

PLANNING COMMISSION REPORT



Meeting Date: March 8, 2023
General Plan Element: *Land Use*
General Plan Goal: *Coordinate Planning to Balance Infrastructure*

ACTION

Martinson GLOPE Abandonment 5-AB-2022

Request to consider the following:

1. Adopt Resolution No. 12710 to abandon the 33-foot wide GLO roadway easement along the northern property line and to abandon 250 square feet of a ¼ cul-de-sac abutting N. 69th Street of parcel 216-50-028A, with Single-family Residential, Environmentally Sensitive Lands, Foothills Overlay (R1-70 ESL FO) zoning located at 31421 N. 69th Street.

Goal/Purpose of Request

The applicant's request is to remove excess and unnecessary roadway easements. The applicant will also be dedicating required public right-of-way along N. 69th Street to help complete the street alignment.

Key Items for Consideration

- Access not impacted by this proposed abandonment
- Conformance with the Transportation Master Plan and Local Area Infrastructure Plan
- Removes excess and unnecessary GLO roadway easements
- Dedication of right-of-way and a water and sewer facilities easement
- No public input received regarding the proposed abandonment

OWNER

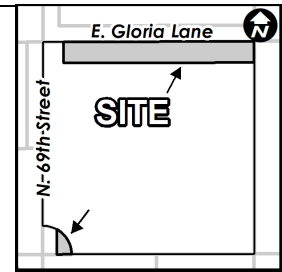
Martinson Family Trust
(480) 797-1075

APPLICANT CONTACT

Wayne Rosendahl
(480) 599-1263

LOCATION

31421 N 69th St



BACKGROUND

Scottsdale General Plan 2035

The General Plan Land Use Element designates the property as Rural Neighborhoods. This land use designation includes areas of relatively large lot single-family neighborhoods. Densities in Rural Neighborhoods are usually one house per acre (or more) of land. Clustering of development is encouraged to preserve desert vegetation, washes, and natural features. Some of these areas were developed with one-acre lots under Maricopa County standards prior to annexation by Scottsdale.

Desert Foothills Character Area Plan

This property falls within the Desert Foothills Character Area Plan. The purpose of this character area is to promote or enhance the character of the Desert Foothills area by establishing development and design guidelines for maintaining the natural qualities of the upper desert, open space areas, and the rural lifestyle found in the area.

Zoning

The site is currently zoned Single-family Residential Environmentally Sensitive Lands Foothills Overlay (R1-70 ESL FO). The subject property was annexed into the City of Scottsdale in 1983 through Ordinance No. 1611. The Environmentally Sensitive Lands Overlay was applied in 1991.

The R1-70 zoning district is intended to promote and preserve residential development with large lots to maintain low density. The principal land use is single-family dwellings and uses incidental or accessory thereto.

The purpose of the Environmentally Sensitive Lands (ESL) overlay district is to identify and protect environmentally sensitive lands in the city and to promote the public health, safety and welfare by providing appropriate and reasonable controls for the development of such lands.

The purpose of the Foothills Overlay (FO) district is to provide a means to recognize and further preserve the rural desert character in the low-density lands that are generally not within subdivisions to which the FO district has been applied by defining additional standards that help to define the area's unique character. These standards are intended to result in minimum visual impact for buildings and other improvements and to further the related purposes of the Environmentally Sensitive Lands (ESL) district that relate to preservation of the desert and blending the form of buildings into the desert environment.

Context

The subject property is located at the southeast intersection of N. 69th Street and E. Gloria Lane.

Adjacent Uses and Zoning

- North: R1-70 ESL FO, no subdivision, Single family home property
- South: R1-70 ESL FO, no subdivision, Single family home property
- East: R1-70 ESL FO, no subdivision, Single family home property
- West: R1-70 ESL FO, no subdivision, Single family home property

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 1 Local Area Infrastructure Plan (LAIP)

IMPACT ANALYSIS

Subject GLO Easements and Right-of-way

In 1954, two 33-foot General Land Office Patent Easements (GLO) were dedicated on the site through patent serial number 1185006. The GLO easements are located along the northern and western boundaries of the property. The GLO roadway easements were reserved on the original patent deed to assure legal access before the City’s street plans were in place. Currently the GLO easements are unimproved.

Request

The applicant is requesting to abandon the 33-foot GLO easement along the northern boundary abutting N. Gloria Lane and a ¼ cul-de-sac abutting N. 69th Street. The subject abandonment areas are deemed as excess and unnecessary by the Transportation Master Plan.

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 and easements along N. 69th Street. No impacts are anticipated.

Public Utilities

The public utility providers have been notified of the applicant's request. The utility companies have indicated no conflicts with the proposed abandonment. The existing functioning City water line along the western boundary of the lot will be protected within a 13-foot Water and Sewer facilities easement.

Community Involvement

Property owners within 750 feet of the subject properties were notified of this application. As of the writing of this report, staff has not received any objections to this application.

Community Impact

The proposed abandonment does not restrict access to any surrounding properties. The subject property will have access to the new street alignment of N. 69th Street.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission make a recommendation to City Council for approval to abandon the 33-foot GLO easement along the northern boundary abutting N. Gloria Lane and a ¼ cul-de-sac abutting N. 69th Street, finding that the proposal is consistent with and conforms to the adopted General Plan, subject to the following:

1. The property owner shall dedicate a 20-foot-wide fee-simple half-street right-of-way along N. 69th Street via a Map of Dedication;
2. The property owner shall dedicate a 13-foot-wide water and sewer facilities easement along N. 69th Street via a Map of Dedication;
3. The property owner pay the combined total amount of \$4,943.33 as compensation to the city for the abandonment of fee-simple right-of-way and General Land Office Patent Easements.

