

ORDINANCE NO. 2931 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ABANDONMENT OF PATENT EASEMENTS NORTH OF BELL ROAD, APPROXIMATELY 600 FEET EAST OF 63RD AVENUE; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

WHEREAS, on November 30, 1956 and November 27, 1957, the United States of America, granted patent easements over and across certain real property located in the City of Glendale north of Bell Road and approximately 600 feet east of 63rd Avenue and described on Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, upon information and belief, the Glendale City Council took action to accept the easements and to execute any legal instrument taking title to these easements per Ordinance 1092, New Series, passed, adopted and approved by City Council on September 11, 1979; and

WHEREAS, the City has determined it is the public interest to abandon these federal patent easements in accordance with A.R.S. §9-500.24 and abandons such easements at the request of the dominant property owner, after notifying and obtaining consent of all affected utilities, and after determining that the easements are not being used by the public and are no longer necessary;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. The City hereby abandons the federal patent easements dated March 18, 1955 (Patent No. 1150903) which was recorded in the records of the Maricopa County Recorder's Office on November 30, 1956 at Docket No. 2045 Page 177 and dated July 22, 1954 (Patent No. 1145680) which was recorded in the records of the Maricopa County Recorder's Office on November 27, 1957 at Docket No. 2334 Page 370 to the underlying, dominant property owners, the Yuan Trust and Neuel Edwin and Cheryl Ann Weathersby. Such abandonment and conveyance in any such interest shall take effect immediately upon the City Council's passage of this ordinance. Title to the released property shall vest in the underlying landowner as provided by law.

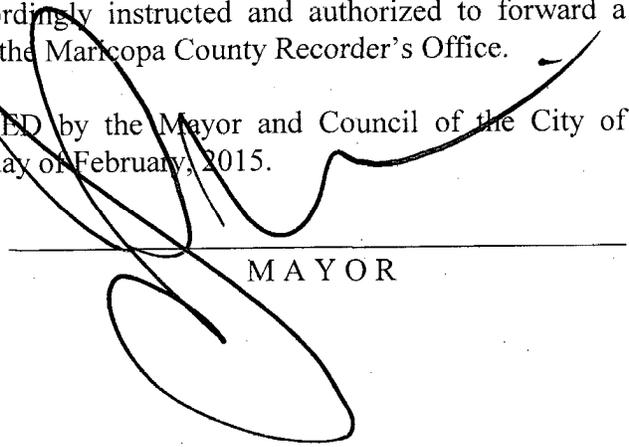
SECTION 2. Further, as required by A.R.S. §9-500.24, the City is abandoning these patent easements in the same manner as other easements are abandoned by the City. Further, as provided in A.R.S. §9-402(E), the City is not receiving payment for such abandonment and re-conveyance of the City's interest in the patent easements to the underlying, dominant property owners, the Yuan Trust and Neuel Edwin and Cheryl Ann Weathersby. The City has determined

that the property is of little or no commercial or economic value and that the City no longer needs an interest in this real property to protect the health, welfare and safety of its citizens.

SECTION 3. The Council hereby instructs the City Manager to execute the Quit Claim Deed, which is attached hereto as Exhibit B, granting and re-conveying the easements described herein to the Yuan Trust and Neuel Edwin and Cheryl Ann Weathersby.

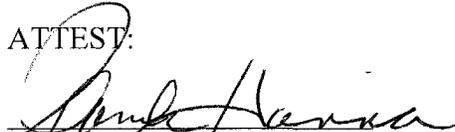
SECTION 4. The City Clerk is accordingly instructed and authorized to forward a certified copy of this ordinance for recording to the Maricopa County Recorder's Office.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 10th day of February, 2015.



