



Chandler • Arizona
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#10
FEB 14 2008

MEMORANDUM

Real Estate Services Memo No. RE08-002

DATE: FEBRUARY 14, 2008

TO: MAYOR AND COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
R.J. ZEDER, PUBLIC WORKS DIRECTOR
MIKE NORMAND, ACTING ASSISTANT PUBLIC WORKS
DIRECTOR/TRANSPORTATION AND OPERATIONS

FROM: ERICH KUNTZE, REAL ESTATE OPERATIONS COORDINATOR

SUBJECT: RESOLUTION NO. 4086 AUTHORIZING AND APPROVING THE RELEASE OF A TEMPORARY DRAINAGE EASEMENT THAT IS NO LONGER NEEDED FOR THE REDROCK BUSINESS PLAZA, LOCATED AT THE CHANDLER AIRPORT CENTER NEAR THE NORTHEAST CORNER OF COOPER ROAD AND GERMANN ROAD, APN #303-31-218.

RECOMMENDATION: Staff recommends that Council pass and adopt Resolution No. 4086 authorizing and approving the release of a temporary drainage easement that is no longer needed for the Redrock Business Plaza, located at the Chandler Airport Center near the northeast corner of Cooper Road and Germann Road, APN #303-31-218

BACKGROUND/DISCUSSION: Germann Road Associates, LLC has requested that the City of Chandler extinguish one drainage easement with a gross surface area of approximately 19,221 square feet for its portion of Germann Road. This site is currently being developed and this drainage easement is no longer required because the approved design plans for this development provides for adequate retention and drainage reconfigured under a new design. The planned onsite improvements provide for the half street runoff from Germann Road and will direct storm water to new underground tanks. The maintenance of these new underground facilities will be the responsibility of the property owner, not the City of Chandler.

The requestor has paid a \$500 processing fee. Staff has confirmed this drainage easement is no longer needed for the new civil design. City staff has also verified that the extinguishment of this drainage easement will not impact any utilities.

FINANCIAL IMPLICATIONS:

Cost:	N/A
Savings:	N/A
Long Term Costs:	N/A

PROPOSED MOTION: Move that Council pass and adopt Resolution No. 4086, authorizing and approving the release of a temporary drainage easement that is no longer needed for the Redrock Business Plaza, located at the Chandler Airport Center near the northeast corner of Cooper Road and Germann Road, APN #303-31-218

Attachments: Resolution No. 4086
Release of Easement
Map

RESOLUTION NO. 4086

A RESOLUTION OF THE COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING AND APPROVING THE RELEASE OF A TEMPORARY DRAINAGE EASEMENT THAT IS NO LONGER NEEDED FOR THE REDROCK BUSINESS PLAZA, LOCATED AT THE CHANDLER AIRPORT CENTER NEAR THE NORTHEAST CORNER OF COOPER ROAD AND GERMANN ROAD, APN #303-31-218.

WHEREAS, the City of Chandler was granted one temporary drainage easement as part of a Final Order of Condemnation, recorded as document #2006-0559941 by Maricopa County on April 21, 2006 as described in Exhibit "A", attached hereto and incorporated herein by reference ("Temporary Drainage Easement"), which covers a portion of Assessor parcel number 303-31-218; and,

WHEREAS, pursuant to approved site development plans for the Redrock Business Plaza, the drainage facilities have been moved to a new location within the property making the 2006 temporary drainage easement unnecessary;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. That the City of Chandler is authorized to release the drainage easement upon the property as described in the attached Exhibit "A".

Section 2. The document used to release the drainage easement shall be in the form as approved by the City Attorney.

Section 3. That the Mayor of the City of Chandler is authorized to execute and deliver all documents necessary to affect the release of the above described drainage easement.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this _____ day of _____, 2008.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4086 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2008, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *KAB*

EXHIBIT "A"
**LEGAL DESCRIPTION
ABANDONMENT OF
TEMPORARY DRAINAGE EASEMENT
OVER LOT 4, CHANDLER AIRPORT CENTER PHASE 1
FOR REDROCK BUSINESS CENTER**

That certain Temporary Drainage Easement as described and shown on Exhibit "H", recorded in Instrument No. 2004-0621412, located on Lot 4, CHANDLER AIRPORT CENTER – PHASE I, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 858 of Maps, Page 9, being a portion of Section 1, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 1;

Thence North 89° 05' 06" East (basis of bearings) along the South line of said Section 1, a distance of 320.00 feet to a point of curvature left;

Thence along said curve left having a radius of 1200.00 feet, a central angle of 44° 56' 46", an arc distance of 941.35 feet;

Thence North 44° 08' 20" East, a distance of 312.21 feet to a point of curvature right;

