RESOLUTION 2015-50


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

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

SECTION 1. That the certain Public Utility and Service Vehicle Access Easements and the certain Sight Visibility Easements, located within Adero Canyon (formerly Eagle Ridge North), Fountain Hills, as recorded the Office of the County Recorder of Maricopa County, Arizona, and as more particularly depicted in Exhibit A-1 and A-2, attached hereto and incorporated herein by reference, and described below, are hereby declared to be abandoned by the Town:

• 2003-1343417 MCR – Public Utility and Service Vehicle Access Easements
• 2003-1343418 – Ingress-Egress, Access, Public Utilities, Drainage, and Landscape Easement
• 2003-1343420 MCR – Sight Visibility Easement
• 2003-1343421 MCR – Sight Visibility Easements

SECTION 2. 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 Town of Fountain Hills, October 1, 2015.

FOR THE TOWN OF FOUNTAIN HILLS:  ATTESTED TO:

Linda M. Kavanagh, Mayor  Bevelyn J. Bejader

Grady Miller, Town Manager  Andrew J. McGuire, Town Attorney

REVIEWED BY:  APPROVED AS TO FORM:

Grady Miller, Town Manager  Andrew J. McGuire, Town Attorney
TOWN OF FOUNTAIN HILLS
EASEMENT ABANDONMENT
EXHIBIT "A-1"
ADERO CANYON LLC, 20031343420 MCR

SCOTTSDALE MOUNTAIN ESTATES
UNIT 1, PARCEL "A"
BK. 877, PG. 14

SIGHT VISIBILITY EASEMENT
(Granted in 20031343420 MCR),
Abandoned by this document.
Total area = 0.039 AC

The recorded re-aligned Eagle Ridge Drive has eliminated the need for
this easement.

Date: 9-14-15

Scale: 1" = 60'

REGISTERED LAND SURVEYOR
16545
RANDY L. HARREL
ARIZONA U.S.A.
Expires 3/31/18
TOWN OF FOUNTAIN HILLS
EASEMENT ABANDONMENT
EXHIBIT "A-2"
ADERO CANYON LLC,
20031343421, 20031343417 & 20031343418 MCR

ABANDON SIGHT VISIBILITY
EASEMENT #1
TO REMAIN, DRAINAGE, SLOPE, RETAINING WALL AND WALL MAINT. EASEMENT, 2014790509 MCR
TO REMAIN, P.U.E. PER BK. 1220, PG. 28
TO REMAIN, INGRESS/EGRESS, ACCESS, UTILITIES, DRAINAGE AND LANDSCAPE EASEMENT 2014790508 MCR

ABANDON PUBLIC UTILITY
EASEMENT #1
DAVENPORT DR
ABANDON PUBLIC UTILITY
EASEMENT #2

SCOTTSDALE MOUNTAIN ESTATES
UNIT 1, PARCEL "A", LOT 1
TO REMAIN, P.U.E. PER BK. 1220, PG. 28
TO REMAIN, DRAINAGE, SLOPE, RETAINING WALL AND WALL MAINT. EASEMENTS, 2014790509 MCR

SIGHT VISIBILITY EASEMENT – 2 LOCATIONS
(GRANTED IN 20031343421 MCR), ABANDONED BY THIS DOCUMENT.
TOTAL AREA = 0.021 AC
PUBLIC UTILITY EASEMENT – 2 LOCATIONS
(GRANTED IN 20031343417 MCR), ABANDONED BY THIS DOCUMENT.
TOTAL AREA = 0.042 AC
INGRESS/EGRESS, ACCESS, PUBLIC UTILITIES, DRAINAGE AND LANDSCAPE EASEMENTS
(GRANTED IN 20031343418 MCR), ABANDONED BY THIS DOCUMENT.
TOTAL AREA = 0.177 AC

SCALE: 1" = 60'
DATE: 9–14–15
THE RECORDED STONEVIEW TRAIL, DAVENPORT DR., AND THEIR ADJACENT EASEMENTS, HAVE REPLACED THE FUNCTION AND NEED FOR THESE EASEMENTS.