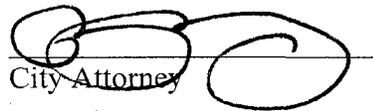
MAYOR

ATTEST:



City Clerk (SEAL)

APPROVED AS TO FORM:



City Attorney

REVIEWED BY:



City Manager

EXHIBIT A

**DESCRIPTION
EASEMENT RELEASE**

RELEASE 1:

ALL OF THAT PORTION OF A 33 FOOT EASEMENT FOR ROADWAY AND PUBLIC UTILITIES AS DESCRIBED IN THAT CERTAIN DOCKET 2045, PAGE 177, RECORDS OF MARICOPA COUNTY, ARIZONA SITUATED WITHIN THE EAST 200 FEET OF GLO LOT 35, SECTION 31, TOWNSHIP 4 NORTH, RANGE 2 EAST, GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID DESCRIBED PROPERTY; THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTH LINE OF SAID DESCRIBED PROPERTY NORTH 89° 53' 54" EAST 199.49 FEET TO THE NORTHEAST CORNER OF SAID DESCRIBED PROPERTY; THENCE ALONG THE EAST LINE OF SAID DESCRIBED PROPERTY SOUTH 00° 47' 31" WEST 404.06 FEET TO THE SOUTHEAST CORNER OF SAID DESCRIBED PROPERTY; THENCE ALONG THE SOUTH LINE OF SAID DESCRIBED PROPERTY SOUTH 89° 04' 30" WEST 33.01 FEET; THENCE NORTH 00° 47' 31" EAST PARALLEL AND DISTANT 33 FEET MEASURED AT RIGHT ANGLES TO SAID EAST LINE 371.53 FEET; THENCE SOUTH 89° 53' 54" WEST PARALLEL AND DISTANT 33 FEET MEASURED AT RIGHT ANGLES TO SAID NORTH LINE 166.54 FEET TO A POINT ON THE WEST LINE OF SAID DESCRIBED PROPERTY; THENCE ALONG SAID WEST LINE NORTH 00° 53' 02" EAST 33 FEET TO SAID POINT OF BEGINNING, CONTAINING 18,837 SQUARE FEET MORE OR LESS.

RELEASE 2:

ALL OF THAT PORTION OF A 33 FOOT EASEMENT FOR ROADWAY AND PUBLIC UTILITIES AS DESCRIBED IN THAT CERTAIN DOCKET 2334, PAGE 370, RECORDS OF MARICOPA COUNTY, ARIZONA SITUATED WITHIN THE WEST 50 FEET AND THE EAST 115 FEET OF THE WEST 165 FEET OF GLO LOT 34, SECTION 31, TOWNSHIP 4 NORTH, RANGE 2 EAST, GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID DESCRIBED PROPERTY; THENCE FROM SAID POINT OF BEGINNING ALONG THE EAST LINE OF SAID DESCRIBED PROPERTY SOUTH 00° 47' 33" WEST 33 FEET; THENCE SOUTH 89° 53' 54" WEST PARALLEL AND DISTANT 33 FEET MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID DESCRIBED PROPERTY 132.02 FEET; THENCE SOUTH 00° 47' 31" WEST PARALLEL AND DISTANT 33 FEET MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID DESCRIBED PROPERTY 370.58 FEET TO A POINT ON THE SOUTH LINE OF SAID DESCRIBED PROPERTY; THENCE ALONG SAID SOUTH LINE SOUTH 89° 04' 30" WEST 33.01 FEET TO THE SOUTH WEST CORNER OF SAID DESCRIBED PROPERTY; THENCE ALONG SAID WEST LINE NORTH 00° 47' 31" EAST 404.06 FEET TO THE NORTHWEST CORNER OF SAID DESCRIBED PROPERTY; THENCE ALONG SAID NORTH LINE NORTH 89° 53' 54" EAST 165.02 FEET TO SAID POINT OF BEGINNING, CONTAINING 17,683 SQUARE FEET MORE OR LESS.

