

ORDINANCE NO. 2011.53

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, ABANDONING AN EXISTING WATERLINE EASEMENT SOUTH OF BASELINE ROAD BETWEEN RURAL ROAD AND COLLEGE AVENUE.

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WHEREAS, it has been determined by the City Council that portions of two (2) waterline easements previously dedicated to the City of Tempe, recorded in the Office of the Maricopa County Recorder, document number 19860175961 and 19860575024, and as more particularly described herein and shown on Exhibit "A" and Exhibit "B" (containing 5 pages total) (the "Waterline Easement"), are no longer required by the City; and

WHEREAS, it would appear to be in the best interest of the City of Tempe to abandon the Waterline Easement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

**Section 1.** That the City of Tempe does hereby abandon, relinquish and vacate that portion of the previously dedicated Waterline Easement as shown in Exhibit "C".

**Section 2.** That all rights of the City with regard to the Waterline Easement so abandoned shall vest in the record owner(s) of the adjacent property and shall be subject to the same encumbrances, liens, limitations, restrictions, easements, and estates as exist on the land of which the Waterline Easement is a part.

**Section 3.** The Mayor is hereby authorized to execute any documents that may be necessary to carry out the provisions of this Ordinance. Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA

This \_\_\_\_\_ day of November, 2011.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

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City Attorney