Thence along said curve right having a radius of 1200.00 feet, a central angle of 00° 07' 30", an arc distance of 2.62 feet;

Thence North 45° 44' 10" West a distance of 71.00 feet to the POINT OF BEGINNING;

Thence North 00° 08' 30" East a distance of 158.75 feet;

Thence North 47° 39' 23" East, a distance of 107.68 feet;

Thence South 42° 20' 23" East a distance of 128.58 feet to a point on a non-tangent curve left having a radial bearing of South 36° 00' 13" East;;

Thence along said curve left having a radius of 1265.00 feet, a central angle of 03° 03' 21", and an arc distance of 67.47 feet;

Thence North 39° 03' 34" West a distance of 6.00 feet to a point on a non-tangent curve left having a radial bearing of South 39° 03' 34" East;

Thence along said curve left having a radius of 1271.00 feet, a central angle of 06° 40' 36" , an arc distance of 148.11 feet to the POINT OF BEGINNING.

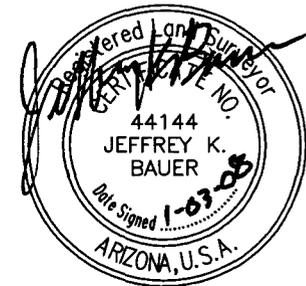
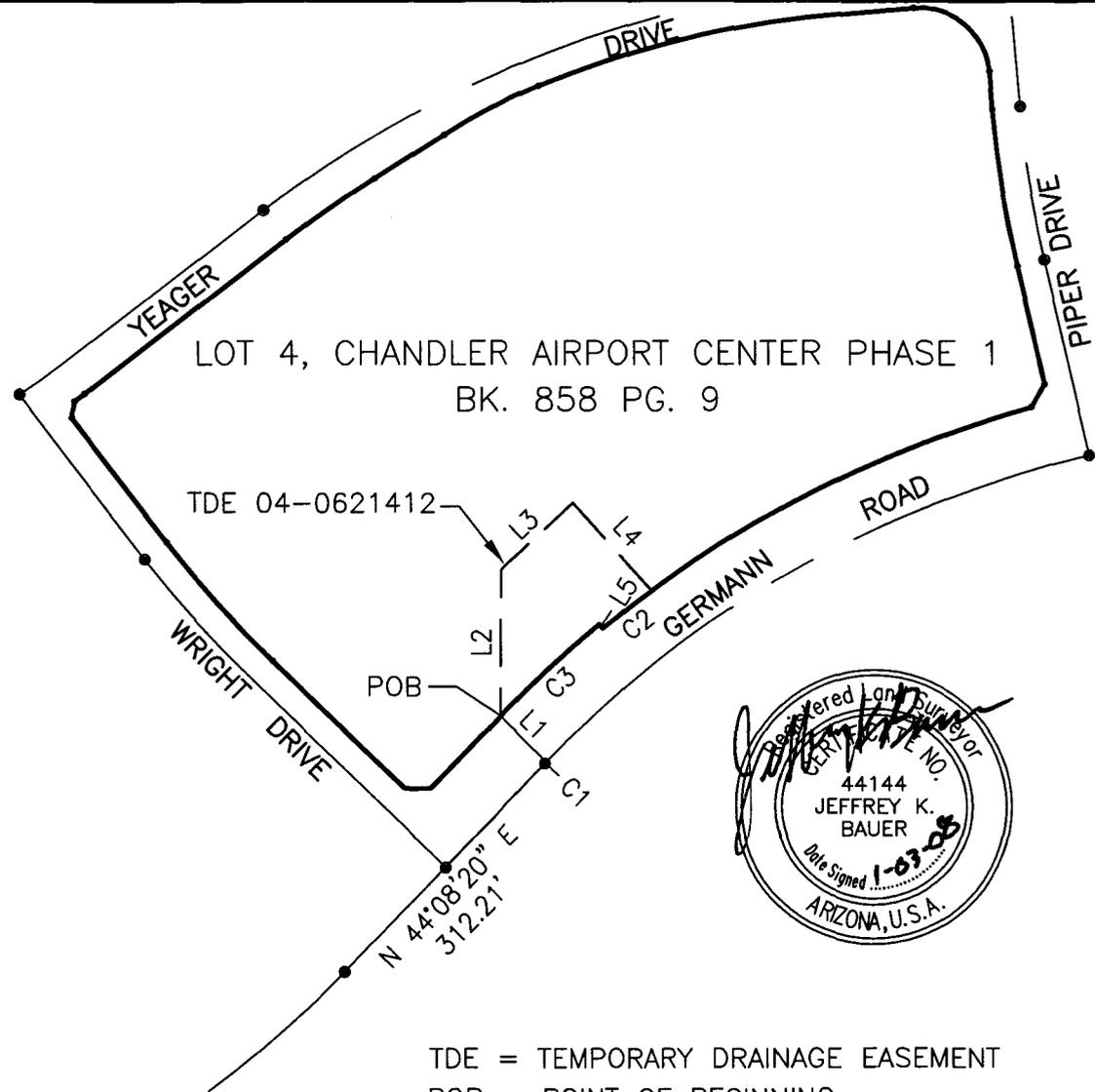
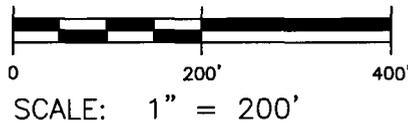
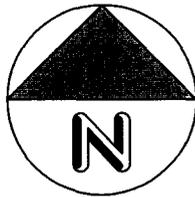
Said Temporary Drainage Easement contains 19,221 square feet or 0.4413 acres more or less.