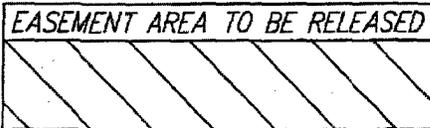
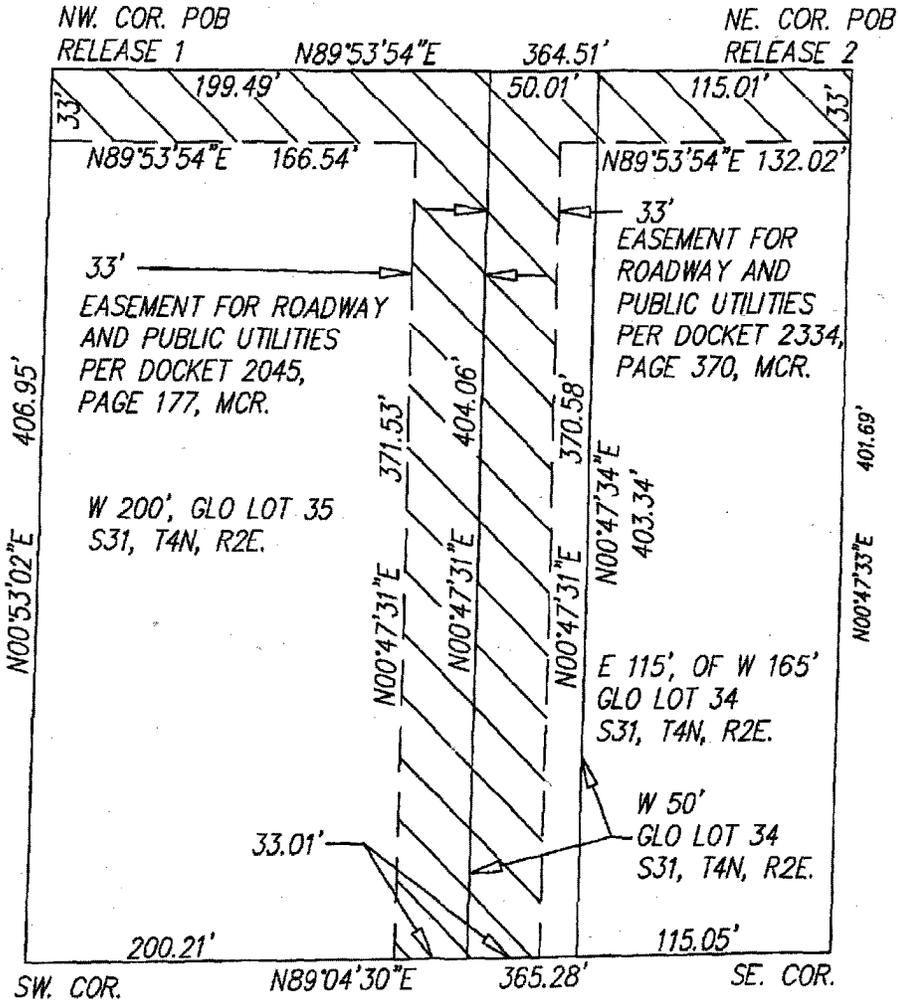


EXPIRES 09/30/2017

ARIZONA SURVEYORS, INC.
11445 EAST VIA LINDA, SUITE 2-447
SCOTTSDALE, ARIZONA 85259-2838
PHONE - 480-816-9773
FAX - 480-816-9735
EMAIL - jwazrls@gmail.com

JOB NO. GPW
DATE: 12/18/2014
SHEET 1 OF 1

**EXHIBIT TO ACCOMPANY DESCRIPTION
EASEMENT RELEASE**



John M. Ware

ARIZONA SURVEYORS, INC.
11445 EAST VIA LINDA, SUITE 2-447
SCOTTSDALE, ARIZONA 85259-2638
PHONE - 480-816-9773
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DRAWN: JMW
CHECK: KS
SCALE: 1"=80'
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SHEET 1 OF 1

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EXHIBIT B

When recorded, mail to
Glendale City Clerk
5850 West Glendale Avenue
Glendale, Arizona 85301

QUIT CLAIM DEED

For the consideration of Ten Dollars, and other valuable considerations, the **CITY OF GLENDALE, AN ARIZONA MUNICIPAL CORPORATION**, (Grantor) does hereby quitclaim to **THE YUAN TRUST DATED AUGUST 31, 2001, AN UNDIVIDED 2/3RD INTEREST, AND KUEI C. CHANG, A WIDOW, AN UNDIVIDED 1/3RD INTEREST** (collectively, Grantees) any and all rights, title and interest to and in that certain parcel of Real Property situated in Maricopa County and described as follows:

See Attached Description, EXHIBIT A

Dated this _____ day of _____, 20__.

