parcel Size: 108,259 sq.ft. +/- or 2.5 +/- Acres
Zoning: R1-70 ESL FO
Applicant Name: Jeff Kunkel
Telephone: 602-214-5362
City Contact: Jason Katz
Telephone:

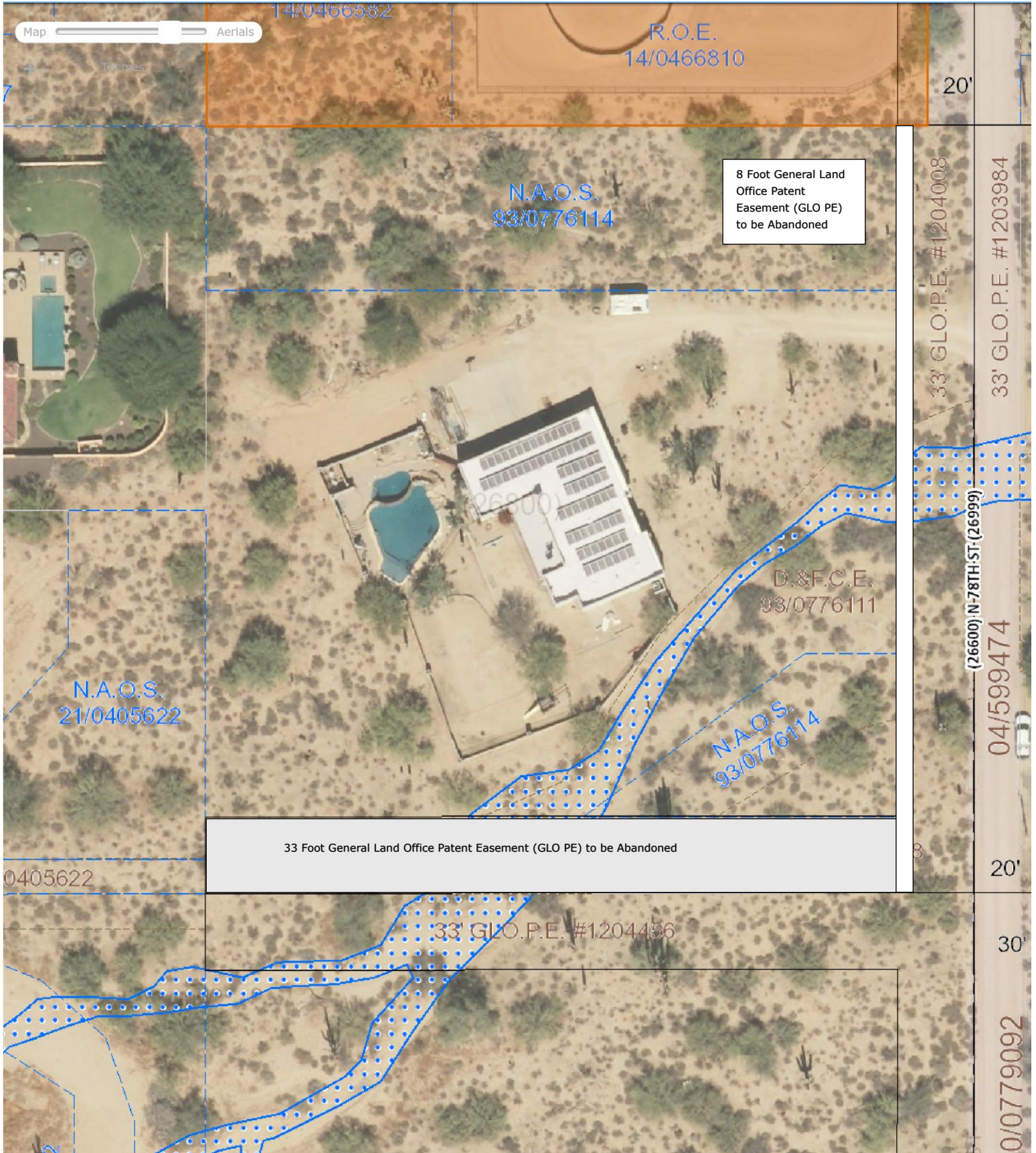
Property owners are requesting that the City of Scottsdale release the General Land Office Patent Easement (GLO PE) dedicated under the Federal Small Tract Act of 1938. The request is for 8 Feet of the GLO PE (330 lineal feet +/-) on the Eastern side of the property and for the 33 feet of the GLO PE (297 Lineal Feet) on the southern edge of the property.

Please reference Figure 1 for

ATTACHMENT #7

Parcel Information

Zoom to desired location and click on the map to get additional information.