RESPONSIBLE DEPARTMENT

Planning and Development Services
Current Planning Services

STAFF CONTACT

Chris Zimmer
Planner
480-312-2347
E-mail: czimmer@ScottsdaleAZ.gov

APPROVED BY



Chris Zimmer, Report Author

1/25/2023

Date



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

1/26/2023

Date



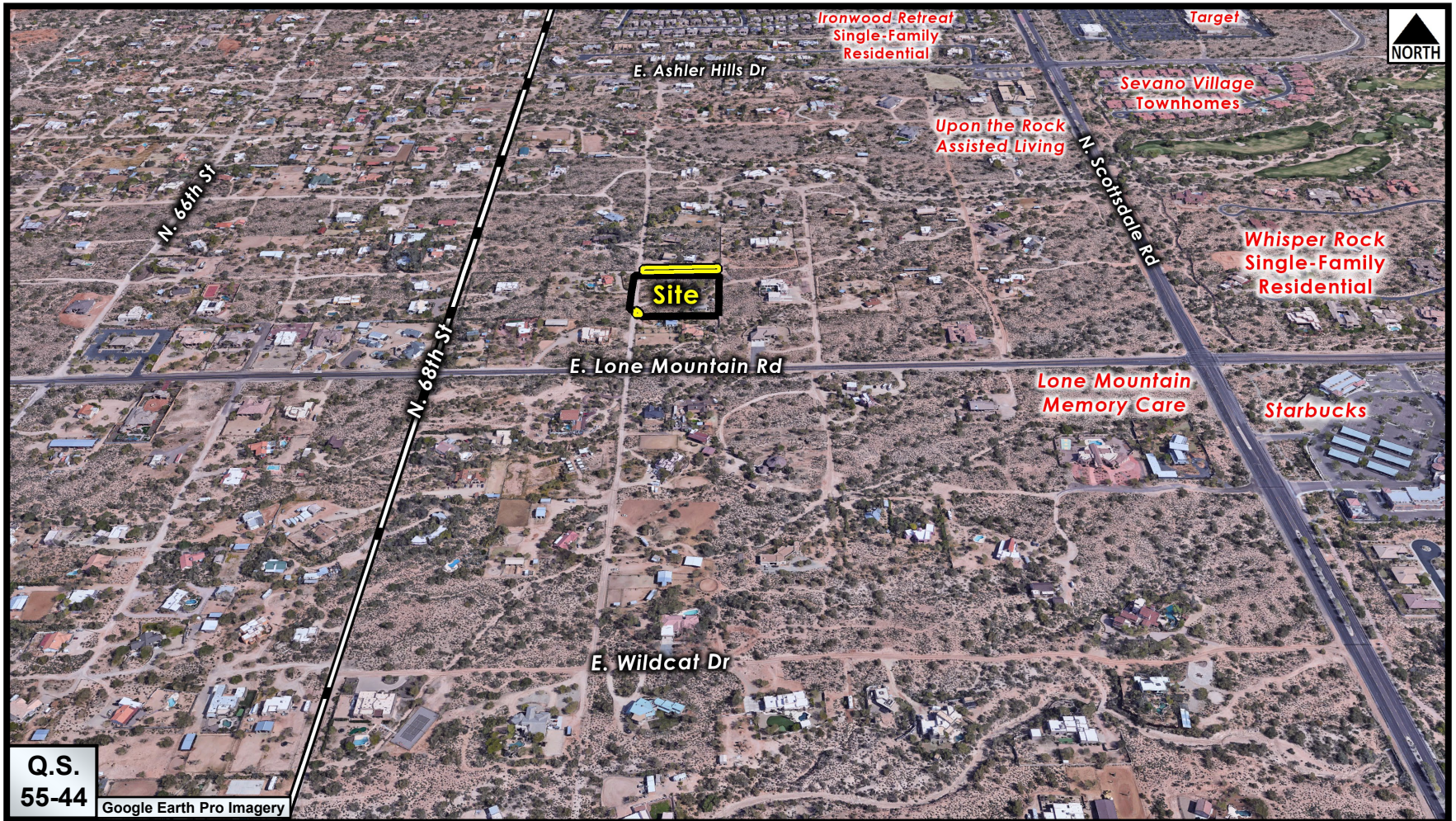
Erin Perreault, AICP, Executive Director
Planning, Economic Development, and Tourism
Phone: 480-312-7093 Email: eperreault@scottsdaleaz.gov

01/31/2023

Date

ATTACHMENTS

1. Context Aerial
2. Aerial Close-Up
3. Applicant's Narrative
4. Resolution No. 12710
 - Exhibit A: Legal Description of GLOPE Abandonment
 - Exhibit B: Legal Description of Cul-de-sac Abandonment
 - Exhibit C: Legal Graphic
 - Exhibit D: Depiction of subject parcel
5. Zoning Aerial
6. Map of Release and Dedication
7. Neighborhood Outreach
8. City Notification Map



Context Aerial

ATTACHMENT 1

5-AB-2022



Close-up Aerial

ATTACHMENT 2

5-AB-2022

ROSENDAHL ENGINEERING, PLLC

URBAN DESIGN & INFRASTRUCTURE

RESIDENTIAL & COMMERCIAL

Narrative GLOPE Abandonment

APN: 216-50-028A

COS #1133-PA-2021

John Martinson

31421 N. 69th St.

This GLOPE Abandonment is for the purpose of making the lot more useable via the abandonment and use of that easement, it is relatively apparent from the assessment of the area that the GLOPE will not come into play in the future for access nor utilities. The area is well established with respect to access as well as utilities and we anticipate that the neighborhood, the staff, Planning and Zoning and the City Council will be able to support it, for the good of the property owner without compromising any public concerns.

RESOLUTION NO. 12710

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 31421 N 69TH STREET.

(5-AB-2022)
(Martinson GLOPE Abandonment)

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 **Exhibit "B"** depicted on **Exhibit "C"** attached hereto, and comprise an area of approximately 9,887 square-feet.

E. The Abandonment Rights-of-way fall within, serve, affect or are near a parcel comprising approximately 2.47 acres ("Owner's Parcel"), as depicted on **Exhibit "D"** attached hereto.

F. The Abandonment Rights-of way lie within the area of General Land Office easements created by patent reservation.

G. 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.

H. 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.

I. 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 Four Thousand Nine Hundred Forty-Three Dollars and 33/100 (\$4,943.33) 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 20-foot-wide right-of-way over the western portion of Owner's parcel along North 69th Street.

3.3 The owner has delivered to City a deed, plat or other instrument that dedicates to City, in accordance with City specifications, a 13-foot-wide water and sewer facilities easement over the western portion of Owner's parcel along North 69th Street.

3.4 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 _____, 2023.

