

ORDINANCE NO. 2955 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ABANDONMENT OF PATENT EASEMENTS LOCATED AT 17201 NORTH 63<sup>RD</sup> AVENUE AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

WHEREAS, on June 27, 1955 and on October 22, 1958, the United States of America granted patent easements over and across certain real property located in the City of Glendale at 17201 North 63<sup>rd</sup> 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 easement dated January 5, 1955 (Patent No. 1148853) which was recorded in the records of the Maricopa County Recorder's Office on June 27, 1955 at Docket No. 1659 Page 111 and the federal patent easement dated September 29, 1954 (Patent No. 1147017) which was recorded in the records of the Maricopa County Recorder's Office on October 22, 1958 at Docket No. 2633 Page 396 to the underlying, dominant property owner Bell Office, LLC. 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, the City has determined it is in 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.

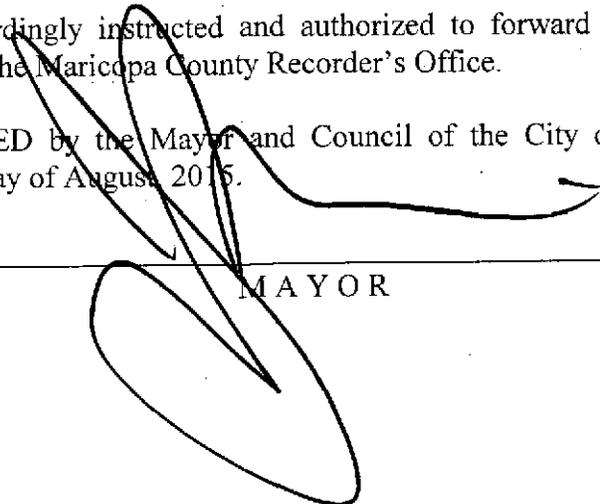
SECTION 3. Further, as required by A.R.S. §9-500.24, the City is abandoning these patent easements in the same manner as other easements are abandoned by the City. As provided in A.R.S. §9-402(E), the City is not receiving payment for such abandonment. The City has determined that the property is of 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 4. The Council hereby authorizes and 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 Bell Office, LLC.

SECTION 5. 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.

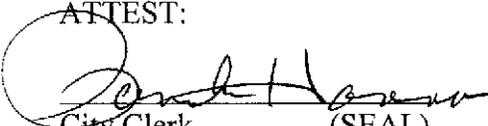
PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 25<sup>th</sup> day of August, 2015.



---

MAYOR

ATTEST:

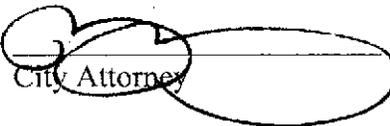


---

City Clerk

(SEAL)

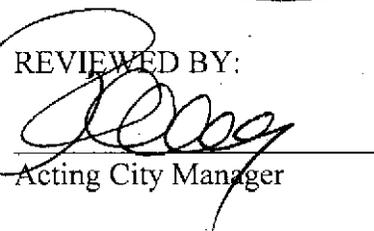
APPROVED AS TO FORM:



---

City Attorney

REVIEWED BY:



---

Acting City Manager

**EXHIBIT A**

---

EXHIBIT 'A'  
LEGAL DESCRIPTION  
PATENT EASEMENT AREA TO BE ABANDONED

---

A portion of the Southeast Quarter of Section 31, Township 4 North, Range 2 East, of the Gila and Salt River Base and Meridian, more particularly described as follows:

COMMENCING at the Southwest corner said Southeast quarter of Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian;

Thence North along the west line of said Southeast quarter, a distance of 713.66 feet;

Thence North 89 Degrees 06 Minutes 19 Seconds East, a distance of 40.00 feet to a point on the east right-of-way of 63<sup>rd</sup> Avenue;

Thence North, parallel to and 40.00 feet east of the west line of said Southeast quarter of said Section 31, a distance of 48.82 feet, to the TRUE POINT OF BEGINNING.