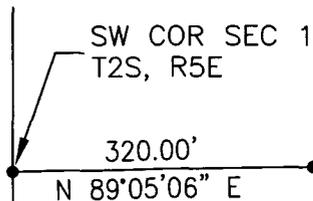
N.E.G. #2237
01-03-08

LINE	BEARING	DISTANCE
L1	N 45°44'10" W	71.00
L2	N 00°08'30" E	158.75
L3	N 47°39'23" E	107.68
L4	S 42°20'23" E	128.58
L5	N 39°03'34" W	6.00

CURVE	ARC	DELTA	RADIUS
C1	2.62	00°07'30"	1200.00
C2	67.47	03°03'21"	1265.00
C3	148.11	06°40'36"	1271.00



TDE = TEMPORARY DRAINAGE EASEMENT
 POB = POINT OF BEGINNING



**TEMPORARY DRAINAGE EASEMENT ABANDONMENT EXHIBIT
 LOT 4, CHANDLER AIRPORT CENTER PHASE 1**

NORMAN ENGINEERING GROUP INC.
 #2237 01-03-08

When recorded, mail to
City Clerk's Office
City of Chandler
Mail Stop 606
P.O. Box 4008
Chandler, AZ. 85244-4008

APN 303-31-218
Sec 2, T2S, R5E
DH / 12/24/07

RELEASE OF EASEMENT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, CITY OF CHANDLER, an Arizona municipal corporation ("City"), does hereby release and extinguish any and all interest that it may have in that certain real property described in Exhibit "A" to that certain Temporary Drainage Easement over Lot 4, Chandler Airport Center-Phase I, according to the Final Order of Condemnation recorded as document #2006-0559941 by Maricopa County on April 21, 2006, attached hereto and made a part hereof, arising by virtue of the execution and recording of said document.

This Release of Easement is not intended to release any interest that City may have in any portion of the subject real property arising by virtue of any other instrument recorded with the Maricopa County Recorder, including without limitation, any deed, easement other than the aforementioned easement, or final order of condemnation.

Dated this _____ day of _____, 2008.

CITY OF CHANDLER, an Arizona municipal corporation

By: _____

Its: _____

STATE OF ARIZONA)
) ss.
County of Maricopa)

On this, the ____ day of _____, 2008, before me, the undersigned, a Notary Public, personally appeared _____, who acknowledged himself/herself to be the _____ of the City of Chandler, an Arizona municipal corporation, and that he/she as such officer of the municipal corporation being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the municipal corporation as such officer.

Notary Public

My Commission Expires:

APPROVED AS TO FORM:

