

RESOLUTION NO. 21-35

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA AUTHORIZING AND DIRECTING THE ACQUISITION OF ALL PROPERTY NECESSARY FOR THE COMPLETION OF THE WIDENING OF PORTER ROAD WITHIN THE CITY LIMIT OF MARICOPA BY DEDICATION, DONATION, PURCHASE, EXCHANGE OR UNDER THE POWER OF EMINENT DOMAIN AS A MATTER OF PUBLIC NECESSITY.

WHEREAS, the City of Maricopa owns and maintains Porter Road and desires to protect and provide for the continued and increasing use of Porter Road by the public; and

WHEREAS, the City has expended considerable public funds in the construction, maintenance and improvements of Porter Road and in the design of improvements of Porter Road south of and at the intersection of W. Smith Enke Road; and

WHEREAS, the City Council believes it is in the best interest of the City to authorize the acquisition of certain real property adjoining Porter Road necessary and convenient to the design, construction, expansion, widening, maintenance, improvements and ongoing use of Porter Road; and

WHEREAS, the Mayor and City Council of the City of Maricopa, Arizona have determined and does hereby find that the property to be taken is necessary for these public purposes.

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and City Council of the City of Maricopa, Arizona as follows:

Section 1. That it is deemed necessary and essential as a matter of public use and necessity that Porter Road be widened south of and at the intersection with W. Smith Enke Road (the "Project"). That it is deemed essential as a matter of public use and necessity that the necessary property and associated rights of way be acquired, including by eminent domain, for construction, maintenance and completion of the Project identified on Exhibit "A" attached hereto, including all related facilities, within the corporate limits of the City of Maricopa.


Section 2. That staff is directed to proceed with the acquisition of real and/or personal property and associated rights of way, including by eminent domain, for construction, maintenance and completion of the Project, as indicated in Exhibit "A" attached hereto.

Section 3. That property affected by this Resolution is necessary for the development, design and construction of the Project.

Section 4. Shall the need arise the Mayor or the City Manager is hereby authorized to execute any documents that may be necessary to carry out the purpose of this resolution.


PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa Arizona,
this 20th day of July, 2021.

APPROVED:



Christian Price
Mayor

ATTEST:



Vanessa Bueras, MMC
City Clerk



APPROVED AS TO FORM:



Denis M. Fitzgibbons
City Attorney



Exhibit "A"
Porter Road
Condemnation

Job 21-0552

July 8th, 2021

A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP FLUSH AT THE NORTHEAST CORNER OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 3 EAST, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 23, BEING A FOUND PK NAIL WITH WASHER "PLS 57280", BEARS SOUTH 00 DEGREES 10 MINUTES 19 SECONDS WEST, A DISTANCE OF 2683.60 FEET;

THENCE ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 23, SOUTH 00 DEGREES 10 MINUTES 19 SECONDS WEST, 250.35 FEET;

THENCE LEAVING SAID EAST LINE, SOUTH 87 DEGREES 25 MINUTES 26 SECONDS WEST, ALONG THE NORTH LINE OF TRACT A, PROVINCE PARCEL 9, FEE 2008-021463 P.C.R., 55.06 FEET;

THENCE NORTH 00 DEGREES 10 SECONDS 19 SECONDS EAST, 250.35 FEET TO THE CENTERLINE OF SMITH ENKE ROAD;

THENCE ALONG SAID CENTERLINE OF SMITH ENKE ROAD, NORTH 87 DEGREES 25 MINUTES 26 SECONDS EAST, 55.06 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 13,769 SQUARE FEET, OR .32 ACRES, MORE OR LESS, AND SUBJECT TO ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHT-OF-WAYS OR RECORD OR OTHERWISE.



A handwritten signature in black ink, appearing to read "Michael D. Pollock", written over the bottom portion of the seal.

Jul 08, 2021 8:52am S:\Projects\2021\21-0552\Land Survey\Legals\Porter Road Condemnation\21-0552 Porter Rd Condemnation.dwg

NORTH QUARTER CORNER
SECTION 23, T4S, R3E
CALCULATED POSITION

NORTHEAST CORNER
SECTION 23, T4S, R3E
FOUND CITY OF MARICOPA
BRASS CAP FLUSH
POINT OF BEGINNING

SMITH ENKE ROAD

S87°25'26"W 2640.35'

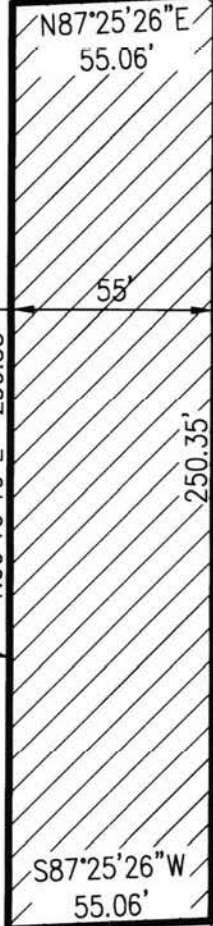
PROPOSED
CONDEMNATION

APN 512-07-0010

TOTAL LAND AREA:
13,769 Square Feet
0.3161± Acres, more or less



EAST QUARTER CORNER
SECTION 23, T4S, R3E
FOUND PK NAIL WITH WASHER
PLS 57280



PORTER ROAD

21-0552

EXHIBIT "A"

PORTER ROAD CONDEMNATION



1130 N. Alma School Rd.
Ste. 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

RESULTS OF SURVEY

APN 512-07-0010

A PORTION OF THE NORTHEAST QUARTER OF SECTION 23,
TOWNSHIP 4 SOUTH, RANGE 3 EAST, OF THE GLA AND SALT RIVER MERIDIAN,
PINAL COUNTY, ARIZONA



OWNER OF RECORD

ONE 6666 FARM
BRUCE REEVE
2748 W PORTER ROAD
MARIPOSA, AZ

RECORD DOCUMENTS

1. FINAL PLAT, FILE NO. 2008-021462, P.C.A.
2. FINAL PLAT, FILE NO. 2008-021463, P.C.A.
3. FINAL PLAT, FILE NO. 2008-021464, P.C.A.