Thence continue North along said parallel line, a distance of 33.00 feet to a point on the north line of GLO Lot 29 in Section 31;

Thence North 89 Degrees 01 Minutes 14 Seconds East along said Northerly line, a distance of 621.02 feet to the northeast corner of said GLO Lot 29;

Thence South 00 Degrees 36 Minutes 00 Seconds West along the easterly line of said parcel of land described in documents 92-0650644 and 92-0650645, records of Maricopa County, Arizona, and along the easterly line of said GLO Lot 29, a distance of 294.81 feet to a point on a line 33 feet north of the Southeast corner of said parcel;

Thence South 89 Degrees 06 Minutes 19 Seconds West along a line 33 feet north of the southerly line of said parcel, a distance of 33.01 feet. Said line also being 33 feet north of the southerly line of said GLO Lot 29

Thence North 00 Degrees 36 Minutes 00 Seconds East along a line parallel to, and 33 feet west of the easterly line of said parcels and said GLO Lot 29, a distance of 261.75 feet to a point 33 feet south of and 33 feet west of the northeast corner of said GLO Lot 29;

Thence South 89 Degrees 01 Minutes 14 Seconds West along a line 33 feet south of the Northerly line of said GLO Lot 29, a distance of 587.66 to the TRUE POINT OF BEGINNING.

---

EXHIBIT 'A' (cont'd)

TOGETHER WITH THE FOLLOWING DESCRIBED AREA:

COMMENCING at the Southwest corner said Southeast quarter of Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian;

Thence North along the west line of said Southeast quarter, a distance of 713.66 feet;

Thence North 89 Degrees 06 Minutes 19 Seconds East, a distance of 40.00 feet to a point on the east right-of-way of 63<sup>rd</sup> Avenue;

Thence North, parallel to and 40.00 feet east of the west line of said Southeast quarter of said Section 31, a distance of 81.83 feet, to the TRUE POINT OF BEGINNING.

Thence continue North, parallel to and 40.00 feet east of the west line of said Southeast quarter of said Section 31, a distance of 33.00 feet;

Thence North 89 Degrees 01 Minutes 14 Seconds East along a line 33 feet north of the Southerly line of said GLO Lot 24, a distance of 588.02 feet to a point 33 feet north of and 33 feet west of the southeast corner of said GLO Lot 24;

Thence North 00 Degrees 00 Minutes 36 seconds East along a line 33 feet west of the Easterly line of said GLO Lot 24, a distance of 261.88 feet to a point 33 feet south of and 33 feet west of the northeast corner of said GLO Lot 24;

Thence South 88 Degrees 55 Minutes 50 Seconds West along a line parallel to and 33 feet south of the north line of said GLO Lot 24, a distance of 366.82 feet to a point on the west line of Parcel 2 as described in document 2013-0737169, records of Maricopa County, Arizona;

Thence North along said west line a distance of 33.00 feet to a point on the north line of said GLO Lot 24;

---

EXHIBIT 'A' (cont'd)

