



# COUNCIL DECISION REQUEST

SUBJECT: Drainage Easement Abandonment Request– 307 N Park Trail Cir.

MEETING DATE: 11/17/2016

SUBMITTED BY: Curtis Ward, Town Engineer *C. Ward*

SUBMITTAL TO AGENDA  
APPROVED BY TOWN MANAGER

AMOUNT BUDGETED: \$0

EXPENDITURE REQUIRED: \$0

EXHIBITS (If Applicable, To Be Attached): Exhibit "A" - Legal Description; Exhibit "B" – Easement Drawing; Exhibit "C" – Town Engineer's Report

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## POSSIBLE MOTION

I move to direct staff to prepare a resolution to abandon this easement at a subsequent Town Council meeting.

## SUMMARY OF THE BASIS FOR POSSIBLE MOTION:

The abandonment area is outside of the existing drainage ditch and culvert location. There is a minimum finished floor height imposed by the plat. The current owner of Lot 10 requests abandonment of a 49 sq ft of privately maintained drainage easement. The purpose of the abandonment is to allow for the construction of a covered porch. There are no affected utility companies with this drainage easement.

**PROS:** To facilitate the construction of a covered porch by abandoning an unnecessary drainage easement.

## CONS:

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## FUNDING:

Acct:	Budget:	Available:	Expense:	Remaining:
Acct:	Budget:	Available:	Expense:	Remaining:
Acct:	Budget:	Available:	Expense:	Remaining:

FM: \_\_\_\_\_ Date: \_\_\_\_\_

## **Exhibit “C”**

### **ABANDONMENT REQUEST FOR A DRAINAGE EASEMENT 307 N Park Trail Cir. Engineer’s Report**

#### **Overview**

The Park Trail subdivision was approved on March 9, 2010 and recorded as Plat 802A and 802B with the Gila County Recorder on March 11, 2010. The recorded plat contained the property lines and easements determined to be necessary at the time the plat was recorded. The current owner of Lot 10 requests abandonment of a 49 sq ft of privately maintained drainage easement. The purpose of the abandonment is to allow for the construction of a covered porch. There are no affected utility companies with this drainage easement.

#### **Abandonment Request**

The current owner requests the abandonment of 49 sq ft of the privately maintained drainage easement to allow for the construction of a covered porch. The subject parcel is about 0.15 acres in area. The abandonment area is outside of the existing drainage ditch and culvert location. There is a minimum finished floor height imposed by the plat.

#### **Abandonment Process**

In accordance with new Town of Payson Ordinance No. 885, the abandonment process requires the Town Engineer to submit a CDR to the Town Council to direct staff to prepare a resolution to abandon the easement at a subsequent Town Council meeting or to deny the abandonment or to hold a public hearing at a later time.

#### **Recommendation**

Staff recommends the approval of this Abandonment Request.

Report By:

Curtis Ward PE, Town Engineer 11/7/16

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**SLOPE AND DRAINAGE EASEMENT TO BE ABANDONED**  
**Park Trail Lot 10**

A portion of a Slope and Drainage Easement located on the west side of Lot 10 of Park Trail, as shown on Map 802, Gila County Records, located in the Northwest ¼ of the Northeast ¼ Section 3, T10N, R10E, G&SRM, Gila County, Arizona. The said portion of Slope and Drainage Easement to be abandoned is more particularly described as follows:

Commencing at the southwest corner of Lot 10;

Thence S 89° 39' 04" E along the south line of Lot 10, 8.00 feet to a point on the east line of a Slope and Drainage Easement;

Thence N 00° 16' 08" W along said easement line, 25.00 feet;

Thence N 22° 39' 13" E, continuing along said easement line, 5.14 feet to the Point of Beginning;

Thence continuing N 22° 39' 13" E along said easement line 15.40 feet;

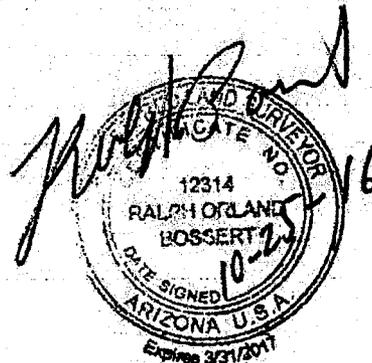
Thence N 00° 16' 08" W, continuing along said easement line 4.37 feet;

Thence S 41° 34' 43" W, 9.00 feet to a point 10.00 feet normally distant east of the west line of Lot 10;

Thence S 00° 16' 08" E along a line parallel with the west line of Lot 10, 11.86 feet to the Point of Beginning

Said Slope and Drainage Easement to be abandoned contains an area of 49 square feet, as shown on attached Exhibit "B".

Project 9002  
October 25, 2016



# EAST PARK DRIVE

S 89°39'04" E

8'  
DRAINAGE  
EASEMENT

8' D.E. S.E.  
& P.U.E.

R/W

58.59'

R=12.00  
L=18.98'

1' N.V.A.E.

25'

R/W

8'  
D.E.

DRAINAGE EASEMENT  
TO BE ABANDONED  
CONTAINS: 49 S.F.

S41°34'43"W  
9.00'

PROPOSED  
RESIDENCE

10

6,333 Sq Ft

P.O.B.

75.40'  
5.14'  
20.54'  
N22°39'13"E

90.01'  
S00°16'08"E

11

77.88'

10'

11.86'

25.00'

8' D.E. S.E.  
& P.U.E.

70.72'

P.O.C.

8.00'  
S89°39'04"E

S89°39'04"E

9

NORTH PARK TRAIL CIRCLE  
N 00°16'08" W

## LOT 10 PARK TRAIL (MAP 802 G.C.R.)



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Payson, Arizona 85541  
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(928) 978-4345  
Dan Fitzpatrick P.E.  
(928) 595-2816



SCALE: 1"=20'

EXHIBIT B