BASIS OF BEARING

THE BASIS OF BEARING IS THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 23,
TOWNSHIP 4 SOUTH, RANGE 3 EAST OF THE GLA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA,
BEARING BEING SOUTH 89 DEGREES 20 MINUTES 19 SECONDS WEST, AS SHOWN ON FINAL
PLAT, FILE NO. 2008-021462, P.C.A.

PARCEL LEGAL DESCRIPTION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 3 EAST OF
THE GLA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP PILE AT THE NORTHEAST CORNER OF SECTION 23, TOWNSHIP 4
SOUTH, RANGE 3 EAST FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 23 BEING A
FOUND PIN NAIL WITH NUMBER "753 STONE", BEARS SOUTH 89 DEGREES 20 MINUTES 19 SECONDS
WEST, A DISTANCE OF 200.00 FEET;

THENCE ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 23, SOUTH 89 DEGREES
20 MINUTES 19 SECONDS WEST, 200.00 FEET;

THENCE ALONG SAID EAST LINE, SOUTH BY DEGREES 20 MINUTES 19 SECONDS WEST, ALONG THE
NORTH LINE OF TRACT A, PROPOSED PARCEL, TO THE POINT OF BEGINNING.

THENCE NORTH BY DEGREES 10 SECONDS 19 SECONDS EAST, ALONG THE EAST LINE OF TRACT C,
PROPOSED PARCEL, FILE NO. 2008-021462, P.C.A., 200.00 FEET TO THE CENTERLINE OF SMITH LANE
ROAD;

THENCE ALONG SAID CENTERLINE OF SMITH LANE ROAD, NORTH BY DEGREES 10 MINUTES 19 SECONDS
EAST, 200.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 10.16 SQUARE FEET, OR 0.23 ACRES, MORE OR LESS, AND SUBJECT TO
ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHT-OF-WAYS ON RECORD OR OTHERWISE.

CERTIFICATION

THIS IS TO CERTIFY THAT THIS SURVEY WAS PERFORMED UNDER MY SUPERVISION DURING THE MONTH
OF MAY 2021.

DATE OF PLAT OR MAP: JUNE 1, 2021

MICHAEL D. PULLER
REGISTRATION NO. 45218
CITY GROUP INC.
100 N. MAIN STREET, 100
SUITE 100
MARIPOSA, AZ 85305
480-563-2200

NOTE:
THIS IS TO CERTIFY THAT THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A PERSON
OR FIRM THAT IS REGISTERED OR CERTIFIED BY THE BOARD IS AN EXPRESSION OF PROFESSIONAL
OPINION REGARDING FACTS OR FIGURES THAT ARE SUBJECT OF THE CERTIFICATION AND DOES
NOT CONSTITUTE AN EXPRESS OR IMPLIED WARRANTY OR GUARANTEE.



LEGEND

—	CON IN HAND FIELD AS NOTED
—	CON FLOOR AS NOTED
—	MANAGEMENT AS NOTED
—	SURVEY RECORD AS NOTED
—	P.C.A.
—	P.N.
—	PROFESSIONAL LAND SURVEYOR
—	LAND SURVEYOR
—	PROPERTY LINE
—	LOT LINE
—	RIGHT OF WAY LINE
—	SECTION LINE
—	EXHIBIT LINE

CONDEMNATION PARCEL LEGAL DESCRIPTION

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FOUND PIN NAIL WITH NUMBER "753 STONE", BEARS SOUTH 89 DEGREES 20 MINUTES 19 SECONDS
WEST, A DISTANCE OF 200.00 FEET;

THENCE ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 23, SOUTH 89 DEGREES
20 MINUTES 19 SECONDS WEST, 200.00 FEET;

THENCE ALONG SAID EAST LINE, SOUTH BY DEGREES 20 MINUTES 19 SECONDS WEST, ALONG THE
NORTH LINE OF TRACT A, PROPOSED PARCEL, B, FILE NO. 2008-021463, P.C.A., 200.00 FEET;

THENCE NORTH BY DEGREES 10 SECONDS 19 SECONDS EAST, 200.00 FEET TO THE CENTERLINE OF
SMITH LANE ROAD;

THENCE ALONG SAID CENTERLINE OF SMITH LANE ROAD, NORTH BY DEGREES 10 MINUTES 19 SECONDS
EAST, 200.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 10.16 SQUARE FEET, OR 0.23 ACRES, MORE OR LESS, AND SUBJECT TO
ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHT-OF-WAYS ON RECORD OR OTHERWISE.

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MARIPOSA, AZ 85305
TEL: 480-563-2200
WWW.EPSGROUP.COM

EPS
GROUP

APN 512-07-0010
CITY OF MARIPOSA, ARIZONA

RESULTS OF SURVEY

21-0552
RSOI
Sheet No. 1 of 1