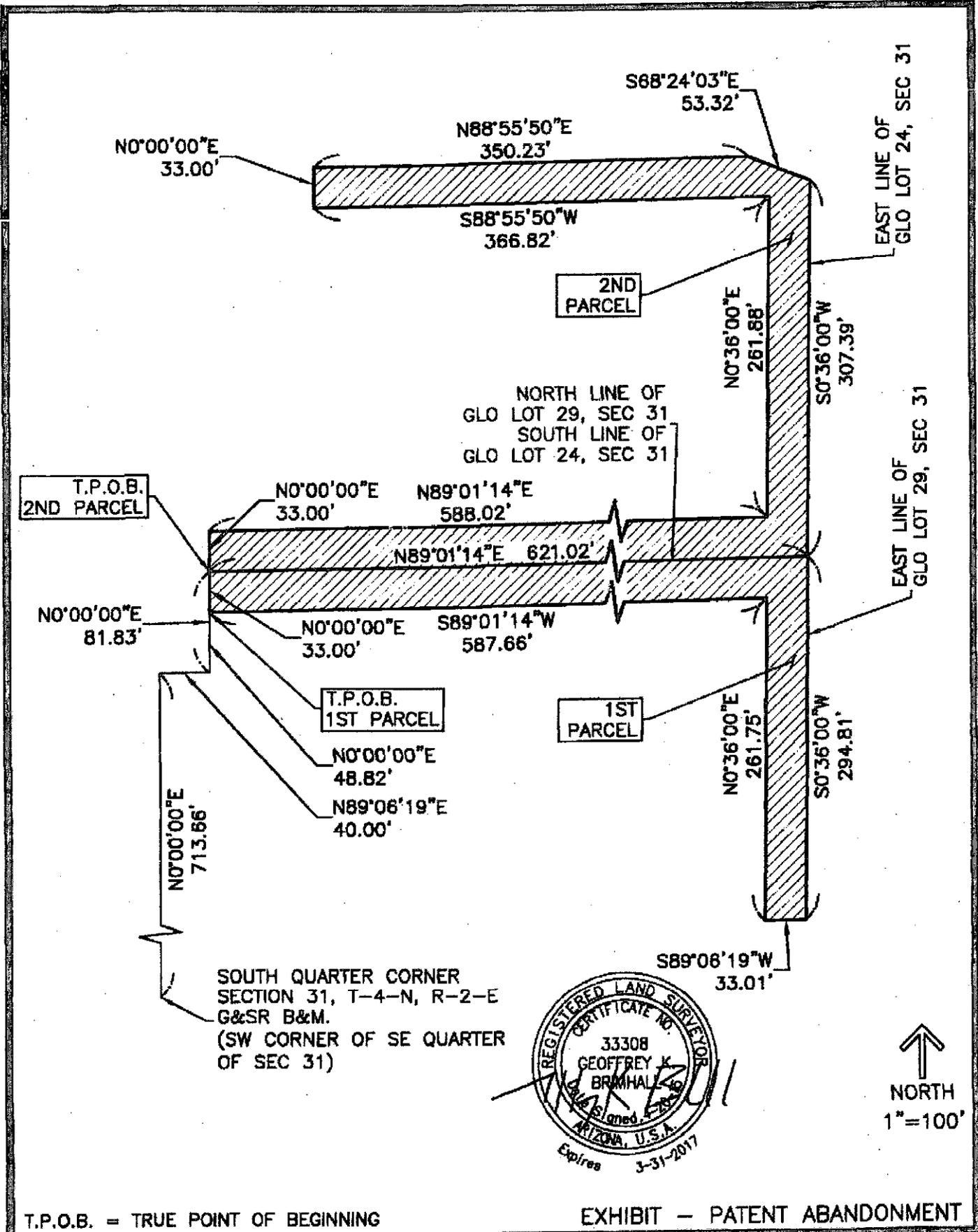
Thence North 88 Degrees 55 Minutes 50 Seconds East along said north line of GLO Lot 24, a distance of 350.23 feet;

Thence South 68 Degrees 24 Minutes 03 Seconds East a distance of 53.32 feet to a point on the Easterly line of said GLO Lot 24;

Thence South 00 Degrees 00 Minutes 36 seconds West along the Easterly line of said GLO Lot 24, a distance of 307.39 feet to the southeast corner of said GLO Lot 24;

Thence South 89 Degrees 01 Minutes 14 Seconds West along the Southerly line of said GLO Lot 24, a distance of 621.02 feet to the TRUE POINT OF BEGINNING;





N0°00'00"E  
33.00'

N88°55'50"E  
350.23'

S68°24'03"E  
53.32'

S88°55'50"W  
366.82'

2ND  
PARCEL

N0°36'00"E  
261.88'

S0°36'00"W  
307.39'

NORTH LINE OF  
GLO LOT 29, SEC 31  
SOUTH LINE OF  
GLO LOT 24, SEC 31

T.P.O.B.  
2ND  
PARCEL

N0°00'00"E  
33.00'