Brenda S. Fischer
City Manager

Exempt Pursuant to A.R.S. §11-1134 (A)(3)

STATE OF ARIZONA)
) ss.
County of Maricopa)

This instrument was acknowledged before me this _____ day of _____, 20__ by Brenda S. Fischer, City Manager for the City of Glendale, who acknowledged that she executed this instrument for the purposes therein contained.

Notary Public

My commission expires:

6220 W. Bell Road

EXHIBIT A
PATENT EASEMENT TO BE CONVEYED TO GRANTEE

**DESCRIPTION
EASEMENT RELEASE FOR YUAN TRUST**

ALL OF THAT PORTION OF A 33 FOOT EASEMENT FOR ROADWAY AND PUBLIC UTILITIES AS DESCRIBED IN THAT CERTAIN DOCKET 2045, PAGE 177, AND ALSO THAT CERTAIN DOCKET 2334, PAGE 370, RECORDS OF MARICOPA COUNTY, ARIZONA SITUATED WITHIN THE EAST 200 FEET OF GLO LOT 35 AND THE THE WEST 50 FEET OF GLO LOT 34, SECTION 31, TOWNSHIP 4 NORTH, RANGE 2 EAST, GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID DESCRIBED PROPERTY;
THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTH LINE OF SAID DESCRIBED PROPERTY NORTH 89° 53' 54" EAST 249.50 FEET TO THE NORTHEAST CORNER OF SAID DESCRIBED PROPERTY;
THENCE ALONG THE EAST LINE OF SAID DESCRIBED PROPERTY SOUTH 00° 47' 34" WEST 33 FEET;
THENCE SOUTH 89° 53' 54" WEST PARALLEL AND DISTANT 33 FEET MEASURED AT RIGHT ANGLES TO SAID NORTH LINE 17.01 FEET;
THENCE SOUTH 00° 47' 31" WEST PARALLEL AND DISTANT 33 FEET MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID WEST 50 FEET A DISTANCE OF 370.58 FEET TO A POINT ON THE SOUTH LINE OF SAID DESCRIBED PROPERTY;
THENCE ALONG SAID SOUTH LINE SOUTH 89° 04' 30" WEST 66.02 FEET;
THENCE NORTH 00° 47' 31" EAST PARALLEL AND DISTANT 33 FEET MEASURED AT RIGHT ANGLES TO THE EAST LINE OF SAID EAST 200 FEET 371.53 FEET;
THENCE SOUTH 89° 53' 54" WEST PARALLEL AND DISTANT 33 FEET MEASURED AT RIGHT ANGLES TO SAID NORTH LINE 166.54 FEET TO A POINT ON THE WEST LINE OF SAID DESCRIBED PROPERTY;
THENCE ALONG SAID WEST LINE NORTH 00° 53' 02" EAST 33 FEET TO SAID POINT OF BEGINNING, CONTAINING 32,724 SQUARE FEET MORE OR LESS.

