

RESOLUTION NO. 2024-002

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER UTILITIES COMMUNITY FACILITIES DISTRICT (CITY OF APACHE JUNCTION, ARIZONA) DECLARING PORTIONS OF PUBLIC UTILITY EASEMENTS LOCATED AT 1353 SOUTH VISTA ROAD, APACHE JUNCTION, ARIZONA, ARE NO LONGER NECESSARY FOR PUBLIC USE AND ARE HEREBY EXTINGUISHED.

WHEREAS, on August 8, 1955, March 8, 1956, April 9, 1956 and May 14, 1956, the Water Utilities Community Facilities District ("WUCFD"), a special purpose district and Arizona municipal corporation, as a successor grantee, was granted public utility easements ("PUE") at 1353 South Vista Road, Apache Junction, Arizona, as more fully described in Exhibit A and depicted in Exhibit B, pursuant to the Small Tract Act of 1938 (52 Stat. 609, as amended, 43 U.S.C. 682a-682e), to allow for the installation and maintenance of public utility facilities on private property; and

WHEREAS, when a WUCFD PUE is no longer needed or conflicts with new development, the WUCFD board of directors (the "Board") may extinguish the PUE to provide underlying owners the ability to fully utilize their property; and

WHEREAS, in addition, the owner of the property on which the PUE exists may apply to WUCFD for an extinguishment; and

WHEREAS, the property owner filed a PUE extinguishment application on December 19, 2023, with WUCFD and paid the applicable processing fee; and

WHEREAS, the WUCFD director has determined that the PUE in question, because of its location, topography, or encroachments therein, has no or *de minimis* public value.

NOW, THEREFORE, BE IT RESOLVED BY THE WUCFD CHAIRPERSON AND BOARD OF DIRECTORS AS FOLLOWS:

- 1) The PUE, as described in Exhibit A and depicted in Exhibit B, is no longer necessary for public purposes, has no or *de minimis* public value, and is hereby extinguished.

2) Nothing in this approval extinguishes any other public utility entities' PUE interests.

PASSED AND ADOPTED BY THE WATER UTILITIES COMMUNITY FACILITIES DISTRICT CHAIRPERSON AND BOARD OF DIRECTORS, THIS _____ DAY OF _____, 20____.

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

WALTER "CHIP" WILSON
Chairperson

ATTEST:

JENNIFER PENA
Deputy District Clerk

APPROVED AS TO FORM:

RICHARD J. STERN
District Attorney

EXHIBIT A

PROPERTY DESCRIPTIONS



Legal Description
FEE NO. 2021-096833
PUBLIC UTILITY EXTINGUISHMENT

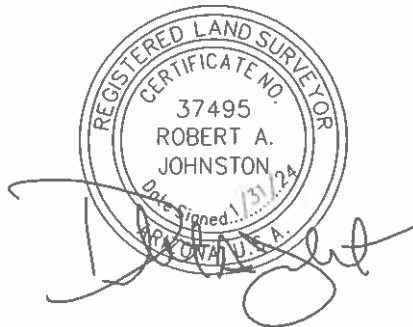
Job No. 22-0268

January 31, 2024

THE EAST 33.00 FEET OF THE NORTH HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 8 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA.

EXCEPT THE NORTH 33.00 FEET THEREOF.

SAID PORTION OF LAND CONTAINING 9,810 SQUARE FEET (0.2252 ACRES), MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHTS-OF-WAYS OF RECORD OR OTHERWISE.



EPS Group, Inc. • 1130 N. Alma School Rd, Suite 120 • Mesa, AZ 85201

Tel (480) 503-2250 • Fax (480) 503-2258

Q:\Projects\2022\22-0268 Blount Construction\Land Survey\Legals\22-0268 - 2021-096833 Abandonment\22-0268 - 2021-096833 Abandonment - Legal Description.docx



**Legal Description
FEE NO. 2023-083940
PUBLIC UTILITY EXTINGUISHMENT**

Job No. 22-0268

January 31, 2024

THE EAST 33.00 FEET AND THE SOUTH 33.00 FEET OF THE SOUTH HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 8 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA.

EXCEPT THE WEST 33.00 FEET THEREOF.

SAID PORTION OF LAND CONTAINING 19,621 SQUARE FEET (0.4504 ACRES), MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHTS-OF-WAYS OF RECORD OR OTHERWISE.



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Q:\Projects\2022\22-0268 Blount Construction\Land Survey\Legals\22-0268 - 2023-083940 Abandonment\22-0268 - 2023-083940 Abandonment - Legal Description.docx



LEGAL DESCRIPTION
APN 130-19-030 – FEE NO. 2016-084481
PUBLIC UTILITY EXTINGUISHMENT

Job No. 22-0268

January 31, 2024

THE NORTH 33.00 FEET AND THE SOUTH 33.00 FEET OF:

THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 8 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, LYING NORTHEASTERLY OF THE OLD WEST HIGHWAY, PER THE RESOLUTION RECORDED IN DOCKET 312, PAGE 359, RECORDS OF PINAL COUNTY, ARIZONA.

EXCEPT THE EAST 33.00 FEET AND THE WEST 33.00 FEET THEREOF.

