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When recorded mail to:

City of Goodyear
City Clerk's Office
1900 N. Civic Square
Goodyear AZ 85395

RESOLUTION NO. 2025-2481

DECLARING PUBLIC RIGHT-OF-WAY FOR 159TH AVENUE AND RESERVING A UTILITY
AND ACCESS EASEMENT.

DO NOT REMOVE

This is part of the official document

RESOLUTION NO. 2025-2481

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING PUBLIC RIGHT-OF-WAY FOR 159TH AVENUE AND RESERVING A UTILITY AND ACCESS EASEMENT.

WHEREAS, pursuant the power vested in the city of Goodyear ("City") by its Charter and pursuant to A.R.S. § 9-276, the Mayor and Council of the city of Goodyear have the power to establish, construct, improve, regulate vacate, modify roadways open to the public; and

WHEREAS, the city of Goodyear owns certain real property generally located at the southwest corner of W. MC 85 and Estrella Parkway commonly known as the city of Goodyear Public Facilities Campus, which was dedicated by Minor Land Division and recorded on August 16, 2007, in instrument 2019-0634812 (the "City Property"); and

WHEREAS, the westerly neighboring property owner, DIV Sarival Partners LLC ("DIV") is currently developing land adjacent to the City property and is constructing a section of 159th Avenue; and

WHEREAS, DIV is dedicating to the City portions of its property as right-of-way for the construction of the section of 159th Avenue it will be constructing and is seeking to declare as right-of-way portions of the city's property needed for the construction of the section 159th Avenue that DIV will be constructing; and

WHEREAS, Engineering staff have reviewed project E24-01404 and have confirmed that this dedication is necessary and in align with the City's future development plans at the city of Goodyear Public Facilities Campus; and

WHEREAS, it is in the best interest of the public for the portion of the City Property described and depicted in Exhibit "A" attached hereto to be declared as public street.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

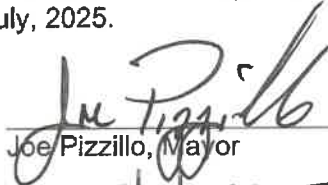
SECTION 1. Subject to the reservation set forth herein, the Mayor and Council of the city of Goodyear find and determine that the public health, safety, and welfare of the City require that the portion of city property more particularly legally described and depicted in Exhibit "A," attached hereto and incorporated herein by this reference, be formally declared as public right-of-way.

SECTION 2. Subject to the reservation set forth herein, the Mayor and Council of the city of Goodyear, on behalf of the city of Goodyear, an Arizona municipal corporation, hereby declare as public right-of-way the real property more particularly described and depicted in Exhibit "A" attached hereto and incorporated herein by this reference (the "159th Ave. Right-of-Way") to be owned and maintained by the city of Goodyear.

SECTION 3. The city of Goodyear does hereby declare and reserve for itself and its successors and assigns (the "City"), a perpetual Utility and Access Easement within, on, across, over, thru, and under the 159th Ave. Right-of-Way for the purposes described herein, which easement shall not be extinguished by the doctrine of merger even though ownership of the 159th Ave. Right-of-Way is vested in the city. This easement shall be a perpetual easement for use by the City and its Permittees for entering upon the real property more particularly described and depicted in Exhibit "A" attached hereto and incorporated herein by this reference and constructing, operating, maintaining, inspecting, modifying, repairing, replacing City owned improvements, including, but not limited to access improvements, underground water facilities, underground wastewater facilities, underground conduit, underground fiber, overhead lines, other underground utility improvements, and appurtenances thereto within, on, across, over, thru, and under the 159th Ave. Right-of-Way and for providing access for the City, its employees, representatives, contractors and their subcontractors, and invitees to city owned property and facilities including by way of example, ,but not limitation, the City's water reclamation facility, the City's water treatment facilities, the city's administration building, public works yards, and the property currently being operated as a BMX track. The City expressly intends that the easement rights granted herein shall remain in full force and effect regardless of the existing unity of ownership.

SECTION 4. This Resolution 2025-2481 shall become effective on the date it is passed and adopted by the Mayor and Council of the City of Goodyear. The City Clerk shall record a copy of this Resolution, including Exhibit A, with Maricopa County Recorder.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a 7-0 vote, this 7th day of July, 2025.


Joe Pizzillo, Mayor
Date: 7/7/2025

ATTEST:


Jasmine Pernicano, City Clerk

APPROVED AS TO FORM:


Roric Massey, City Attorney



RIGHT OF WAY LEGAL DESCRIPTION

A RIGHT OF WAY PARCEL LOCATED WITHIN PARCEL 1, CITY OF GOODYEAR PUBLIC FACILITIES CAMPUS, RECORDED IN BOOK 1478, PAGE 38 OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, AND LYING WITHIN A PORTION OF THE NORTH HALF OF SECTION 30, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 30, FROM WHICH THE CENTER OF SAID SECTION 30 BEARS SOUTH 00°12'46" WEST, A DISTANCE OF 2640.90 FEET;

THENCE SOUTH 00°12'46" WEST, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 430.24 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 05°19'32" EAST, A DISTANCE OF 217.15 FEET;

THENCE SOUTH 00°12'56" WEST, A DISTANCE OF 10.19 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, WHOSE RADIUS IS 21.60 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 53°20'53", AN ARC LENGTH OF 20.11 FEET TO POINT OF REVERSE CURVATURE CONCAVE WESTERLY, WHOSE RADIUS IS 50.00 FEET,

THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 143°05'10", AN ARC LENGTH OF 124.87 FEET;

THENCE NORTH 00°12'46" EAST, A DISTANCE OF 333.75 FEET TO THE POINT OF BEGINNING.

SAID DESCRIPTION CONTAINING 0.151 ACRES±.



TITLE: XB02

DATE: 07/29/24

DESC: RIGHT OF WAY
LEGAL DESC.

HUNTER
ENGINEERING

10446 N. 74TH STREET,
SUITE 140
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

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CIVIL AND SURVEY

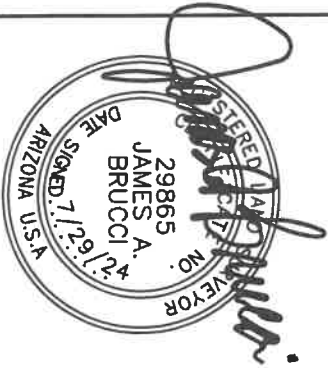
PROJ.NO.LGEC316

RIGHT OF WAY DEDICATION EXHIBIT

POINT OF COMMENCEMENT
NORTH 1/4 CORNER OF
SECTION 30 T.1N., R.1W
FOUND 1/2" REBAR

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	$\Delta = 53^{\circ}20'53''$	21.60'	20.11'	S26°26'17"E	19.39'
C2	$\Delta = 143^{\circ}05'10''$	50.00'	124.87'	S18°25'51"W	94.86'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S05°19'32"E	217.15'
L2	S00°12'56"W	10.19'
L3	N00°12'46"E	333.75'



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PROJ.NO. LGEC316



APN 500-83-002N
DOC# 20230620390, M.C.R.
DIV SARIVAL PARTNERSHIP

159TH AVENUE

