

ABANDONMENT REQUEST
TOWN OF PAYSON RIGHT OF WAY
A PORTION OF THE PUBLIC UTILITY EASEMENT
AND DRAINAGE EASEMENT ON
719 S. RIDGEWAY LANE
(LOT 20, EAST GATEWAY PHASE 2 SUBDIVISION)

Overview

The East Gateway Phase 2 subdivision was recorded on October 18, 2006 creating 6 lots along S. Ridgeway Lane north of Frontier Street. Lot 20 of that subdivision included a Public Utility and Drainage Easement over a large portion of the lot. The property owner is now ready to construct a home on this lot. However, due to the amount of lot area encumbered by the utility and drainage easements, the anticipated structure would not fit on the lot. The property owner commissioned additional engineering studies to determine what adjustments could be made in the easement locations. This study revealed two items: (1) There are no public utilities using any of this area for their facilities and there are no plans to use it in the future, and; (2) The area encompassed by the drainage easement was set arbitrarily and was much larger than was needed to accommodate the drainage flows across this lot. Therefore, a request was made to abandon the portion of both easements that were in conflict with the proposed structure.

Abandonment Process

The abandonment process requires notification of the proposed abandonment to all utility companies, Town of Payson Department Heads, and all property owners within 300 feet of the property to be abandoned. A letter containing information concerning this request was either mailed or hand delivered to each of the required parties. This letter stated that a response was requested by May 31, 2013 and that if no comment was received by that date, it would be assumed that the particular entity was in favor of the abandonment.

Responses to Request

To date we have received responses from most of the utility companies and Town of Payson Departments. All responses received have supported the abandonment. No comments or responses have been received from any of the notified property owners.

Recommendation

Staff recommendation is that the Planning and Zoning Commission recommend approval of this abandonment to the Payson Town Council.

Possible Motion

I move to recommend to the Town Council approval of the abandonment of a portion of the Public Utility and Drainage Easement contained on Lot 20 of the East Gateway Phase Two subdivision as requested by the developer of the subdivision.

Attachments

The following items concerning this abandonment are attached:

- Abandonment Application
- Drawing showing the 300' notification area

Drawing showing easement requested to be abandoned
Legal Description of easement requested to be abandoned.

EASEMENT/RIGHT OF WAY
ABANDONMENT APPLICATION

Applicant:

Name: Jeff and Debra Vaughn Address: 134 West Midway

Town: Payson State: AZ Phone: (928) 978-4024

Item to be abandoned: Easement Right of Way

Detailed Description of Request: Portion of Public Utility Easement on Lot 20 of East Gateway Phase 2 (Map 725).

Reason for Abandonment Request: Allow construction of home

Property Owner:

Name: Jeff and Debra Vaughn Address: 134 West Midway

Town: Payson State: AZ Phone: (928) 978-4024

Certification:

I hereby certify that the above information and data submitted on or with this application is true and correct.

JEFF VAUGHN
Printed Name

[Signature]
Signature

5-7-13
Date

FOR TOWN USE ONLY:

Items Submitted with Application:

Acceptable Legal Description (and Survey if Required):

Letters for 300' Radius Property Owners:

Stamped and Addressed Envelopes:

Application Fee of \$250:

Received By:

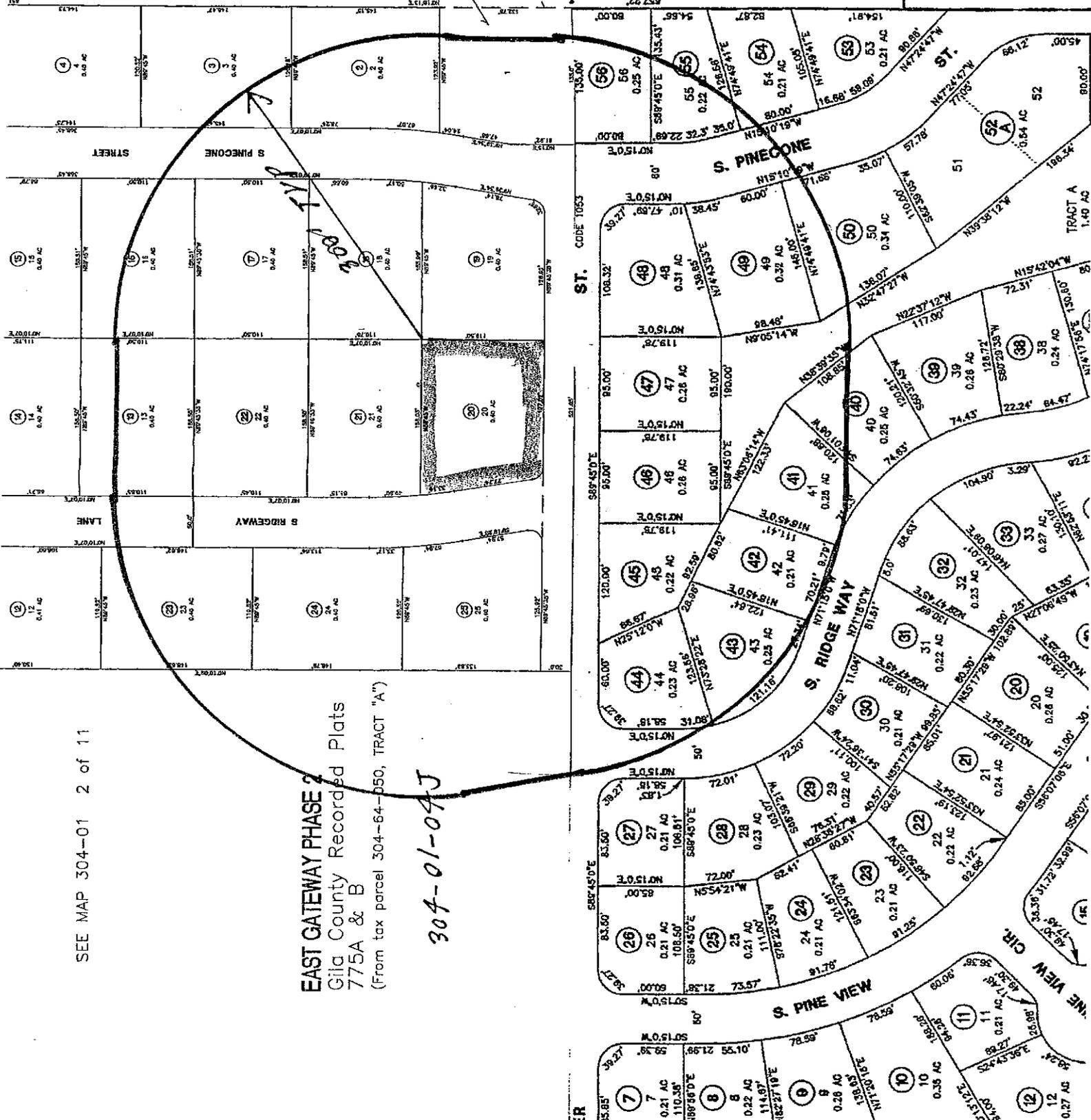
Date:

SEE MAP 304-01 2 of 11

SEE MAP 304-47

EAST GATEWAY PHASE 2
Gila County Recorded Plats
775A & B
(From tax parcel 304-64-050, TRACT "A")

304-01-04J

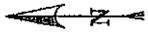


SEE MAP 304-47

1" = 100'