SAID PORTION OF LAND CONTAINS 32,597 SQUARE FEET (0.7483 ACRES), MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHTS-OF-WAYS OF RECORD OR OTHERWISE.





LEGAL DESCRIPTION
APN 130-19-0550 – FEE NO. 2020-118840
PUBLIC UTILITY EXTINGUISHMENT

Job No. 22-0268

January 31, 2024

THE NORTH 33.00 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 8 EAST, GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA;

EXCEPT ANY PORTION WITHIN THE OLD WEST HIGHWAY AS RECORDED IN DOCKET 312, PAGE 359, PINAL COUNTY RECORDER, ARIZONA; AND

EXCEPT THE EAST 33.00 FEET THEREOF, CONVEYED TO THE CITY OF APACHE JUNCTION IN DOCKET 1341, PAGE 447, PINAL COUNTY RECORDER, ARIZONA.

TOGETHER WITH:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTH 33.00 FEET AND THE WEST LINE OF THE EAST 33.00 FEET OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER;

THENCE SOUTHERLY ALONG THE WEST LINE OF SAID EAST 33.00 FEET, 20.00 FEET;

THENCE NORTHWESTERLY TO A POINT THAT IS 20.00 FEET FROM SAID **POINT OF BEGINNING**;

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID NORTH 33.00 FEET, 20.00 FEET TO THE **POINT OF BEGINNING**.

SAID PORTION OF LAND CONTAINS 11,606 SQUARE FEET (0.2664 ACRES), MORE OR LESS.





Legal Description
PATENT 1158724 – DOCKET 1055-73 PCR
PUBLIC UTILITY EXTINGUISHMENT

Job No. 22-0268

January 30, 2024

THE WEST 33.00 FEET AND THE SOUTH 33.00 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 8 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA

EXCEPT THE NORTH 33.00 FEET AND THE EAST 33.00 THEREOF;

SAID PORTION OF LAND CONTAINS 29,438 SQUARE FEET (0.6758 ACRES), MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHTS-OF-WAYS OF RECORD OR OTHERWISE.



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Q:\Projects\2022\22-0268 Blount Construction\Land Survey\Legals\22-0268 Patent 1158724 Abandonment\22-0268 Patent 1158724 Abandonment - Legal Description.docx

EXHIBIT B

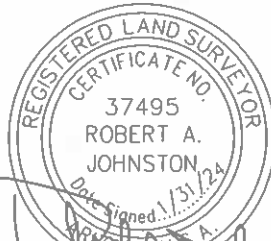
MAPS

N89°55'48"E 2645.42'

E BROADWAY AVE

NORTHWEST CORNER, SEC 27,
T1N, R8E, FD GLO BCF

NORTH QUARTER CORNER, SEC 27,
T1N, R8E, FD TOWN OF
APACHE JUNCTION BCH



S TOMAHAWK RD

N00°01'00"W 2641.63' (BASIS OF BEARING)

1320.35'
1321.28'

N89°57'42"E
661.70'

33'

E 12TH AVE

VISTA ROAD

33'

33'

33'

TO BE ABANDONED

N1/2, W1/2, NE1/4,
SW1/4, NW1/4, SEC 27
APN: 103-19-021A
W.W. CLYDE & CO
FEE NO. 2021-096833, PCR

S1/2, W1/2, NE1/4,
SW1/4, NW1/4, SEC 27
APN: 103-19-023A
W.W. CLYDE & CO.
FEE NO. 2023-083940, PCR

E1/2, NE1/4, SW1/4,
NW1/4, SEC 27
APN: 103-19-021A
W.W. CLYDE & CO
DOC. NO. 2021-096833, PCR
PATENT 1158724
DKT 1055 PG 73 PCR

WICKIUP ROAD

S00°01'39"E 2642.27'
S CORTEZ RD

WEST QUARTER CORNER, SEC 27,
T1N, R8E, FD GLO BCF

CENTER QUARTER CORNER, SEC 27,
T1N, R8E, FD REBAR, NO ID

E 16TH AVE ALIGNMENT

S89°56'37"W 2645.93'

22-0268

**PUBLIC UTILITY EXTINGUISHMENT
FEE NO. 2021-096833**



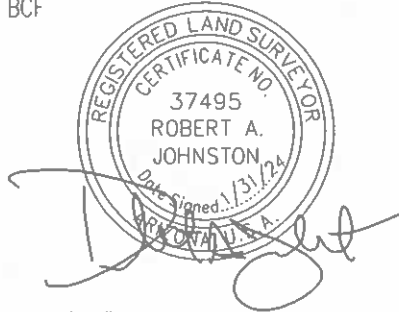
1130 N. Alma School Rd.
Ste. 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgruoinc.com

N89°55'48"E 2645.42'

E BROADWAY AVE

NORTHWEST CORNER, SEC 27,
T1N, R8E, FD GLO BCF

NORTH QUARTER CORNER, SEC 27,
T1N, R8E, FD TOWN OF
APACHE JUNCTION BCH



S TOMAHAWK RD

N00°01'00"W 2641.63' (BASIS OF BEARING)
1321.28'
1320.35'

