

Draft 7/20/2026

RESOLUTION NO. 26-39

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, DECLARING THAT A PORTION OF A DEDICATED PUBLIC RIGHT-OF-WAY LOCATED ON ADJACENT TO PINAL COUNTY PARCEL NUMBERS 101-23-004E, 101-23-007A AND 101-23-009A ARE NO LONGER NECESSARY FOR PUBLIC USE AS A ROADWAY AND ARE HEREBY ABANDONED AS PRESENT AND FUTURE PUBLIC RIGHT-OF-WAY.

WHEREAS, the City of Apache Junction, an Arizona municipal corporation, "City" is the holder of a dedicated public right-of-way over certain parcels of real property described in Exhibit A and depicted in Exhibit B; and

WHEREAS, pursuant to Apache Junction City Code, Vol. I, Chapter 13, Article 13-2, § 13-2-4(A), the City may abandon any dedicated public right-of-way it determines appropriate; and

WHEREAS, the City has determined that the existing right-of-way has no beneficial use for the public; the right-of-way was dedicated via plat in 1965 and has sporadically been used by the public as right-of-way; and

WHEREAS, pursuant to Apache Junction City Code, Vol. I, Chapter 13, Article 13-2, § 13-2-4, the director of public works on July 1, 2026, sought comment on the abandonment from the development services director, the public safety director, the Superstition Fire and Medical District, as well as all public utility providers; and

WHEREAS, the abandonment request, if approved, would not leave a parcel in separate ownership without access to an established public roadway or easement connecting such lands with another public roadway or easement; and

WHEREAS, the city engineer has determined value of the dedicated public right-of-way to be *de minimus* based on the fair market property values of comparably sized parcels in the nearby area; and

WHEREAS, based upon comments from staff and responding utilities, the public works director recommended abandonment of the noted public right-of-way.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION ARIZONA, AS FOLLOWS:

1) The mayor and city council find that the dedicated public right-of-way, as described in Exhibit A and depicted in Exhibit B, is no longer necessary for public roadway purposes and, as the adjoining property owner has agreed to accept the property in question, is hereby abandoned for public roadway right-of-way purposes to the adjoining owner.

2) Nothing in this approval extinguishes any utility easement interest of any public utility agency or entity on the subject right-of-way.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, THIS ____ DAY OF _____, 20____.

SIGNED AND ATTESTED TO THIS ____ DAY OF _____, 20____.

WALTER "CHIP" WILSON
Mayor

ATTEST:

EVIE MCKINNEY
City Clerk

APPROVED AS TO FORM:

RICHARD J. STERN
City Attorney

EXHIBIT A

PROPERTY DESCRIPTION

UNAVAILABLE UNTIL COUNCIL MEETING

EXHIBIT B

MAP

UNAVAILABLE UNTIL COUNCIL MEETING