N89°01'14"E  
588.02'

NB9°01'14"E 621.02'

EAST LINE OF  
GLO LOT 24, SEC 31

EAST LINE OF  
GLO LOT 29, SEC 31

N0°00'00"E  
81.83'

N0°00'00"E  
33.00'

S89°01'14"W  
587.66'

1ST  
PARCEL

N0°36'00"E  
261.75'

S0°36'00"W  
294.81'

T.P.O.B.  
1ST  
PARCEL

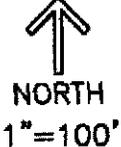
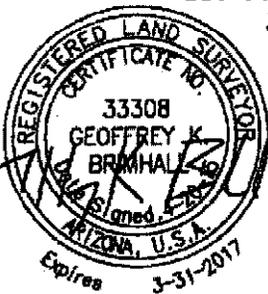
N0°00'00"E  
48.82'

N89°06'19"E  
40.00'

N0°00'00"E  
713.86'

S89°06'19"W  
33.01'

SOUTH QUARTER CORNER  
SECTION 31, T-4-N, R-2-E  
G&SR B&M.  
(SW CORNER OF SE QUARTER  
OF SEC 31)

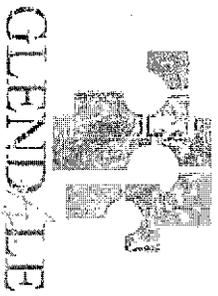


T.P.O.B. = TRUE POINT OF BEGINNING

EXHIBIT - PATENT ABANDONMENT



PATENT EASEMENT  
TO BE ABANDONED



**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 Bell Office, LLC, an Arizona limited liability company, (Grantee) any and all right, 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 \_\_\_\_\_, 2015.

---

Richard A. Bowers  
Acting 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 \_\_\_\_\_, 2015 by Richard A Bowers, Acting City Manager for the City of Glendale, who acknowledged that he executed this instrument for the purposes therein contained.

---

Notary Public

My commission expires:

17201 N. 63<sup>rd</sup> Ave

---

EXHIBIT 'A'

LEGAL DESCRIPTION  
EASEMENT AREA TO BE CONVEYED TO BELL OFFICE, LLC.

---

A portion of the Southeast Quarter of Section 31, Township 4 North, Range 2 East, of the Gila and Salt River Base and Meridian, more particularly described as follows:

COMMENCING at the Southwest corner said Southeast quarter of Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian;

Thence North along the west line of said Southeast quarter, a distance of 713.66 feet;

Thence North 89 Degrees 06 Minutes 19 Seconds East, a distance of 40.00 feet to a point on the east right-of-way of 63<sup>rd</sup> Avenue;

Thence North, parallel to and 40.00 feet east of the west line of said Southeast quarter of said Section 31, a distance of 48.82 feet, to the TRUE POINT OF BEGINNING.

Thence continue North along said parallel line, a distance of 33.00 feet to a point on the north line of GLO Lot 29 in Section 31;

Thence North 89 Degrees 01 Minutes 14 Seconds East along said Northerly line, a distance of 621.02 feet to the northeast corner of said GLO Lot 29;

Thence South 00 Degrees 36 Minutes 00 Seconds West along the easterly line of said parcel of land described in documents 92-0650644 and 92-0650645, records of Maricopa County, Arizona, and along the easterly line of said GLO Lot 29, a distance of 294.81 feet to a point on a line 33 feet north of the Southeast corner of said parcel;

Thence South 89 Degrees 06 Minutes 19 Seconds West along a line 33 feet north of the southerly line of said parcel, a distance of 33.01 feet. Said line also being 33 feet north of the southerly line of said GLO Lot 29

Thence North 00 Degrees 36 Minutes 00 Seconds East along a line parallel to, and 33 feet west of the easterly line of said parcels and said GLO Lot 29, a distance of 261.75 feet to a point 33 feet south of and 33 feet west of the northeast corner of said GLO Lot 29;

Thence South 89 Degrees 01 Minutes 14 Seconds West along a line 33 feet south of the Northerly line of said GLO Lot 29, a distance of 587.66 to the TRUE POINT OF BEGINNING.

