

Town of Fountain Hills
16705 E. Avenue of the Fountains
Fountain Hills, AZ 85268

Development Services Department

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**OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
ADRIAN FONTES
20180670993 09/05/2018 4:18 PM
ELECTRONIC RECORDING
RES201835-5-1-1--N**

RESOLUTION 2018-35

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, ABANDONING WHATEVER RIGHT, TITLE, OR INTEREST IT HAS IN A PORTION OF THE HILLSIDE PROTECTION EASEMENT LOCATED ON THE HILLTOP AT SUNRIDGE CANYON SUBDIVISION, LOT1 (12807 N. SUNRIDGE DRIVE), AS RECORDED IN BOOK 496, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA. (EA 2018-05)

DO NOT REMOVE
This is part of the official document



RESOLUTION 2018-35

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, ABANDONING WHATEVER RIGHT, TITLE, OR INTEREST IT HAS IN A PORTION OF THE HILLSIDE PROTECTION EASEMENT LOCATED ON THE HILLTOP AT SUNRIDGE CANYON SUBDIVISION, LOT1 (12807 N. SUNRIDGE DRIVE), AS RECORDED IN BOOK 496, PAGE 49, RECORDS OF MARICOPA COUNTY, ARIZONA. (EA 2018-05)

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 present utility companies have received notification of the proposed abandonment.

ENACTMENTS:

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

SECTION 1. That the certain hillside protection easement, at the "Hilltop at Sunridge Canyon" subdivision, Lot 1, (12807 North Sunridge Drive), Fountain Hills, as recorded the Office of the County Recorder of Maricopa County, Arizona, Book 496 of Maps, Page 49, and as more particularly described in Exhibit A and depicted in Exhibit B, both attached hereto and incorporated herein by reference, are hereby declared to be abandoned by the Town. Certain lots within this subdivision are subject to lot-to-lot drainage runoff. The property owner is required to pass the developed flows generated by the upstream lots across their property.

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, September 4, 2018.

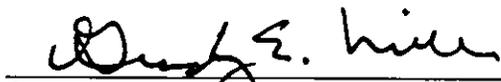
FOR THE TOWN OF FOUNTAIN HILLS:


Linda M. Kavanagh, Mayor

ATTESTED TO:


Elizabeth A. Burke, Town Clerk

REVIEWED BY:


Grady E. Miller, Town Manager

APPROVED AS TO FORM:

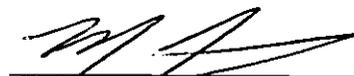

Interim Town Attorney
Dickinson Wright, PLLC

EXHIBIT A

LEGAL DESCRIPTION HILLSIDE PROTECTION EASEMENT ABANDONMENT

A portion of Lot 1 of "HILLTOP AT SUNRIDGE CANYON", a subdivision plat as recorded in Book 496 of Maps, page 49, Official Records of Maricopa County, Arizona, which is located in the Southeast quarter of Section 17, Township 3 North, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and more particularly described as follows:

COMMENCING at the Southeast property corner of said Lot 1; thence North 33 degrees 35 minutes 00 seconds West, departing from the Southeast property corner of said Lot 1 and the Northerly right-of-way line of Palisades Boulevard, to the Southeast corner of an existing Hillside Protection Easement as shown on said Plat, a distance of 31.17 feet to the POINT OF BEGINNING;

THENCE South 56 degrees 25 minutes 00 seconds West, along said Hillside Protection Easement line as shown on said Plat, a distance of 31.77 feet;

THENCE North 27 degrees 33 minutes 53 seconds West, along said Hillside Protection Easement line as shown on said Plat, a distance of 103.13 feet;

THENCE North 72 degrees 29 minutes 52 seconds East, departing from the Hillside Protection Easement line, as shown on said Plat, a distance of 16.53 feet, to a point of non-tangent curvature, concave Southwesterly, having a radius of 400.00 feet and a radial bearing of South 47 degrees 17 minutes 00 seconds West;

