

## Planning and Development



Disclaimer : The information provided on this map is based on record drawings submitted by others.  
Users of this information are cautioned that independent verification of actual conditions may be necessary. Printing Water Data is for Internal Staff Only

1 inch = 80 feet

0                      30                      60                      120 Feet



Date: 3/30/2021







In accordance with Section 31-70, Article V of the City Code, the decision of the Abandonment Hearing Officer regarding the abandonment of public rights-of way may be appealed. Any decision of the Abandonment Hearing Officer shall be considered final unless a person aggrieved thereby, files a written Notice of Abandonment Appeal with the Planning & Development Department within fifteen calendar days after the decision is made. The completed abandonment appeal form and filing fee\* must be submitted to the Planning & Development Department, Check-In/Information Counter, located at 200 West Washington Street, 2nd floor, Phoenix, Arizona 85003.

**\*All fees are pursuant to the current Fee Schedule contained in Appendix A.2. of the Phoenix City Code.**

Appellant's Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Affiliation: \_\_\_\_\_

Appeal to City Council

Be specific as to what you are appealing. Include the rationale for your appeal. Attachments may be included.

Abandonment # **V**-\_\_\_\_\_ Date Heard: \_\_\_\_\_

Located at approximately: \_\_\_\_\_

Abandonment Hearing Officer: ☐ Approved ☐ Denied

Appealing Decision: \_\_\_\_\_

Appealing Stipulation: \_\_\_\_\_

Appealing Stipulation: \_\_\_\_\_

Appealing Stipulation: \_\_\_\_\_

----- **Staff Use Only** -----

Received By: \_\_\_\_\_ Receipt #: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_ Receipt #: \_\_\_\_\_ Date: \_\_\_\_\_



This application must be submitted to start the process to abandon any public rights-of-way and/or easements controlled by the city of Phoenix. A completed application must be submitted, together with a sketch of the area to be abandoned and the appropriate fee to the Planning & Development Department, 200 West Washington Street (2<sup>nd</sup> floor), Phoenix, Arizona 85003. For additional information, call (602) 256-3487.

Applicant: Michael Ragland

Address: 3823 N 54th Way

City: Phoenix

State: AZ

Zip: 85018

Phone: 602-292-2224

Email: mike.ragland@cbre.com

Contact (If other than Applicant): N/A

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

APN# of Parcel(s) Adjacent to Requested Abandonment: 128-12-012, 128-12-013, 128-12-014, 128-12-015, 128-13-075, 128-13-078, 128-13-079, 128-13-077, 128-13-076

Name of Street(s) to be abandoned: \_\_\_\_\_

Location/Description of Alley(s) or Easement(s) to be Abandoned (please be specific):

See Attached map. Alley abandonment area is between 54th Way and 54th Court from

Calle Redonda north to the corner of the 2nd alley way that provides access to 54th court.

The 1st alley accessible from 54th court will be abandoned as well.

Quarter Section #: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Village: \_\_\_\_\_

Reason to Abandon (additional pages may be attached): To increase lot coverage and improve security.

**----- Staff Use Only -----**

Abandonment #: \_\_\_\_\_ Folder #: \_\_\_\_\_ Total Abandonment Application Fee: \$ 1930

Submittal Date: 3.29.2021

☐ Informal Abandonment (w/o hearing): \$ \_\_\_\_\_

Reviewed By: Maggie Dellow MDE

☒ Abandonment, Non-Single Family: \$ 1930

Annexation Date: November 2, 1961

☐ Abandonment, Single Family: \_\_\_\_\_

City Council District #: 6

☐ Complexity Fee \$ \_\_\_\_\_

Site Plan # (if applicable): \_\_\_\_\_

☐ Appraisal Section Notified: ☐ Yes ☐ No ☐ N/A



A signed right-of-way abandonment petition must be submitted when filing your abandonment application. Please read the entire form before signing. For additional information, contact the Planning and Development Department at (602) 256-3487.

We, as property owners, support the proposed abandonment for the following reasons:

- ☒ It will help to increase security,
- ☒ It will increase the buildable area of the lot(s),
- ☐ It will remove unnecessary right-of-way or easements to permit development of the property, or
- ☐ Other: \_\_\_\_\_

We, as property owners, understand that if there are public utilities located within the area to be abandoned, all right-of-way within the proposed abandonment area shall be retained as a public utilities easement (PUE) or as may be modified by the affected utility companies with 24-hour vehicle maintenance access. We further understand that no structure of any kind shall be constructed or placed within the easement except removable-type fencing and/or paving. Removable type fencing must not require the installation of footers within the PUE. No planting within the PUE unless approved by the City of Phoenix. **The affected utility company shall not be required to replace any obstructions, paving or planting that must be removed during the course of required maintenance, reconstruction and/or construction.**

**Or**

We, as property owners, understand that we may choose to relocate all utilities affected by the abandonment. If we choose this alternative, we understand that we, as the property owners, would be responsible for the cost of relocating any affected utilities to locations approved by that utility company.