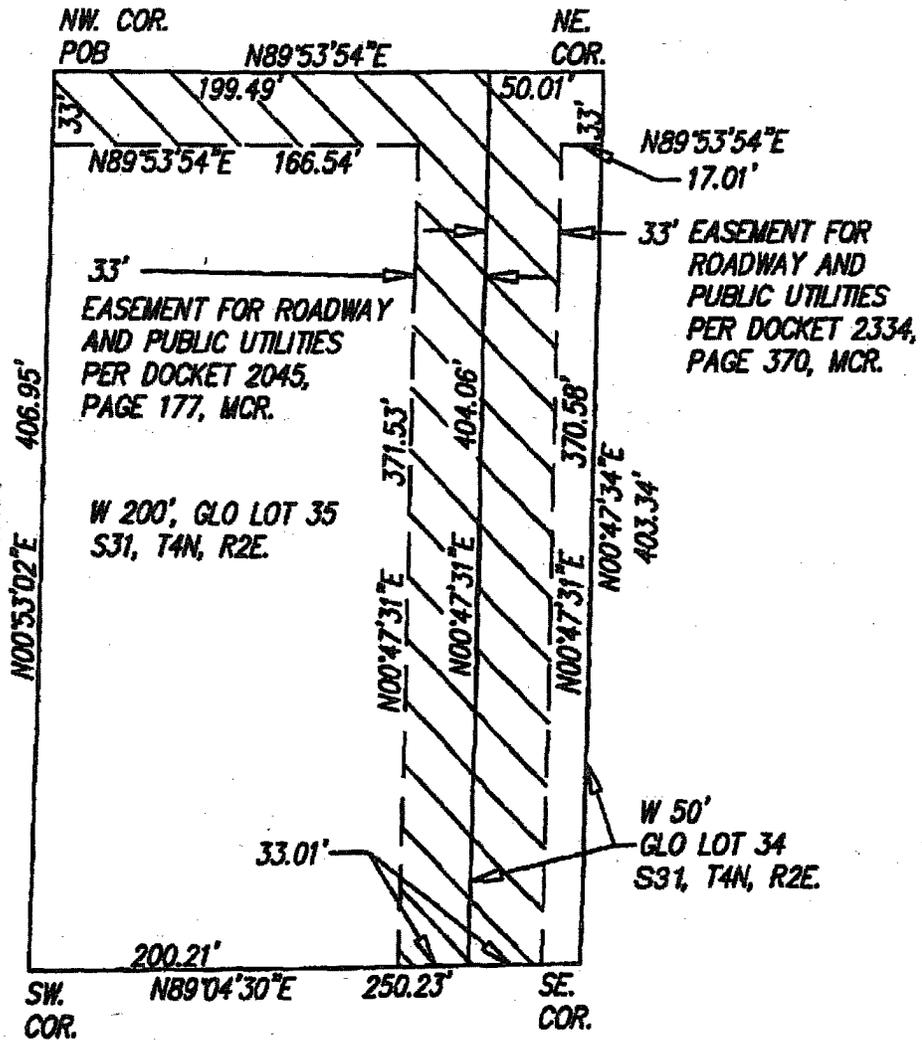


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SHEET 1 OF 1

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EASEMENT RELEASE FOR YUAN TRUST**



John M. Ware
EXPIRES 09/30/2017

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When recorded, mail to
Glendale City Clerk
5850 West Glendale Avenue
Glendale, Arizona 85301

QUIT CLAIM DEED

For the consideration of Ten Dollars, and other valuable considerations, the **CITY OF GLENDALE, AN ARIZONA MUNICIPAL CORPORATION**, (Grantor) does hereby quitclaim to **NEUEL EDWIN WEATHERSBY AND CHERYL ANN WEATHERSBY, HUSBAND AND WIFE** (collectively, Grantees) any and all rights, title and interest to and in that certain parcel of Real Property situated in Maricopa County and described as follows:

See Attached Description, **EXHIBIT A**

Dated this _____ day of _____, 20____.

Brenda S. Fischer
City Manager

Exempt Pursuant to A.R.S. §11-1134 (A)(3)

STATE OF ARIZONA)
) ss.
County of Maricopa)

This instrument was acknowledged before me this _____ day of _____, 20____ by
Brenda S. Fischer, City Manager for the City of Glendale, who acknowledged that she executed
this instrument for the purposes therein contained.