---

EXHIBIT 'A' (cont'd)

TOGETHER WITH THE FOLLOWING DESCRIBED AREA:

COMMENCING at the Southwest corner said Southeast quarter of Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian;

Thence North along the west line of said Southeast quarter, a distance of 713.66 feet;

Thence North 89 Degrees 06 Minutes 19 Seconds East, a distance of 40.00 feet to a point on the east right-of-way of 63<sup>rd</sup> Avenue;

Thence North, parallel to and 40.00 feet east of the west line of said Southeast quarter of said Section 31, a distance of 81.83 feet, to the TRUE POINT OF BEGINNING.

Thence continue North, parallel to and 40.00 feet east of the west line of said Southeast quarter of said Section 31, a distance of 33.00 feet;

Thence North 89 Degrees 01 Minutes 14 Seconds East along a line 33 feet north of the Southerly line of said GLO Lot 24, a distance of 588.02 feet to a point 33 feet north of and 33 feet west of the southeast corner of said GLO Lot 24;

Thence North 00 Degrees 00 Minutes 36 seconds East along a line 33 feet west of the Easterly line of said GLO Lot 24, a distance of 261.88 feet to a point 33 feet south of and 33 feet west of the northeast corner of said GLO Lot 24;

Thence South 88 Degrees 55 Minutes 50 Seconds West along a line parallel to and 33 feet south of the north line of said GLO Lot 24, a distance of 366.82 feet to a point on the west line of Parcel 2 as described in document 2013-0737169, records of Maricopa County, Arizona;

Thence North along said west line a distance of 33.00 feet to a point on the north line of said GLO Lot 24;

---

EXHIBIT 'A' (cont'd)

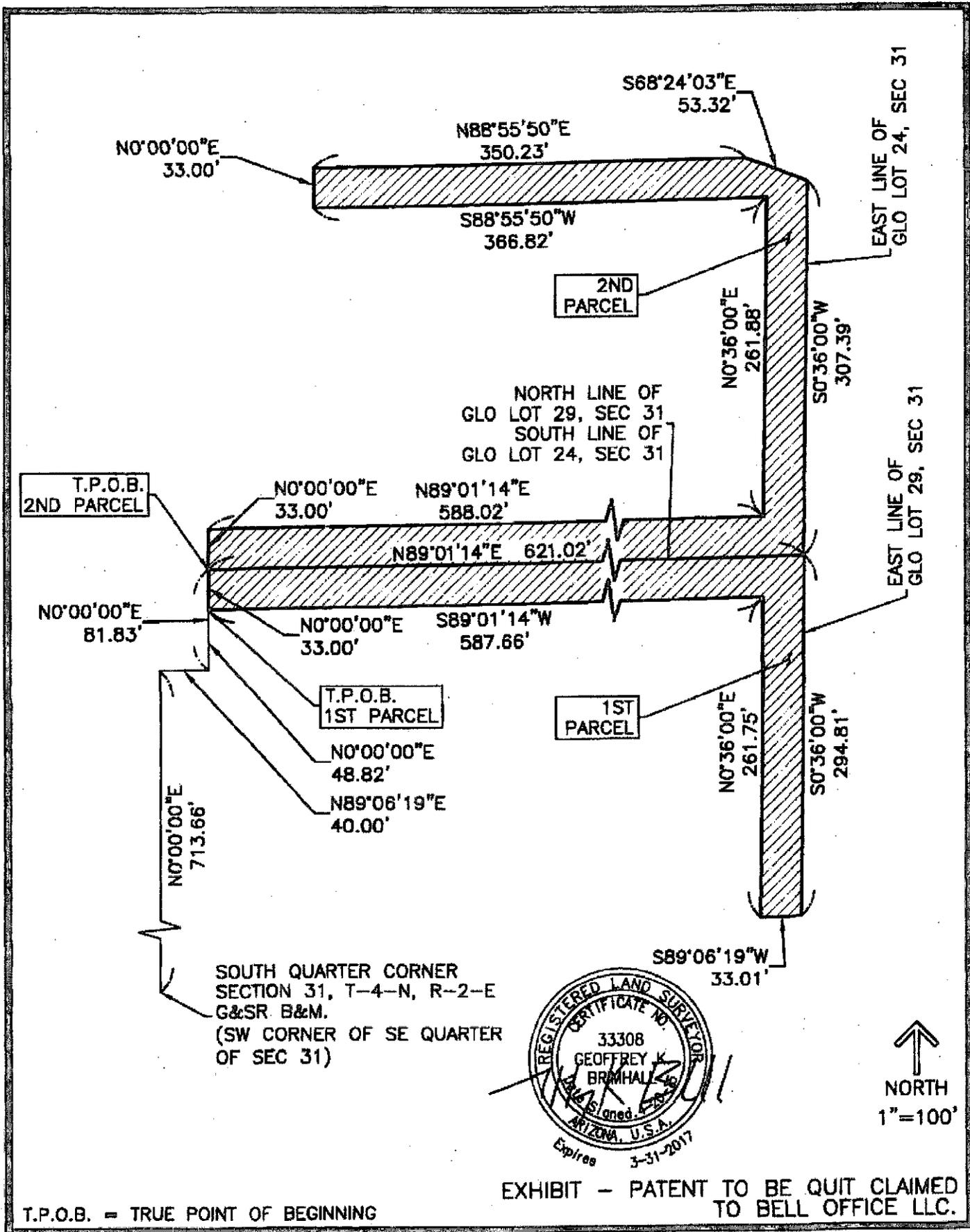
Thence North 88 Degrees 55 Minutes 50 Seconds East along said north line of GLO Lot 24, a distance of 350.23 feet;