City Attorney *KAB*

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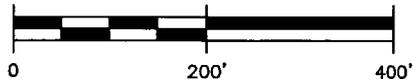
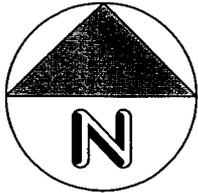
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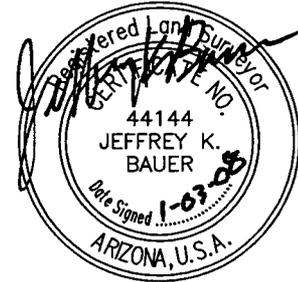
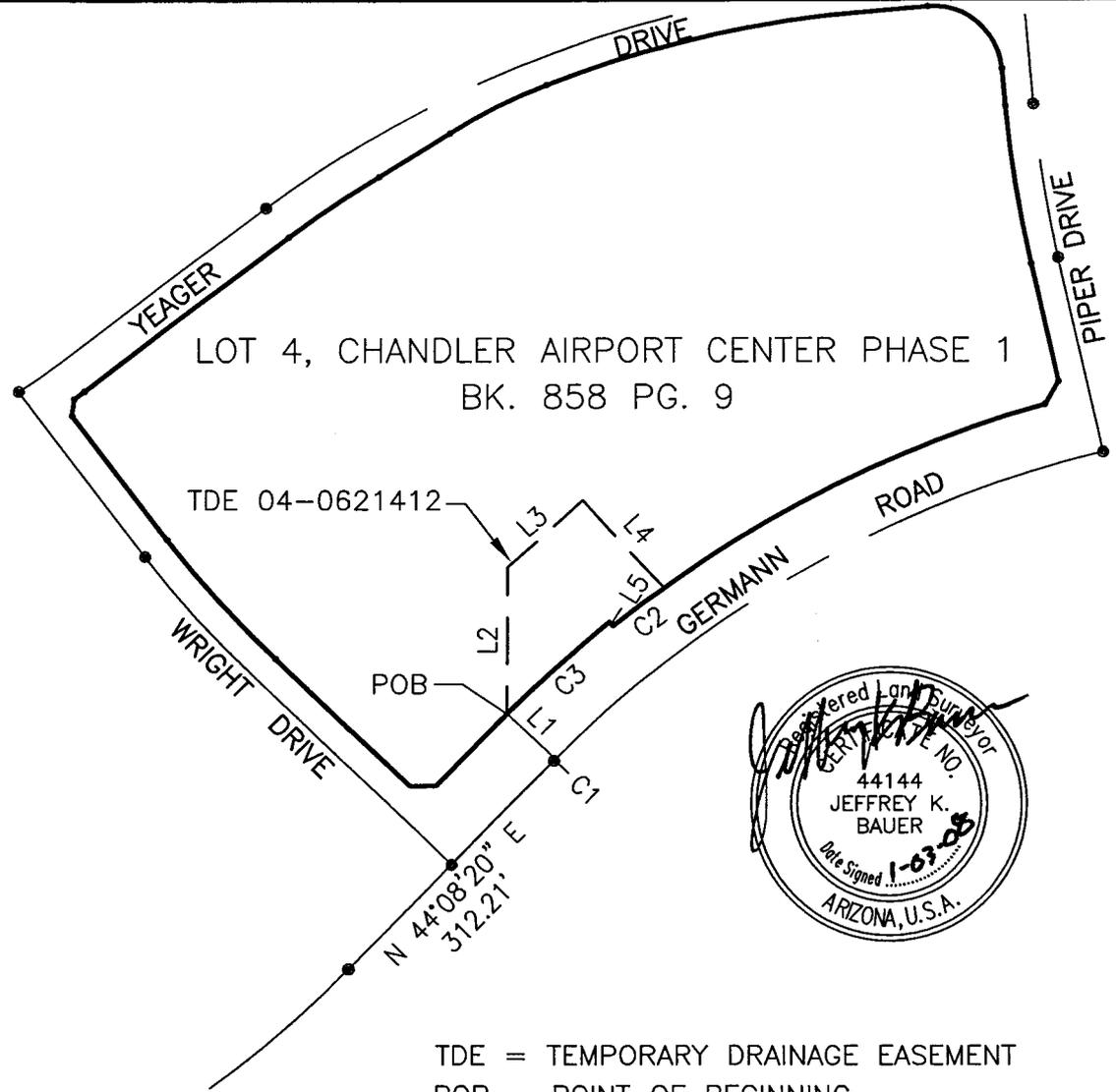
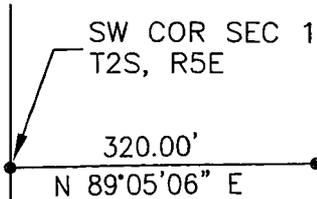
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SCALE: 1" = 200'



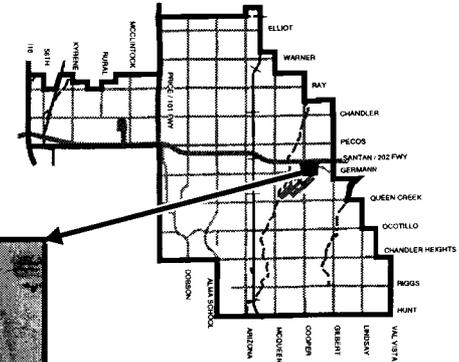
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**TEMPORARY DRAINAGE EASEMENT ABANDONMENT EXHIBIT
 LOT 4, CHANDLER AIRPORT CENTER PHASE 1**

NORMAN ENGINEERING GROUP INC.
 #2237 01-03-08



RELEASE OF A TEMPORARY DRAINAGE EASEMENT AT REDROCK BUSINESS PLAZA



MEMO NO. RE08-002

RESOLUTION NO. 4086

 TEMPORARY DRAINAGE EASEMENT