N89°57'42"E
661.70'

E 12TH AVE

VISTA ROAD

N1/2, W1/2, NE1/4,
SW1/4, NW1/4, SEC 27
APN: 103-19-021A
W.W. CLYDE & CO
FEE NO. 2021-096833, PCR

E1/2, NE1/4, SW1/4,
NW1/4, SEC 27
APN: 103-19-021A
W.W. CLYDE & CO
DOC. NO. 2021-096833, PCR
PATENT 1158724
DKT 1055 PG 73 PCR

WICKIUP ROAD

S00°01'39"E 2642.27'
S CORTEZ RD

33'
33'
33'
33'
33'
33'
33'
33'

TO BE ABANDONED

WEST QUARTER CORNER, SEC 27,
T1N, R8E, FD GLO BCF

CENTER QUARTER CORNER, SEC 27,
T1N, R8E, FD REBAR, NO ID

E 16TH AVE ALIGNMENT

S89°56'37"W 2645.93'

22-0268

**PUBLIC UTILITY EXTINGUISHMENT
FEE NO. 2023-083940**



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N89°55'48"E 2645.42'

E BROADWAY AVE

NWC, SEC 27,
T1N, R8E,
FD GLO BCF

N1/4, SEC 27,
T1N, R8E,
FD TOWN OF
APACHE JUNCTION BCH



S TOMAHAWK RD

N00°01'00"W 2641.63' (BASIS OF BEARING)

1980.99'

660.64'

VISTA ROAD

N89°56'43"E
661.59'

APN: 103-19-023A
BLOUNT RENTAL EQUIPMENT LLC
FEE NO. 2023-083940, PCR

APN: 103-19-021A
W W CLYDE & CO
DOC. NO. 2021-096833, PCR



14TH AVE
ALIGNMENT

UTILITY EASEMENTS
TO BE ABANDONED

APN: 103-19-0300
W.W. CLYDE & CO.
FEE NO. 2023-083872, PCR

UTILITY EASEMENTS
TO BE ABANDONED

OLD WEST HIGHWAY
DKT 312, PG 359

15TH AVE
ALIGNMENT

APN: 103-19-0550
W.W. CLYDE & CO.
FEE NO. 2023-083886, PCR

APN: 800-23-0100
CITY OF APACHE JUNCTION

WICKIUP ROAD

S00°01'39"E 2642.27'

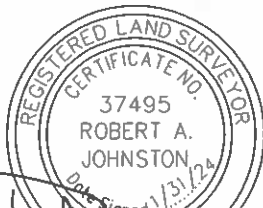
S CORTEZ RD

W1/4, SEC 27,
T1N, R8E, FD GLO BCF

C1/4, SEC 27,
T1N, R8E, FD REBAR, NO ID

E 16TH AVE ALIGNMENT

S89°56'37"W 2645.93'



22-0268

PUBLIC UTILITY EXTINGUISHMENT
APN 130-19-030 - FEE NO. 2016-084481



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N89°55'48"E 2645.42'

E BROADWAY AVE

NWC, SEC 27,
T1N, R8E,
FD GLO BCF

N1/4, SEC 27,
T1N, R8E,
FD CITY OF
APACHE JUNCTION BCH



1980.99'

S STOMAHAWK RD

N00°01'00"W 2641.63'

660.64'

VISTA ROAD

APN: 103-19-023A
W.W. CLYDE & CO.
FEE NO. 2023-083940, PCR

APN: 103-19-021A
W.W. CLYDE & CO.
FEE NO. 2021-096833, PCR

APN: 103-19-0300
W.W. CLYDE & CO.
FEE NO. 2023-083872, PCR

OLD WEST HIGHWAY
DK1 312, PG 339

33'

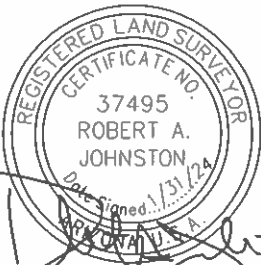
33' EASEMENT
PATENT NO. 1157849

33'

WICKIUP ROAD

S00°01'39"E 2642.27'

S CORTEZ RD



EASEMENTS
TO BE ABANDONED

33' EASEMENT
PATENT NO. 1153340

APN: 103-19-0550
W.W. CLYDE & CO.
FEE NO. 2023-083886, PCR

APN: 800-23-0100
CITY OF APACHE JUNCTION

W1/4, SEC 27,
T1N, R8E, FD GLO BCF

C1/4, SEC 27,
T1N, R8E, FD REBAR, NO ID

E 16TH AVE ALIGNMENT

S89°56'37"W 2645.93'

22-0268

PUBLIC UTILITY EXTINGUISHMENT



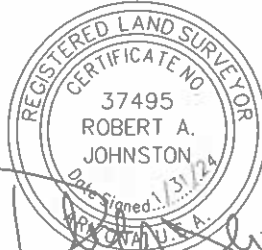
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N89°57'42"E
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TO BE ABANDONED

WICKIUP ROAD

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22-0268

**PUBLIC UTILITY EXTINGUISHMENT
PATENT 1158724 - DOCKET 1055-73**



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