

**MEMO****Case # ABDN23-02**

To: Honorable Mayor and City Council

From: Derek Scheerer, Planner II

Through: Rodolfo Lopez, Development Services Director

Meeting Date: May 16, 2023

RE: Resolution: Abandonment Request ABDN23-02 – Desert Cedars Equities

**REQUEST**

A request by the City of Maricopa on behalf of Desert Cedars Equities, LLC, to abandon the segment of right-of-way known as Section Line 27/28, which will subsequently be acquired by the adjacent property owner without compensation. Discussion and Action.

**APPLICANT/ADJACENT PROPERTY OWNER**

Applicant: City of Maricopa  
 Case Planner: Derek Scheerer  
 39700 W. Civic Center Plaza  
 Maricopa, AZ 85138

Adjacent Property Owner: Desert Cedars Equities, LLC  
 5346 E. Calle Del Norte  
 Phoenix, AZ 85018

**FINDINGS**

Staff supports the abandonment request as it satisfies the following findings:

- The segment of right-of-way that is a part of this request has not been identified for any improved planned transportation facility, or in any adopted plan, study, or capital improvement plan.
- The City does not have plans to improve or use the right-of-way in question in the future.
- The existing conditions are not serving any transportation purpose.

**PUBLIC NOTIFICATION**

Prior to recommending approval of the abandonment request, the City conducted notification to utilities and the public as required per the city's Zoning Code. A copy of the Notification Report is available to be reviewed upon request.

- Notices to Utilities mailed out on 04/17/2023
- Public Agencies notified on 04/17/2023
- Sign Posting on 05/04/2023
- Council Hearing scheduled for 05/16/2023

**CONCLUSION:**

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Staff recommends **approval** of **case ABDN23-02**, subject to the conditions of approval stated in this memo, and as amended by the Mayor and City Council.

1. The City shall ensure that all utilities located in or adjacent to the subject site have secured their respective easements with Pinal County prior to the final recordation of the right-of-way abandonment.
2. The property owner shall execute the Agreement for Abandonment prior to the final recordation of the right-of-way abandonment.

**ATTACHMENTS:**

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Exhibit A: Legal Description

Exhibit B: Narrative

Exhibit C: Abandonment Location

Exhibit D: Notification Report

Exhibit E: Agreement for Abandonment

-- End of staff report --