CITY OF SCOTTSDALE, an Arizona municipal corporation

David D. Ortega, Mayor

ATTEST:

By: _____
Ben Lane, City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

Sherry R. Scott, City Attorney
By: Eric C. Anderson, Senior Asst. 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

Table of Exhibits

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

ROSENDAHL ENGINEERING PLLC

URBAN DESIGN & INFRASTRUCTURE

RESIDENTIAL & COMMERCIAL

LEGAL DESCRIPTION

GLOPE Abandonment; APN 216-50-028A

To wit—

Being the North 33.0 feet of the following described parcel, except the West 33.0 feet thereof:

Being the northwest quarter of the southeast quarter of the southwest quarter of the southeast quarter of Section 15, township 5 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.



Resolution No. 12710

Exhibit A

Page 1 of 1

ROSENDAHL ENGINEERING PLLC

URBAN DESIGN & INFRASTRUCTURE

RESIDENTIAL & COMMERCIAL

LEGAL DESCRIPTION

City of Scottsdale Cul-de-sac Abandonment; APN 216-50-028A

To wit—

Being a portion of a cul-de-sac deeded to the City of Scottsdale by instrument recorded September 11, 2007 as Document No. 2007-1009768 of the Maricopa County Recorder's Office:

Commencing from a point being the southwest corner of the northwest quarter of the southeast quarter of the southwest quarter of the southeast quarter of Section 15, township 5 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

thence S89°47'13"W. 33.00 ft. being the point of beginning of this abandonment description;

thence continuing S89°47'13"W, 12.00 ft. to a point on a non-tangent curve concave to the southwest having a central angle of 42°34'47", a radius of 45 ft. and an arc length of 33.44 ft.;

thence S00°02'20"W, 30.59 ft. to the point of beginning.