8 Foot General Land Office Patent Easement (GLO PE) to be Abandoned

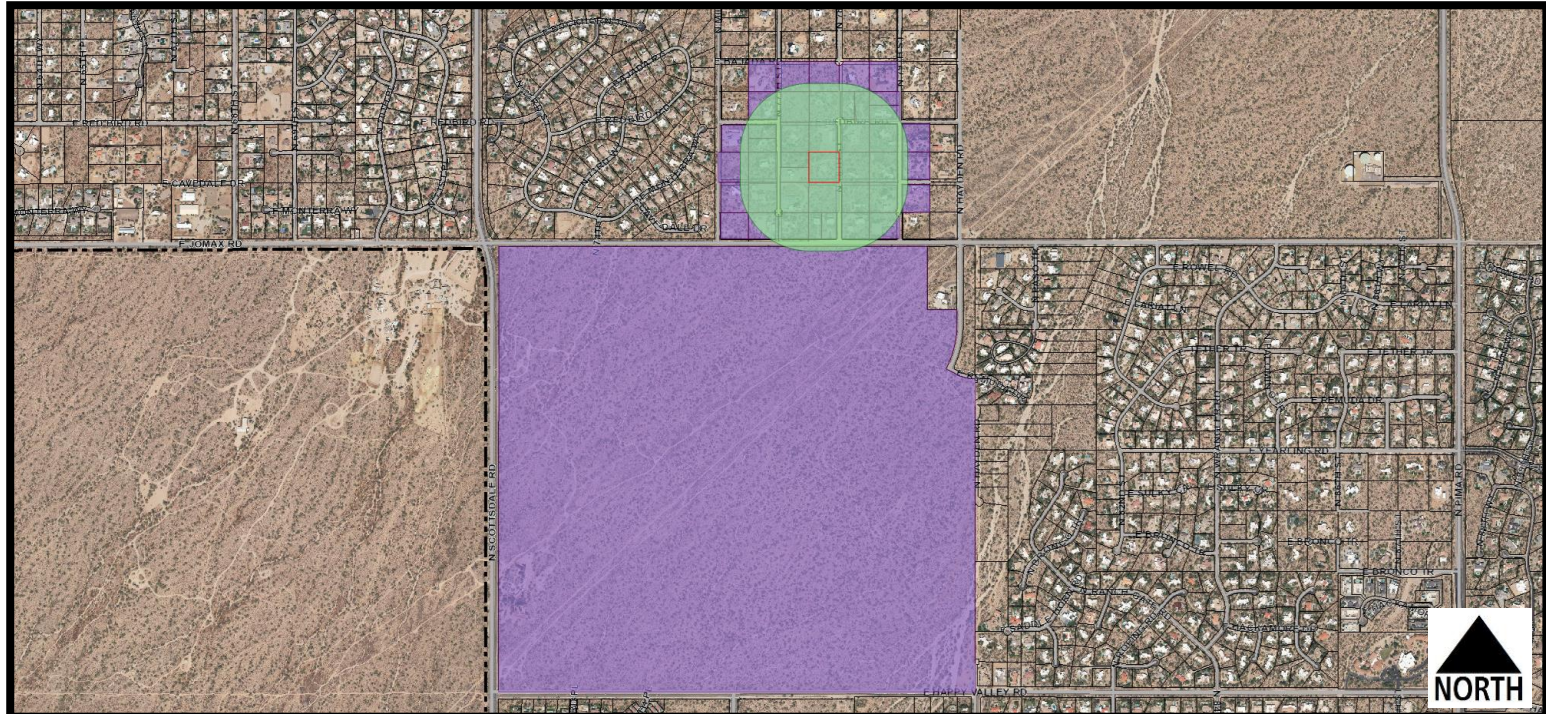
33 Foot General Land Office Patent Easement (GLO PE) to be Abandoned

From this date to this date

Terms of Use

City Notifications – Mailing List Selection Map

Kunkel GLO Abandonment - 78th Street



Labels Pulled
January 31, 2025

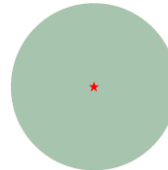
Additional Notifications:

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Nextdoor.com
- City Website-Projects in the hearing process

Map Legend:



Site Boundary



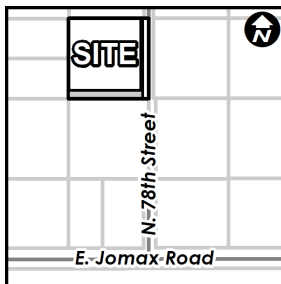
Properties within 750-foot

Postcards: 71

1-AB-2025

POSTCARD DATE: FEBRUARY 6, 2025

NEW PROJECT PROPOSED



Site Location:
26800 N 78th St

GLOPE Abandonment

Request by owner to abandon the General Land Office Patent Easements (GLOPE) on property. West 8-feet of eastern 33-foot GLOPE and the entire 33-feet of GLOPE along southern property boundary. Property located at 26800 N 78th St. with existing Single Family Residential Environmentally Sensitive Lands Foothills Overlay (R1-70 ESL FO) zoning.

Applicant Contact:

Jeff Kunkel, 602-214-5362

City Contact:

Jason Katz, 480-312-2542

Case Name:

Kunkel GLO Abandonment - 78th Street

Case Number:

1-AB-2025



Scan, snap, save, and share

For more information go to [ScottsdaleAZ.gov](https://scottsdaleaz.gov), search “Active Cases” and use the interactive map to locate the project. To comment, email projectinput@scottsdaleaz.gov.

Scottsdale P & Z Link - An email bulletin to keep residents and merchants informed about upcoming projects. Subscribe at <https://eservices.scottsdaleaz.gov/emails/subscriptions>