



Public Works Department  
*City of Apache Junction*  
Home of the Superstition Mountains

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Date: January 17, 2023

To: Honorable Mayor and Members of the City Council

Through: Bryant Powell, City Manager  
Mike Wever, Public Works Director

From: Raquel Schatz, Project Engineer

Subject: Federal Patented Easements  
Proposed Resolution No. 22-25  
Wagon Wheel Road from Cactus Wren Street to Scenic Street

## **BACKGROUND**

Federal Patented Easements (FPEs) were created by federal law and inherited by the city from Pinal County upon city formation and subsequent annexations. They are the means whereby properties are accessed by citizens in portions of Apache Junction to mitigate the need of acquisition to serve access to otherwise landlocked parcels. FPEs are typically a total of 66 feet in width with 33 feet on each side of common parcel lines.

## **EXISTING CONDITIONS**

The Wagon Wheel Road (alignment) FPE from Cactus Wren Street to Scenic Street has never been maintained by the city and is not classified as a local roadway. In addition, the FPE does not provide access to any parcels which would be landlocked in the event of extinguishment. Area transportation would not be adversely affected by an extinguishment.

## **PURPOSE**

Michael & Laurette Brigner, owner of the underlying property, filed an application for the extinguishment on May 1, 2022. There is currently a block wall that surrounds their property that they wish to keep permanently, with a design of future development on private property. The extinguishment would provide a reduction of setbacks once the all of the utility easements have been extinguished.



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## **PROCESS**

Once the easement has been extinguished, the property owner can apply for a building permit using the property line as opposed to the existing FPE as the setback boundary, once the utility easements have been extinguished.

## **RECOMMENDATION**

Staff recommends extinguishment of the Wagon Wheel Road from Cactus Wren Street to Scenic Street.

## **ACTION REQUIRED**

After tonight's presentation and discussion, this item will be placed on the consent calendar scheduled for February 7<sup>th</sup>, 2023.