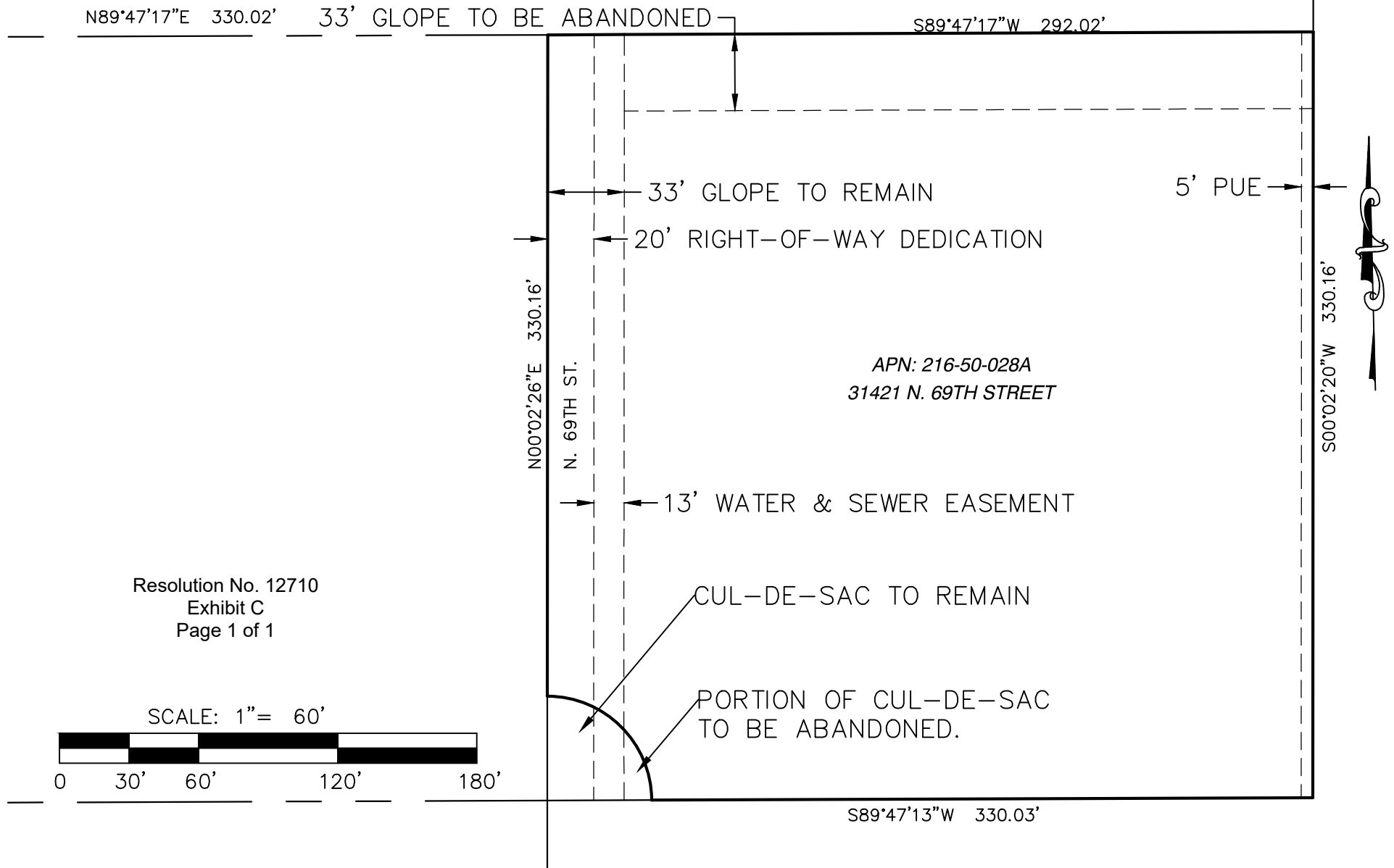


Resolution No. 12710

Exhibit B

Page 1 of 1

ABANDONMENT EXHIBIT



ROSENDAHL ENGINEERING

857 N. BARKLEY ST. (480) 599-1263 TEL
MESA, ARIZONA 85203 (480) 834-2163 FAX

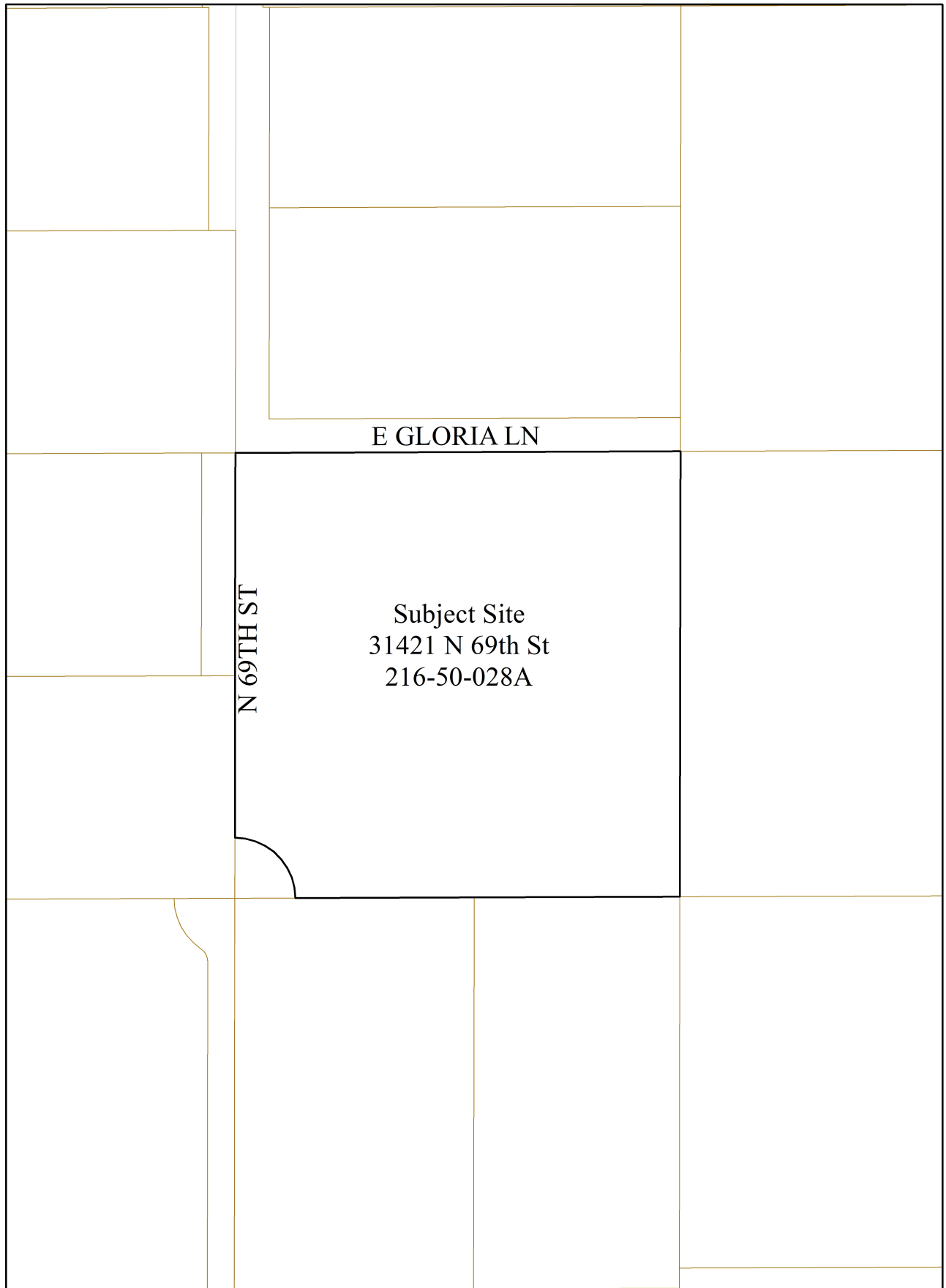
MARTINSON PROPERTY

GLOPE & CUL-DE-SAC ABANDONMENT

PROJECT NO. 2108262

DATE
1/30/23

SHEET
1 OF 1





Q.S.
55-44

Aerial

Zoning Aerial

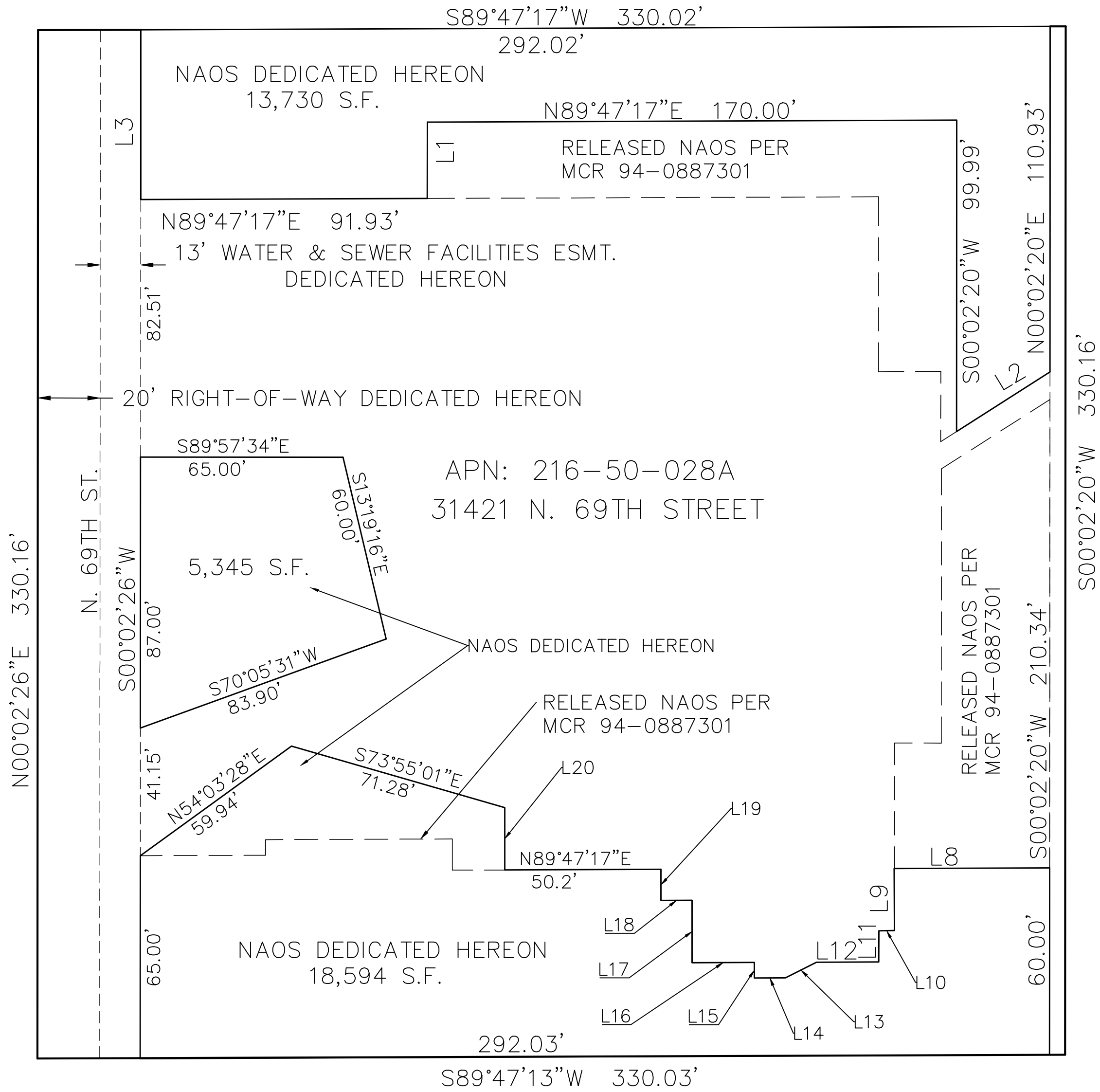
5-AB-2022

MAP OF RELEASE AND DEDICATION

PT OF THE SE ¼ SEC. 15, TWP 5 N., RNG 4 E.. OF THE
GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA

LINE TABLE

LINE	BEARING	DISTANCE
L1	N00°02'20"E	24.50'
L2	N57°26'23"E	35.61'
L3	S00°02'26"W	54.50'
L4	S57°26'23"E	41.32'
L5	S00°02'20"W	53.25'
L6	N89°47'13"E	19.81'
L7	S00°02'20"W	75.00'
L8	S89°47'13"W	49.83'
L9	S00°04'09"W	19.93'
L10	S88°45'21"W	5.00'
L11	S00°02'26"W	10.00'
L12	S89°47'17"W	20.00'
L13	S63°19'41"W	11.18'
L14	S89°47'17"W	10.00'
L15	N00°02'26"E	5.00'
L16	S89°47'17"W	20.00'
L17	N00°02'26"E	20.00'
L18	S89°47'17"W	10.00'
L19	N00°02'26"E	10.00'
L20	N00°02'26"E	20.00'



OWNER

JOHN MARTINSON & SUZANNE PICKETT MARTINSON TRUSTEES
OF THE JOHN MARTINSON & SUZANNE PICKETT MARTINSON
FAMILY TRUST, AUGUST 1, 2003.
31421 N. 69TH STREET
SCOTTSDALE, ARIZONA 85266

SITE ADDRESS

31421 N. 69TH STREET
SCOTTSDALE, ARIZONA 85266

ASSESSOR'S PARCEL NUMBER

216-50-028A

LEGAL DESCRIPTION

BEING THE NORTHWEST QUARTER OF THE SOUTHEAST
QUARTER OF THE SOUTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 5
NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER
BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA,

DEDICATION

STATE OF ARIZONA)
COUNTY OF MARICOPA) SS

KNOW ALL MEN BY THESE PRESENTS

THAT JOHN AND SUZANNE PICKETT MARTINSON AS TRUSTEES OF THE JOHN MARTINSON AND
SUZANNE PICKETT MARTINSON FAMILY TRUST OF AUGUST 1, 2003 OWNER OF THE FOLLOWING