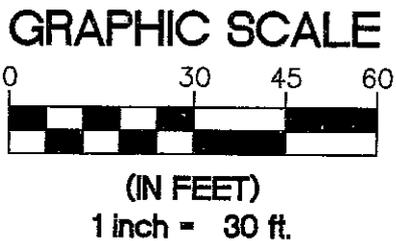
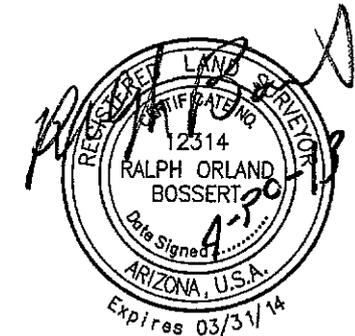
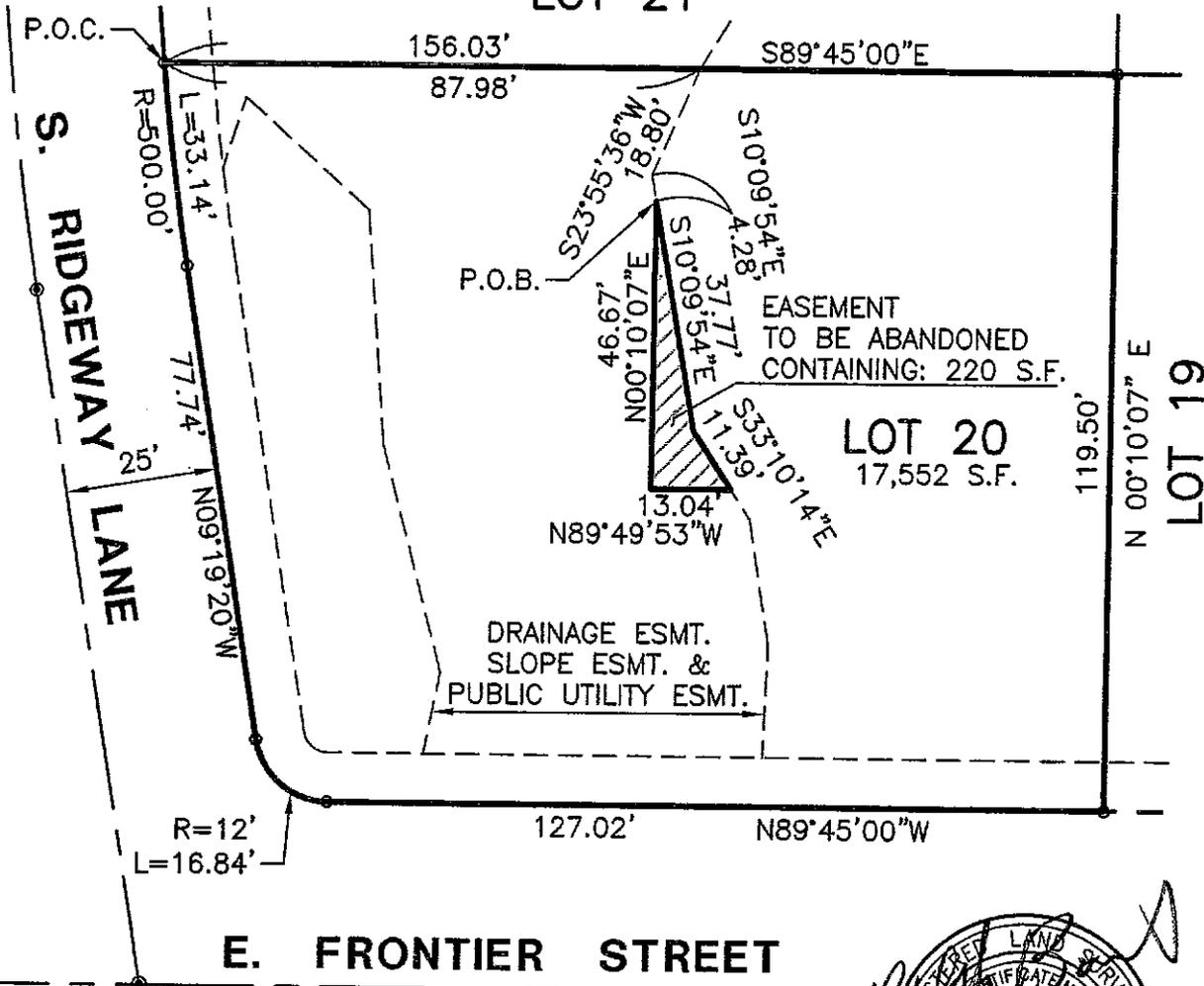
CODE 1053
CODE 1060

304-92



EAST GATEWAY
PHASE 2
(G.C.R. MAP 775)

LOT 21



Verde
Engineering
Group
PLLC

1109 North McLane Road
Payson, Arizona 85541
Ralph Bossert P.E. R.L.S.
(928) 978-4345
Dan Fitzpatrick P.E.
(928) 595-2816
Job 8009

4/29/13

EXHIBIT B

EXHIBIT "A"
LEGAL DESCRIPTION
PUBLIC UTILITY EASEMENT TO BE ABANDONED
APN 304-64-020

A portion of a Public Utility Easement located on Lot 20 of East Gateway Phase 2, as shown on Map 775, Gila County Records, located in the Southwest ¼ of Section 2, T11N, R10E, G&SRM, Gila County, Arizona. The said Public Utility Easement to be abandoned is more particularly described as follows:

Commencing at the northwest corner of Lot 20;
Thence S 89° 45' 00" E along the north line of Lot 20, 87.98 feet to the northeast corner of the said Public Utility Easement;
Thence S 23° 55' 36" W along the east line of said easement, 18.80 feet;
Thence S 10° 09' 54" E, continuing along the east line of said easement, 4.28 feet to the Point of Beginning;
Thence continuing S 10° 09' 54" E along said easement line, 37.77 feet;
Thence S 33° 10' 14" E, continuing along said easement line, 11.39 feet;
Thence N 89° 49' 53" W, 13.04 feet;
Thence N 00° 10' 07" E, 46.67 feet to the Point of Beginning;

Said Public Utility Easement to be abandoned contains 220 square feet, more or less, as shown on attached Exhibit "B".

Project 8009
April 30, 2013

