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PINAL COUNTY RECORDER
LAURA DEAN-LYTLE

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CITY OF MARICOPA

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RESOLUTION NO. 04-39

DOCUMENT TITLE

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RESOLUTION NO. 04-39

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ABANDONING A PORTION OF A PUBLIC ALLEY IN MARICOPA MANOR SUBDIVISION (AS AMENDED)

WHEREAS, the City has received a request from the owner/developer of Maricopa Manor (as amended) to abandon a portion of an alley previously dedicated to public use in order for the owner/developer to amend the overall development plan for that property; and

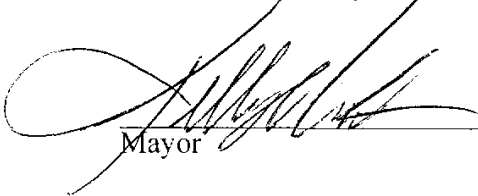
WHEREAS, it appears that the revised plan for the property will enable good commercial development on such site while still providing for replacement access to connect to the remaining alley serving the subdivision; and

WHEREAS, the Council believes that abandonment of the alley will not deprive any other person of any property or rights attendant thereto and that abandoning the alley will serve a legitimate public interest;

NOW, THEREFORE, BE IT RESOLVED that, pursuant to A.R.S. §28-7205, the Maricopa City Council hereby vacates and abandons, on the conditions set forth herein, that portion of the public alley in Maricopa Manor Amended located between Lots 41, 68, 69, 71, 72 and 73, all as set forth on the survey attached as Exhibit A hereto. Title to such alley shall pass as provided by A.R.S. §28-7205.

This Resolution shall be effective only upon the approval by the Council of a site plan and recording of a plat for the Maricopa Manor Business Center that dedicates for public use an alley or other access that connects to the remaining alley servicing the Maricopa Manor subdivision (as amended).

PASSED AND ADOPTED BY THE Mayor and Council of the City of Maricopa, Arizona, this 3rd day of November, 2004.



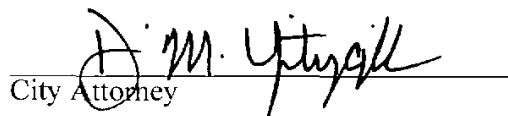
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