DESCRIBED PROPERTY;

BEING THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF
THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND
SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, EXCEPT THAT PORTION DEEDED TO
THE CITY OF SCOTTSDALE BY INSTRUMENT RECORDED SEPTEMBER 11, 2007 AS DOCUMENT NO.
2007-1009768 OF OFFICIAL RECORDS AND OF RECORD IN THE OFFICE OF THE MARICOPA COUNTY
RECORDER AS DEED NUMBER 230754356, AS SHOWN AND MAPPED HEREON, HEREBY PUBLISHES THIS
MAP OF DEDICATION FOR SAID PROPERTY, SAID MAP SETS FORTH AND GIVES THE DIMENSIONS OF THE
DEDICATIONS ON THE ABOVE DESCRIBED PREMISES, FOR THE PURPOSES STATED HEREON.

N. 69TH STREET, 20 FOOT WIDE RIGHT-OF-WAY; BEING THE WEST 20 FEET OF THE WEST 33 FEET
OF AFORE DESCRIBED PROPERTY;

ALSO, A 13 FOOT WIDE WATER AND SEWER FACILITIES EASEMENT BEING THE EAST 13 FEET OF THE
33 WEST 33 FEET OF AFORE DESCRIBED PROPERTY;

THAT JOHN AND SUZANNE PICKETT MARTINSON AS TRUSTEES OF THE JOHN MARTINSON AND
SUZANNE PICKETT MARTINSON FAMILY TRUST, OF AUGUST 1, 2003 OWNER, DEDICATES IN FEE TO THE
CITY OF SCOTTSDALE AN ARIZONA MUNICIPAL CORPORATION, GRANTEE, THE PUBLIC RIGHT-OF-WAY
AS SHOWN HEREIN. SEE SCOTTSDALE REVISED CODE; CHAPTER 47, AS AMENDED FOR GRANTORS
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, DRAINAGE WAYS, 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 OPERATIONS OF THE IMPROVEMENTS.

THAT JOHN AND SUZANNE PICKETT MARTINSON AS TRUSTEES OF THE JOHN MARTINSON AND
SUZANNE PICKETT MARTINSON FAMILY TRUST, OF AUGUST 1, 2003 OWNER, GRANTOR, DEDICATES TO
THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION, GRANTEE:

NATURAL AREA OPEN SPACE, (NAOS) BEING FOUR AREAS TOTALING 40,109 S.F. AS FOLLOWS:
NORTH AREA, 13,810 S.F., SOUTH AREA, 18,626 S.F., SOUTH AREA REVEGETATED ADDITION, 2,345 S.F.
MIDDLE AREA REVEGETATED ADDITION, 5,328 S.F. THE REQUIRED AREA IS 31,420 S.F.

