

RESOLUTION NO. 4333 NEW SERIES

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THAT TITLE TO AND POSSESSION OF THE LAND UPON WHICH THE GLENDALE YOUTH SPORTS AND RECREATIONAL FIELDS THAT ARE LOCATED AT THE NORTHWEST CORNER OF THE BETHANY HOME ROAD ALIGNMENT AND 91ST AVENUE IN THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, BE ACQUIRED BY PURCHASE.

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

SECTION 1. That it is deemed necessary and essential for the City of Glendale to acquire from David L. Malcolm and Annie Malcolm the land upon which the Glendale Youth Sports and Recreational Fields that are located at the northwest corner of the Bethany Home Road alignment and 91st Avenue located in the City of Glendale, Maricopa County, Arizona, and more particularly described as follows:

[See Exhibit "A" attached hereto and incorporated herein by this reference.]

SECTION 2. That the City Manager and the City Clerk be, and they hereby are, authorized and directed to deliver a purchase agreement, escrow instructions and any and all other documents necessary to acquire said real property on behalf of the City of Glendale.

SECTION 3. That the duly authorized disbursing officers of the City of Glendale be, and they hereby are, authorized and directed to pay all sums necessary to acquire said real property in accordance with such purchase agreement and escrow instructions, as well as all recording fees, escrow closing costs and other costs necessary for the acquisition of said real property.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of
Glendale, Maricopa County, Arizona, this 22nd day of December, 2009.

Manuel D. Stachura for
MAYOR

ATTEST:

Dawn McCarthy
City Clerk (SEAL)

APPROVED AS TO FORM:

[Signature]
City Attorney

REVIEWED BY:

[Signature]
City Manager

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

That portion of the Southeast quarter of Section 9, Township 2 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found brass cap flush accepted as the Southeast corner of said Section 9 from which a brass cap in a handhole accepted as the East quarter corner thereof bears North 00 degrees 13 minutes 14 seconds West, a distance of 2595.26 feet;

THENCE North 00 degrees 13 minutes 14 seconds West, along the East line of said Southeast quarter, a distance of 299.83 feet;

THENCE South 89 degrees 46 minutes 46 seconds West, a distance of 40.00 feet to a point on the Westerly right-of-way line of 91st Avenue, said point being on a line parallel with and 230.00 feet North of the Northerly line of the Grand Canal right-of-way as shown on Survey recorded in Book 181 of Maps, page 47, records of Maricopa County, Arizona, and being the POINT OF BEGINNING,

THENCE continuing South 89 degrees 32 minutes 19 seconds West, along said parallel line, a distance of 72.91 feet to an angle point therein;

THENCE South 89 degrees 26 minutes 17 seconds West, continuing along said parallel Line, a distance of 677.10 feet to the West line of the East 790.00 feet of said Southeast quarter;

THENCE North 00 degrees 13 minutes 14 seconds West, along said West line, a distance of 794.52 feet;

THENCE North 89 degrees 46 minutes 46 seconds East) a distance of 750.00 feet to the West line of the East 40.00 feet of said Southeast quarter, being a point on the Westerly right-of-way line of said 91st Avenue;

THENCE South 00 degrees 13 minutes 14 seconds East, along said West line, a distance of 790.18 feet to the POINT OF BEGINNING.