Thence South 68 Degrees 24 Minutes 03 Seconds East a distance of 53.32 feet to a point on the Easterly line of said GLO Lot 24;

Thence South 00 Degrees 00 Minutes 36 seconds West along the Easterly line of said GLO Lot 24, a distance of 307.39 feet to the southeast corner of said GLO Lot 24;

Thence South 89 Degrees 01 Minutes 14 Seconds West along the Southerly line of said GLO Lot 24, a distance of 621.02 feet to the TRUE POINT OF BEGINNING;





N0°00'00"E  
33.00'

N88°55'50"E  
350.23'

S68°24'03"E  
53.32'

S88°55'50"W  
366.82'

2ND  
PARCEL

N0°36'00"E  
261.88'

S0°36'00"W  
307.39'

EAST LINE OF  
GLO LOT 24, SEC 31

NORTH LINE OF  
GLO LOT 29, SEC 31  
SOUTH LINE OF  
GLO LOT 24, SEC 31

T.P.O.B.  
2ND PARCEL

N0°00'00"E  
33.00'

N89°01'14"E  
588.02'

N89°01'14"E 621.02'

EAST LINE OF  
GLO LOT 29, SEC 31

N0°00'00"E  
81.83'

N0°00'00"E  
33.00'

S89°01'14"W  
587.66'

T.P.O.B.  
1ST PARCEL

1ST  
PARCEL

N0°36'00"E  
261.75'

S0°36'00"W  
294.81'

N0°00'00"E  
713.66'

N0°00'00"E  
48.82'

N89°06'19"E  
40.00'

S89°06'19"W  
33.01'

SOUTH QUARTER CORNER  
SECTION 31, T-4-N, R-2-E  
G&SR B&M.  
(SW CORNER OF SE QUARTER  
OF SEC 31)



↑  
NORTH  
1"=100'

T.P.O.B. = TRUE POINT OF BEGINNING

EXHIBIT - PATENT TO BE QUIT CLAIMED  
TO BELL OFFICE LLC.