A PERPETUAL, NON-EXCLUSIVE EASEMENT SHOWN HEREON UPON, OVER, UNDER AND ACROSS THE
PROPERTY ON THIS MAP OF DEDICATION, FOR NATURAL DESERT OPEN SPACE PRESERVATION AS
FOLLOWS::

1. GRANTOR 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.
2. GRANTOR SHALL NOT GRADE, GRUB OR EXCAVATE THE EASEMENT, OR CONSTRUCT ANY
STRUCTURE ON THE EASEMENT, EXCEPT AS APPROVED BY GRANTEE, IN WRITING, SPECIFICALLY
REFERRING TO THIS EASEMENT.
3. GRANTOR 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.
4. 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.
5. MENTIONING REMEDIES IN THIS EASEMENT DOES NOT LIMIT GRANTEE'S RIGHT TO OTHER REMEDIES.
6. GRANTOR WARRANTS AND COVENANTS TO GRANTEE AND ITS SUCCESSORS AND ASSIGNS THAT
GRANTOR 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 THE CLAIM OF ALL PERSONS.

WATER AND 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.

GRANTOR WARRANTS AND COVENANTS TO GRANTEE AND ITS SUCCESSORS AND ASSIGNS THAT
GRANTOR 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 THE 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 WITH THE LAND IN FAVOR
OF GRANTEE'S SUCCESSORS AND ASSIGNS.

DATED THIS _____ DAY OF _____ 2023.

GRANTOR: JOHN MARTINSON AND SUZANNE PICKETT MARTINSON TRUSTEES OF JOHN MARTINSON AND
SUZANNE PICKETT MARTINSON FAMILY TRUST OF AUGUST 1, 2003.

BY: _____
JOHN MARTINSON, TRUSTEE

BY: _____
SUZANNE PICKETT MARTINSON, TRUSTEE

SURVEY CERTIFICATION:

THIS IS TO CERTIFY THAT THE SURVEY INFORMATION SHOWN
HEREON WAS EXECUTED UNDER MY SUPERVISION.

DESIGN: PWR DRAWN: TB	
MAP OF RELEASE & DEDICATION	
MARTINSON PROPERTY	
ROSENDAHL ENGINEERING	
• ENGINEERING • SURVEYING	
• URBAN DESIGN • COMMERCIAL / RESIDENTIAL	
857 N. BARKLEY ST. MESA, ARIZONA 85203	
(480) 599-1263 TEL (480) 834-2163 FAX	
EXP: 3/31/2024 PROJECT NO. 2102223 DATE: 11/12/21 SHEET MRD 1 OF 1	

ACKNOWLEDGMENT:

STATE OF ARIZONA)
COUNTY OF MARICOPA) SS

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 2023.

BY: JOHN MARTINSON AND SUZANNE PICKETT MARTINSON AS TRUSTEES OF THE JOHN MARTINSON
AND SUZANNE PICKETT MARTINSON FAMILY TRUST OF AUGUST 1, 2003.

BY: _____ EXPIRES: _____
NOTARY PUBLIC

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 OTHER PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER, IN THOSE CERTAIN
DEDICATED EASEMENT IDENTIFIED AS:

PORTION OF THE NATURAL AREA OPEN SPACE EASEMENT (NAOS) DEDICATED IN MARICOPA COUNTY RECORDER DOC.
94-0887301 MARICOPA COUNTY, ARIZONA AS SHOWN HEREON.

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

DATED THIS _____ DAY OF _____ 2023.

CITY OF SCOTTSDALE

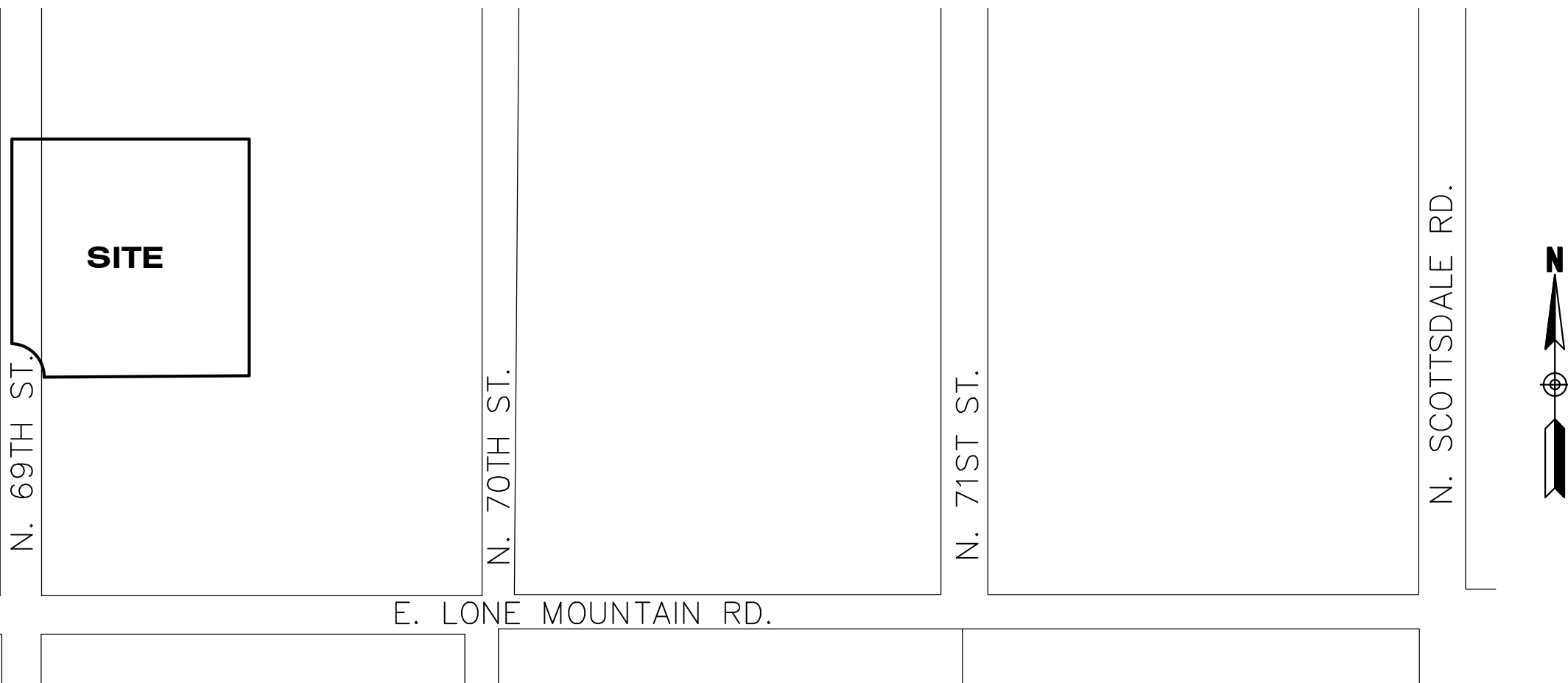
BY: _____
MICHAEL L. CLARK
CHIEF DEVELOPMENT OFFICER

ACKNOWLEDGMENT:

STATE OF ARIZONA)
COUNTY OF MARICOPA) SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2023, BY MICHAEL L.
CLARK, CHIEF DEVELOPMENT OFFICER FOR THE CITY OF SCOTTSDALE, MUNICIPAL CORPORATION, ON BEHALF THEREOF.
IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

BY: _____ MY COMMISSION EXPIRES: _____
NOTARY PUBLIC



LOCATION MAP
(NOT TO SCALE)
SEC. 15, T. 5 N., R. 4 E.

