

RESOLUTION NO. 2019-02

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF FOUNTAIN HILLS, ARIZONA, ABANDONING WHATEVER RIGHT, TITLE, OR INTEREST IT HAS IN THAT CERTAIN PORTION OF THE EL LAGO BOULEVARD SERVICE ROAD RIGHT-OF-WAY AND ADJACENT "NO VEHICULAR ACCESS" RESTRICTION, EXCEPT FOR VARIOUS EASEMENTS RETAINED, BOTH LYING ADJACENT TO LOT 1 OF THE FINAL RE-PLAT OF FOUNTAIN VIEW, AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 398 OF MAPS, PAGE 35, AND AS ORIGINALLY DEDICATED IN PLAT 207, AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 147 OF MAPS, PAGE 6

RECITALS:

WHEREAS, the Mayor and Council of the Town of Fountain Hills (the "Town Council"), as the governing body of real property located in the Town of Fountain Hills (the "Town"), may require the dedication of public streets, sewer, water, drainage, and other utility easements or rights-of-way within any proposed subdivision; and

WHEREAS, the Town Council has the authority to accept or reject offers of dedication of private property by easement, deed, subdivision, plat, or other lawful means; and

WHEREAS, all utility companies affected by the proposed abandonment have received notification of the proposed abandonment.

ENACTMENTS:

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF FOUNTAIN HILLS as follows:

SECTION 1. That the certain portion of the El Lago Boulevard Service Road right-of-way and adjacent "no vehicular access" restriction, both lying adjacent to Lot 1 of the Final Re-Plat of Fountain View, as recorded in the Office of the County Recorder of Maricopa County, Arizona, recorded in Book 398 of Maps, Page 35, and as originally dedicated in Plat 207, as recorded in the Office of the County Recorder of Maricopa County, Arizona, recorded in Book 147 of Maps, Page 6, and as more particularly described in Exhibit A, are hereby declared to be abandoned, except for various easements retained as depicted in Exhibit B.

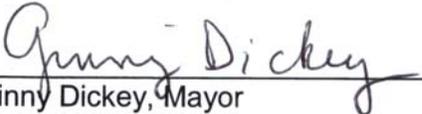
SECTION 2. That the value of said property is hereby found and declared to be de minimis.

SECTION 3. That Resolution 1994-68, with stipulations, which is unrecorded, is hereby rescinded and superseded by this Resolution.

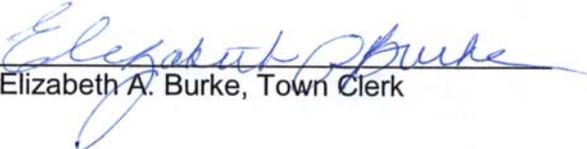
SECTION 4. That this Resolution is one of abandonment and disclaimer by the Town solely for the purpose of removing any potential cloud on the title to said property and that the Town in no way attempts to affect the rights of any private party to oppose the abandonment or assert any right resulting there from or existing previous to any action by the Town.

PASSED AND ADOPTED by the Mayor and Council of the Fountain Hills, Maricopa County, Arizona, this 18th day of June, 2019.

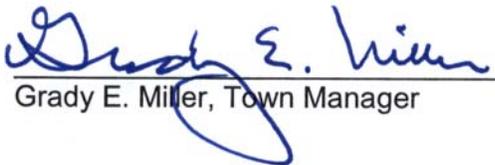
FOR THE TOWN OF FOUNTAIN HILLS:


Ginny Dickey, Mayor

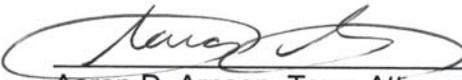
ATTESTED TO:


Elizabeth A. Burke, Town Clerk

REVIEWED BY:


Grady E. Miller, Town Manager

APPROVED AS TO FORM:


Aaron D. Arnson, Town Attorney

PREPARED FOR:

El Lago Apartments

BY: SPK

DATE: JAN., 2019

JOB NO. 21131

TOWN OF FOUNTAIN HILLS RIGHT OF WAY ABANDONMENT EXHIBIT A-1

LEGEND

- (M) MEASURED
- (R) RECORD



Scale:
1"=80'

NW COR.
OF LOT 1
POINT OF
BEGINNING

DESERT SAGE
CONDOMINIUMS
BOOK 556 OF MAPS,
PAGE 31, MCR
N20°38'08"E 231.58'(R)
N20°37'02"E 231.58'(M)

ABANDON 40' RIGHT
OF WAY, RETAIN AS
40' PUBLIC UTILITY
EASEMENT

LOT 1
FINAL REPLAT OF FOUNTAIN VIEW
BOOK 398 OF MAPS, PAGE 35, MCR

CASA BELLA RESORT
CONDOMINIUMS
BOOK 439 OF MAPS,
PAGE 30, MCR

N66°03'37"W 403.35'(M)
N66°02'31"W 403.35'(R)

THE TERRACE PHASE III
CONDOMINIUMS
BOOK 304 OF MAPS,
PAGE 43, MCR



SEE SHEET 2 FOR LINE AND CURVE DATA



Keogh Engineering, Inc.