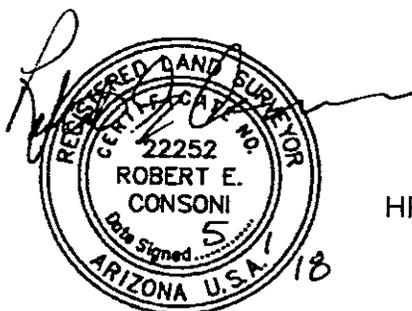
THENCE Continuing along the arc of said curve to the right, through a central angle of 09 degrees 08 minutes 00 seconds, a distance of 63.76 feet;

THENCE South 33 degrees 35 minutes 00 seconds East, a distance of 34.49 feet returning to said POINT OF BEGINNING.

Containing 2,537 square feet or 0.06 acres, more or less.

Reference is hereby made to the attached EXHIBIT B drawing.

Page 1 of 1



EXPIRES 06/30/2020

HPE Easement Abandonment

g-mar Job No. 18-03-017-00

REC/gm

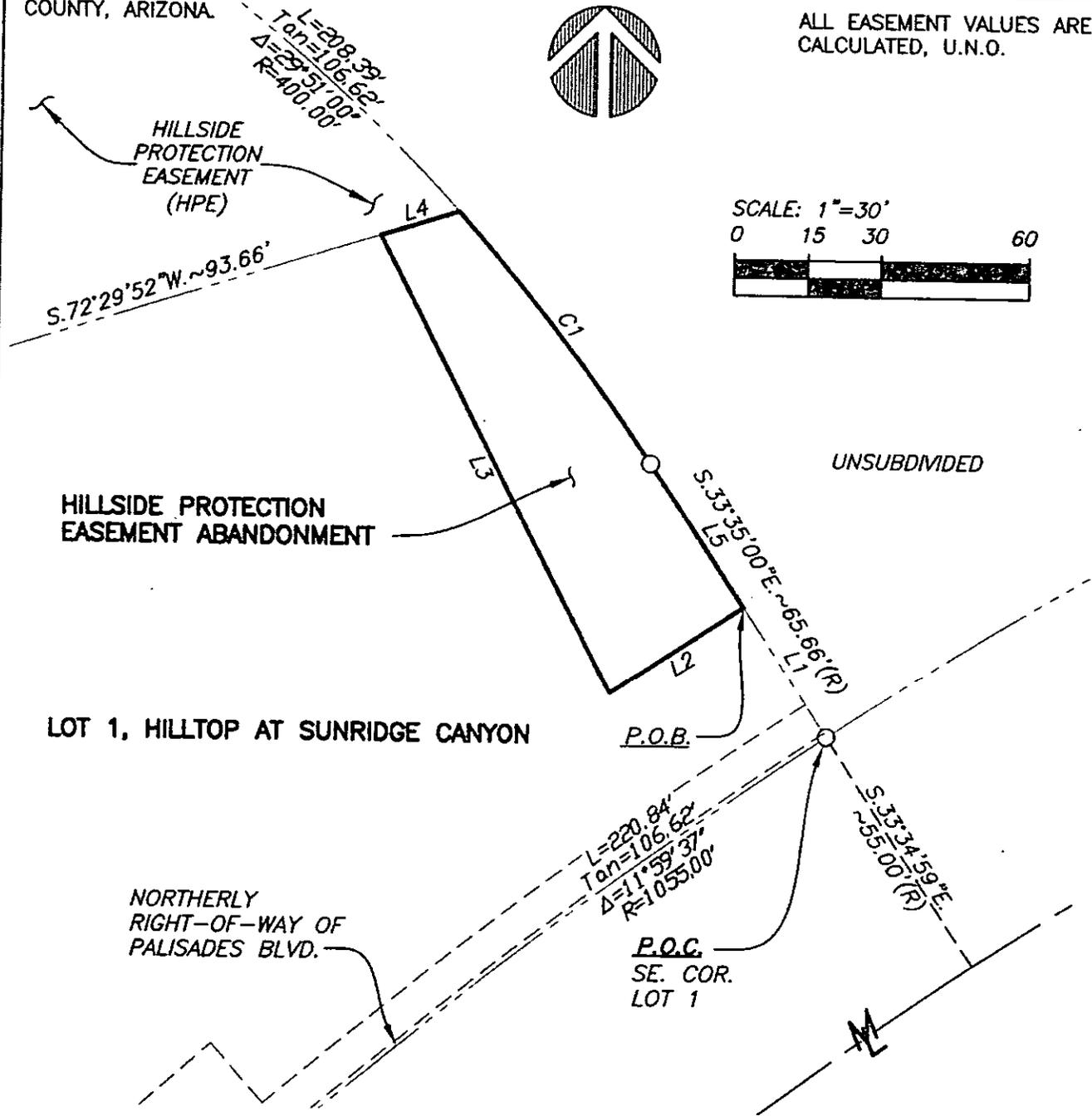
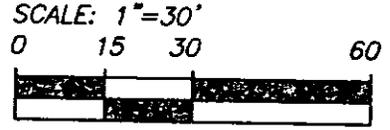
May 1, 2018