ROSENDAHL ENGINEERING, PLLC

URBAN DESIGN & INFRASTRUCTURE

RESIDENTIAL & COMMERCIAL

January 5, 2022

Re: **Abandonment Notification: City of Scottsdale #1133-PA-2021**

This mailing is to inform you that the owner of the property 31421 N. 69th St., is requesting the City of Scottsdale to abandon the 33 foot wide Government Land Office Public Easement (GLOPE) along the North and West boundaries of the property. By doing so they will be able to reconfigure the natural area open space (NAOS) to provide more useable space. The City is requesting the abandonment of an unused cul-de-sac on the southwest corner of the site, the dedication of a 20 foot wide road right-of-way and a 13 foot wide public utility easement to replace the current 33 foot wide GLOPE along N. 69th Street.

Pre-application number; 1133-PA-2021

Location; 31421 N. 69th Street

Area of Property; 2.47 Acres

Zoning; R1-70

The applicant for this abandonment is Wayne Rosendahl of Rosendahl Engineering, he can be reached to answer any questions you may have by phone at 480-599-1263 or by email at wayne@rosendahlengineering.com.

The City of Scottsdale contact for any questions or to voice concerns is Desirae Mayo, she can be reached by direct line to 480-312-4218 or email to dmayo@scottsdaleaz.gov. Notifications of the public hearings will come from the City of Scottsdale.

Respectfully:

Rosendahl Engineering, PLLC



Phillip W. Rosendahl PE & RLS

1. Cindy D. Murray Revocable Living Trust 12595 E. Gold Dust Ave. Scottsdale, AZ 85259 (City and Zip Code, same unless spelled out)	217-32-046B
2. Christopher T. and Gail Carlson 10145 N. 126 th St.	217-32-045E
3. Prabhakaran Vinay/Kolandra Jansy 10075 N. 126 th St.	217-32-045F
4. Thomas D. / Shannan L. Barrett 12626 E. turquoise Dr.	217-32-045C
5. Dennis C. & Debra J. Eckel Trust 12650 E. turquoise Ave.	217-32-045D
6. Alexander K. /Rita Ann Laky 11445 E. Via Linda Ste. 2-612	217-32-069J
7. Andre Lamarre / Susan Houde 9970 N. 126 th St.	217-32-068D
8. USA Bureau of Reclamation 23636 N. 7 th St. Phoenix, AZ 85204	217-32-067B
9. Ibid	217-32-066B
10. MV Sunrise, LLC 12430 E. Mountain View Rd.	217-32-066C
11. Richard Surran/Geiger Harrison/ TR D. Burris 12201 E. Mountain View Rd.	217-32-067A
12. Steven P. & Allison L. Kalina 9920 N. 126 th St.	217-32-068C
13. Ibid #8	217-32-068B
14. William F. Nutting Jr. & Keri A. Nutting 9909 N 126 th St.	217-32-069G
15. Dyer Family Trust 12612 E. Mountain View Rd.	217-32-069F
16. Lynch Family Living Trust 21414 E. Mountain View Rd.	217-32-065B
17. Ted H. & Gloria A. Mackay 9869 N. 124 th St.	217-32-065C
18. Hendry Living Trust 9911 N. 124 th St.	217-32-065E
19. Kelldorf Family Trust 9989 N 124 th St.	217-32-065G
20. Ibid #8	217-32-049B
21. Ibid #8	217-32-048B
22. Anne S. Blethen Trust 10239 N. 125 th St.	217-32-047H
23. Judith A Bitenc Trust 12555 E. Gold Dust Ave.	217-32-046C
24. Neil D. & Michelle L. Lende 10249 N. 125 th St.	217-32-047G