**To ensure continued maintenance and repairs of the street, the public rights-of-way would be abandoned to the adjacent individual property owner(s) or a Homeowners Association where one exists. The Homeowners Association or adjacent individual property owners would assume all liability and maintenance cost of the abandoned public right-of-way and any improvements.**

We, as the property owners, understand that if the abandonment of the public right-of-way is approved, the Homeowners Association (or individual property owners) shall purchase all streetlights from the City of Phoenix in the proposed abandonment area, or the Homeowners Association (or individual property owners) will be responsible for replacing them with private lighting. This will be done at no expense to the City of Phoenix. We also understand that the Homeowners Association (or individual property owners) will be responsible for and set up their own electric account with the proper electric company in order to assume the responsibility of payment of the electric costs.

We, as the property owners, understand that there may be additional costs incurred due to required improvements to provide code compliant entrances/gating, etc. Requirements may include, but are not limited to, gates, provisions for fire apparatus, dedicated right-of-way for required turnarounds, etc.

**Any and all requirements and costs will be the responsibility of the Homeowners Association (or individual property owners).** All required improvements within the proposed abandonment area, as required by the stipulations of the approved abandonment, will be completed at no expense to the City of Phoenix.

Per Phoenix City Code, Section 31-64 (e), **if** the request of abandonment is approved there will be a consideration fee due and payable after the Abandonment Hearing Officer's decision. Consideration fees are the costs associated with purchasing land within the abandoned right-of-way from the City of Phoenix and are calculated as follows:

Non-single family zoned right-of-way the greater of \$500 or Fair Market Value (FMV)<sup>1</sup> of abandoned right-of-way **Single family residential zoned right-of-way \$1 per square foot for first 500 square feet, \$0.10 per square foot thereafter;** or FMV of abandoned right-of-way, as determined by City<sup>2</sup>

Notes:

<sup>1</sup> If the area to be abandoned is within or adjacent to an established redevelopment area, consideration may be given in determining the FMV.

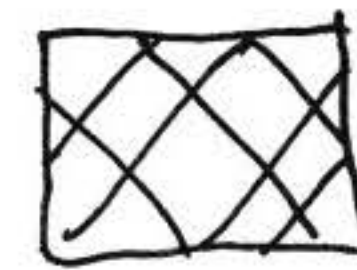
<sup>2</sup> For the area to be abandoned, consideration may be given to the transfer of ongoing property maintenance responsibilities in determining the Abandonment Consideration Fee.

This publication can be made available in alternate formats (Braille, large print, computer diskette, or audiotape) upon request. Contact the Planning & Development Department at (602) 262-7811 voice or (602) 534-5500 TTY.





# Abandonment Sketch Map





**Neighborhood Notification Petition Requirement (required prior to filing for abandonment)**

One hundred percent of the property owners in and/or abutting the affected area, as determined by the Street Transportation Department, must be notified.


**Street Abandonment Petition Requirement (signatures verified upon application for abandonment)**

- One hundred percent of property owners abutting the proposed abandonment must sign the petition in support if four or fewer properties are immediately impacted.
- Two-thirds of the residential property owners or a majority of the commercial property owners abutting the proposed right-of-way abandonment must sign the petition in support if more than four properties are immediately impacted.

Compliance with the above petition requirement does not guarantee approval of the request. It only allows for the submittal of the Abandonment Application.

We, as the adjacent property owners, do hereby support the abandonment of: \_\_\_\_\_  
our alley way adjacent to our lot line as depicted in the attached map.

as shown in the attached map dated \_\_\_\_\_

ADDRESS	LOT NO.	PRINT NAME	SIGNATURE
3809 N 54th Way	273	Sean & Kori Shapiro	
3815 N 54th Way	272	Lindsay Hope & Alex Molleo	
3823 N 54th Way	271	Mike & Jordan Ragland	
3901 N 54th Way	270	David Hanselman & Laura Grisolano	
5414 E Calle Redonda	14	Rebecca Clayton Hoyt	
5408 E Calle Redonda	15	Roger & Deeann Bongiovanni	
3624 N 54th Court	13	David & Dana Holt	
3630 N 54th Court	12	Michael & Kelli Messenger	
3636 N 54th Court	11	Tony & Alex Longo	

By abandoning the public right-of-way after all stipulations have been met, the City of Phoenix relinquishes its ownership and future obligations.

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**City of Phoenix Development Services Department**  
**Abandonment, Right-of-Way Petition – Page 2 of 2**

TRT/DOC/00078E

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City of Phoenix Development Services Department  
Abandonment, Right-of-Way Petition – Page 2 of 2

TRT/DOC/00078E

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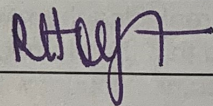
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**Right of Way Abandonment Petition Requirement (signatures verified upon application for abandonment)**  
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