ALL RECORDED VALUES ARE AS SHOWN
 IN BOOK 496 OF MAPS, PAGE 49,
 OFFICIAL RECORDS OF MARICOPA
 COUNTY, ARIZONA.

EXHIBIT B
 HPE ABANDONMENT

ALL EASEMENT VALUES ARE
 CALCULATED, U.N.O.

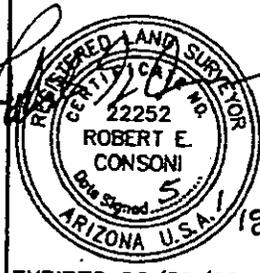
NORTH



SKETCH OF LEGAL DESCRIPTION

g-mar
 engineering consultants, llc
 18223 w. orchid ln. waddell, az 85355
 ph: 623.242.6220 • e: geoff@g-mareng.com

HPE ABANDONMENT
 12807 N. SUNRIDGE DRIVE
 FOUNTAIN HILLS, AZ 85268
 SEC. 17, T.3N., R.6E.
 MARICOPA COUNTY, ARIZONA



Job No. 18-03-017-00
 Date 05/01/18
 By GM/REC
 Sheet No. 1 OF 2

I:\TIG G-MAR\2018\003 Fountain Hillside Abandonment\Draw\HPE Abandonment 05.01.2018.dwg Plotted 4/30/18 by robert

This drawing is an instrument of service. It is the property of g-mar engineering consultants, llc, and may not be reproduced or reproduction hereof used without permission.

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 IN BOOK 496 OF MAPS, PAGE 49,
 OFFICIAL RECORDS OF MARICOPA
 COUNTY, ARIZONA.

EXHIBIT B
 HPE ABANDONMENT

ALL EASEMENT VALUES ARE
 CALCULATED, U.N.O.

LINE TABLE		
NO.	BEARING	DISTANCE
L1	N.33°35'00"W.	31.18'
L2	S.56°25'00"W.	31.77'
L3	N.27°33'53"W.	103.13'
L4	N.72°29'52"E.	16.53'
L5	S.33°35'00"E.	34.49'

CURVE TABLE				
NO.	LENGTH	DELTA	RADIUS	CHORD
C1	63.76'	09°08'00"	400.00'	S.38°09'00"E.

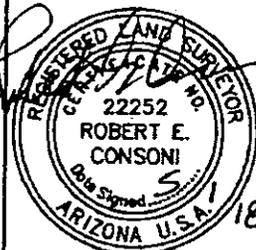
LINE DATA



g-mar
 engineering consultants, llc

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 SEC. 17, T.3N., R.6E.
 MARICOPA COUNTY, ARIZONA



EXPIRES 06/30/2020

Job No.
 18-03-017-00
 Date
 05/01/18
 By
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 Sheet No.
 2 OF 2

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