Notary Public

My commission expires:

6220 W. Bell Road

EXHIBIT A
PATENT EASEMENT TO BE CONVEYED TO GRANTEE

**DESCRIPTION
EASEMENT RELEASE
FOR NEUEL EDWIN & CHERYL ANN WEATHERSBY**

ALL OF THAT PORTION OF A 33 FOOT EASEMENT FOR ROADWAY AND PUBLIC UTILITIES AS DESCRIBED IN THAT CERTAIN DOCKET 2334, PAGE 370, RECORDS OF MARICOPA COUNTY, ARIZONA SITUATED WITHIN EAST 115 FEET OF THE WEST 165 FEET OF GLO LOT 34, SECTION 31, TOWNSHIP 4 NORTH, RANGE 2 EAST, GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID DESCRIBED PROPERTY; THENCE FROM SAID POINT OF BEGINNING ALONG THE EAST LINE OF SAID DESCRIBED PROPERTY SOUTH $00^{\circ} 47' 33''$ WEST 33 FEET; THENCE SOUTH $89^{\circ} 53' 54''$ WEST PARALLEL AND DISTANT 33 FEET MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID DESCRIBED PROPERTY 115.01 FEET TO A POINT ON THE WEST LINE OF SAID DESCRIBED PROPERTY; THENCE ALONG SAID WEST LINE NORTH $00^{\circ} 47' 34''$ EAST 33 FEET TO THE NORTHWEST CORNER OF SAID DESCRIBED PROPERTY; THENCE ALONG SAID NORTH LINE NORTH $89^{\circ} 53' 54''$ EAST 115.01 FEET TO SAID POINT OF BEGINNING, CONTAINING 3,795 SQUARE FEET MORE OR LESS.



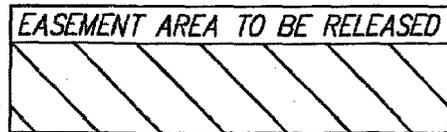
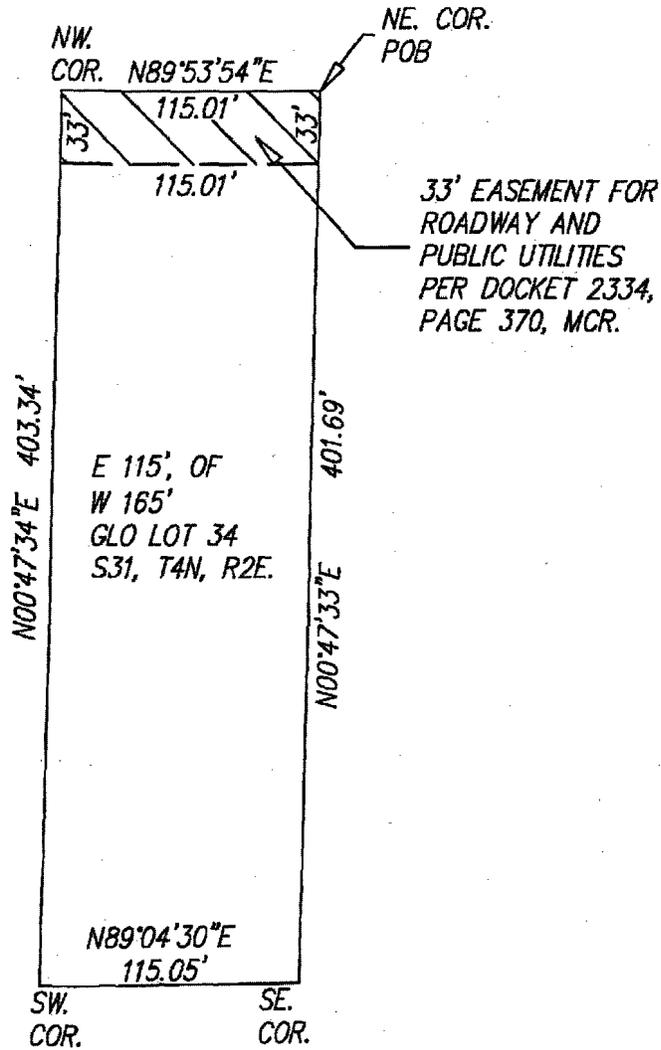
John M. Ware

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 FOR NEUEL EDWIN & CHERYL ANN WEATHERSBY



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