



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

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Date: March 4, 2024

To: Honorable Mayor and Members of the City Council

Through: Bryant Powell, City Manager  
Ted Wolff, Public Works Director

From: Raquel Schatz, Project Engineer

Subject: Federal Patented Easements  
Proposed Resolution No. 23-37  
7<sup>th</sup> Avenue from Conestoga Road to Cortez Road

## **BACKGROUND**

Federally 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 7<sup>th</sup> Avenue (alignment) FPE from Conestoga Road to Cortez Road 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**

Jeffrey Armstrong, owner of the underlying property, filed an application for the extinguishment on October 24, 2023. He is seeking an extinguishment to obtain a building permit, with a design of future development on private property. The extinguishment would provide a reduction of setbacks once 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. The property owner is working with the utility providers to extinguish the utility easements as a requirement from the development services department to obtain the building permit.

## **RECOMMENDATION**

Staff recommends extinguishment of the 7<sup>th</sup> Avenue from Conestoga Road to Cortez Road.

## **ACTION REQUIRED**

After tonight's presentation and discussion, this item will be placed on consent agenda scheduled for March 19<sup>th</sup>, 2024.