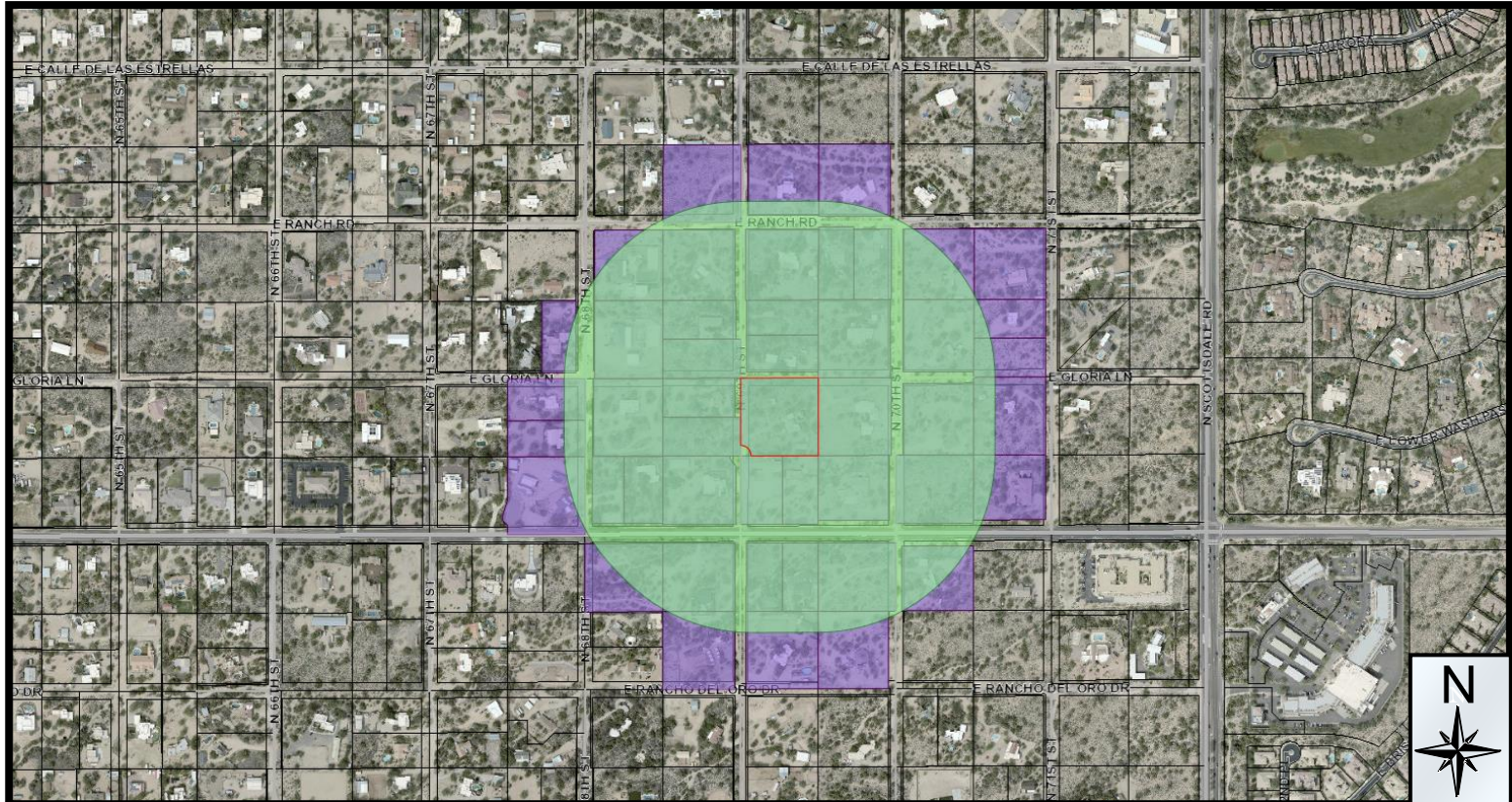
25. Glorianne Michels Trust 10242 N. 125 th St.	217-32-048E
26. Michael K. & Natalie C. Pfleger 10101 N. 124 th St.	217-32-049D
27. Lori A. McAllister 12425 E. Gold Dust Ave.	217-32-049E
28. Vincenzo & Nunzia Rossiello 12495 E. Gold Dust Ave.	217-32-048C
29. Scott L. Murray & Jennifer L. Madrid 12525 E. Gold Dust Ave.	217-32-047F
30. Dino D. & Patricia M. Lopesio 10180 E. Cholla St. 85260	217-32-044K
31. Joshua R. Hader Living Trust 12655 E. Gold Dust Ave.	217-32-044L
32. Jonathan A. & Rachel L. Johnson 12707 E. Gold Dust Ave.	217-32-043G
33. David Leerman 12712 E. turquoise Ave.	217-32-043H
34. Dan Francis 12684 E. Turquoise Ave.	217-32-044F
35. Valana L. Wells 12652 E. Turquoise Ave.	217-32-044J
36. 12635 Turquoise, LLC 346 Oak Ln. Farmington, UT 84025	217-32-070E
37. Jimmie V. & Elana C. Sandoval 12501 E. Saddlehorn Tr. Scottsdale, AZ 85259	217-32-070D
38. Andrew & Jill B. Hasman 650 West 41st Ave., Ste 410 Vancouver, BC Canada V5Z2M9	217-32-071E
39. Dandee Properties, LLC 12660 E. Mountain View Rd.	217-32-070B
40. Thomas Curmbley 12636 E. Mountain View Rd.	217-32-070C
41. Wayne & Karen Schreck 9651 N. 125 th Pl.	217-32-182A
42. Joyce S. Wierz 12524 E. Saddlehorn Tr.	217-32-165
43. Justin & Tiffini Johnson 12501 E. Mountain View Rd.	217-32-164
44. Safa & Maryam K. Matin P.O. Box 15141 Scottsdale, AZ 85267	217-32-163
45. Graulich Family Trust 12468 El Gold Dust Ave.	217-32-035C
46. David & Kimberly Wilkinson	217-32-035B

12496 E. Gold Dust Ave.

- | | |
|---|-------------|
| 47. Vazgen R. Artounian
12504 E. Gold Dust Ave. | 217-32-036D |
| 48. Deborah & Michael Hurst
12508 E. Gold Dust Ave. | 217-32-036C |
| 49. Steven W. & Jennifer R. Hudson
12580 E. Gold Dust Ave. | 217-32-037C |
| 50. David E. & Lisa D. Morgan
12590 E. Gold Dust Ave. | 217-32-037F |
| 51. Marcus M & Birgit Schwickert
13475 E. Del Timbre Dr.
Scottsdale, AZ 85259 | 217-32-038G |
| 52. Estate of Wynne Martin
12640 E. Gold Dust Ave. | 217-32-038D |
| 53. Benson K. Boreyko
8322 E. Hartford Dr.
Scottsdale, AZ 85255-5466 | 217-32-453 |
| 54. Neil D. & Sherri K. Ginsberg
12686 E. Gold Dust Ave. | 217-32-452 |
| 55. M&M Revocable Trust
12653 E. Cochise Dr. | 217-32-517 |
| 56. Sanfilippo Family Trust
12645 e. Cochise Dr. | 217-32-038F |
| 57. Olcavage Trust
12601 E. Cochise Dr. | 217-32-038H |
| 58. Sanfam, LLLP
2815 E. Baseline Rd., Ste. 104
Gilbert, AZ 85234 | 217-32-037E |
| 59. Sathish & Bernadette Chari
12511 E. Cochise Dr. | 217-32-036F |
| 60. Michele Lopopolo Testamentary
238 Van Sicklen St.
Brooklyn, NY 11223 | 217-32-036E |

City Notifications – Mailing List Selection Map

Martinson GLOPE Abandonment

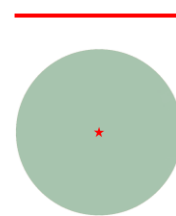


Additional Notifications:

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

Pulled Labels
January 9, 2023

Map Legend:



Site Boundary

Properties within 750-feet

Postcards: 103

5-AB-2022