650 N. 137TH AVENUE #110 • GOODYEAR, ARIZONA 85338
PHONE: (623) 535-7260
EMAIL: keogh@keoghengineering.com

CHECKED BY: DFK

SHEET NO 1

DATE: JAN., 2019

OF 2

PREPARED FOR:

El Lago Apartments

BY: SPK

DATE: JAN., 2019

JOB NO. 21131

**TOWN OF FOUNTAIN HILLS
RIGHT OF WAY ABANDONMENT
EXHIBIT A-2**

R/W AREA

11,875 S.F.

LEGEND

(M) MEASURED

(R) RECORD

LINE TABLE

LINE	BEARING	LENGTH
L1	N20°37'02"E(M)	40.00'(M)
L2	S20°37'02"W(M)	40.00'(M)
L3	S20°37'02"W(M)	14.53'(M)
	N20°38'08"E(R)	14.53'(R)
L4	N12°21'06"W(M)	35.72'(M)
	N12°20'00"W(R)	35.72'(R)

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	20.00'(M)	31.42'(M)	90°00'00"(M)
C2	380.00'(M)	109.65'(M)	16°31'56"(M)
C3	20.00'(R&M)	12.79'(R&M)	36°38'23"(R&M)
C4	45.00'(M)	107.35'(M)	136°41'07"(M)
	45.00'(R)	107.36'(R)	136°41'52"(R)
C5	350.00'(M)	16.50'(M)	2°42'01"(M)
	350.00'(R)	16.50'(R)	2°42'04"(R)
C6	20.00'(R&M)	31.42'(R&M)	90°00'00"(R&M)

NOTES

1. EASEMENT FOR PUBLIC UTILITY, DRAINAGE, SIDEWALK, LANDSCAPE, AND NON-BUILDING EASEMENT SHALL BE RETAINED WITHIN THE ABANDONED RIGHT OF WAY BY THIS ABANDONMENT MAP.

2. THE NON-VEHICULAR ACCESS EASEMENT AS SHOWN ON THE FINAL PLAT OF FOUNTAIN VIEW SHALL BE ABANDONED BY THIS ABANDONMENT MAP.



Keogh Engineering, Inc.

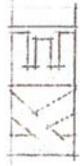
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SHEET NO. 2

DATE: JAN., 2019

OF 2



KEOGH
ENGINEERING, INC

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GOODYEAR, ARIZONA 85338
(623)535-7260

Consulting Engineers | Land Surveyors KEOGH@KEOGHENGINEERING.COM



LEGAL DESCRIPTION
EL LAGO APARTMENTS
OUR JOB NO 21131
20 NOVEMBER 2018

40' RIGHT OF WAY AND NON-VEHICULAR ACCESS EASEMENT ABANDONMENT – PUBLIC UTILITY DRAINAGE, SIDEWALK, LANDSCAPE AND NON-BUILDING EASEMENT TO BE RETAINED

A PORTION OF FINAL REPLAT OF FOUNTAIN VIEW ACCORDING TO THE PLAT OF RECORD IN BOOK 398 OF MAPS, PAGE 35, RECORDS OF MARICOPA COUNTY, ARIZONA BEING SITUATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 3 NORTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1;

THENCE NORTH 20°37'02" EAST, A DISTANCE OF 40.00 FEET;

THENCE SOUTH 69°22'58" EAST (MEASURED) SOUTH 69°21'52" EAST (RECORD), A DISTANCE OF 276.88 FEET TO A POINT OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 20.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 31.42 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 20°37'02" WEST, A DISTANCE OF 40.00 FEET TO A POINT ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 20.00 FEET (RECORD AND MEASURED) AND WHOSE CENTER BEARS NORTH 69°22'58" WEST (MEASURED) NORTH 69°21'52" W (RECORD) FROM THE LAST DESCRIBED POINT;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°00'00" (RECORD AND MEASURED), AN ARC LENGTH OF 31.42 (RECORD AND MEASURED) FEET TO A POINT OF TANGENCY;

THENCE NORTH 69°22'58" WEST (MEASURED) NORTH 69°21'52" WEST (RECORD), A DISTANCE OF 276.88 FEET TO THE POINT OF BEGINNING.

SAID RIGHT OF WAY CONTAINS 11,875 SQUARE FEET