

Attachment B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – 180056A

Your abandonment request was granted **CONDITIONAL APPROVAL** by **Christopher DePerro, Abandonment Hearing Officer**.

This request will NOT be completed until all the stipulations have been met and this request is formally adopted by City Council. It is the **APPLICANT'S RESPONSIBILITY** to ensure that all stipulations are satisfied. **Please contact Robert G. Martinez at (602) 495-0806** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations, Robert G. Martinez will schedule your request for City Council action.

If the stipulations of abandonment are not completed within **two years** from the date of your conditional approval (**your expiration date is December 11, 2020**), this request will then expire. At that time a new submittal will be required along with the required payment for the abandonment process. A one time, **one-year** extension can be requested prior to the expiration date, with applicable extension fee due.

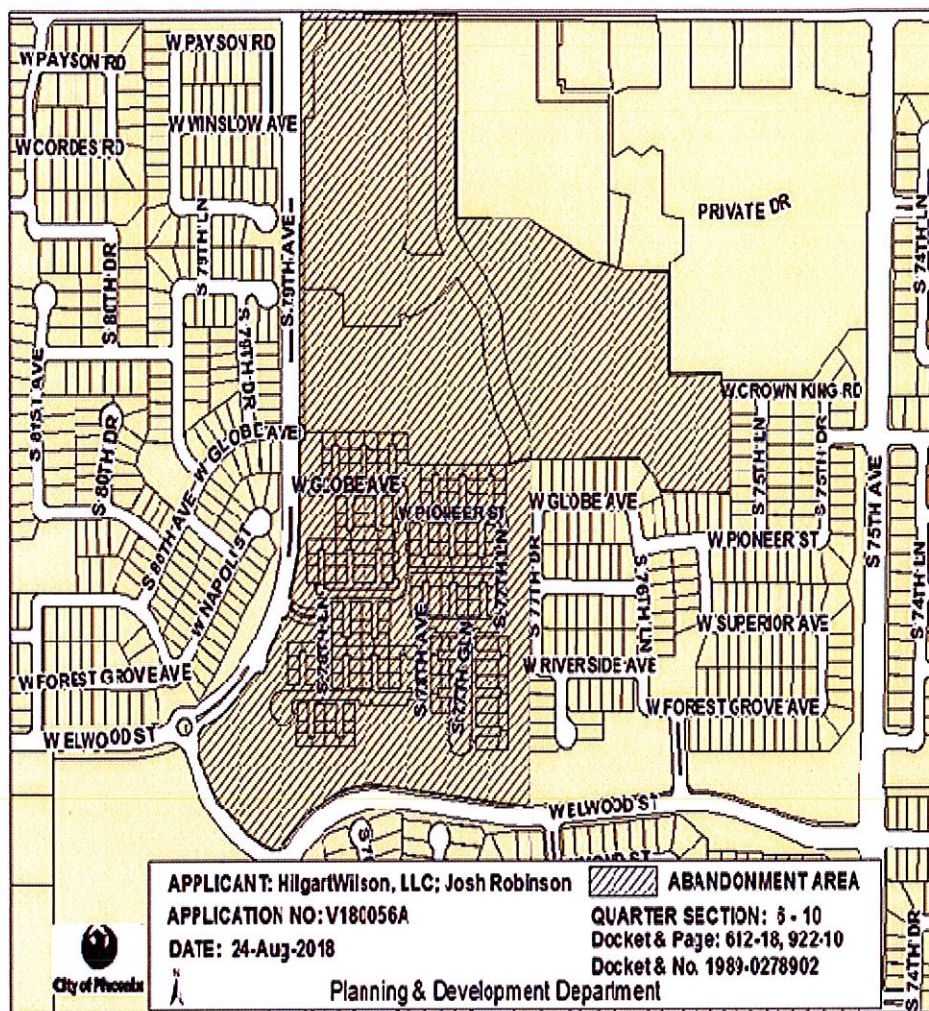


City of Phoenix

Planning and Development Department

December 11, 2018
Abandonment Staff Report: **V180056A**
Project# **01-21305**
Quarter Section: **6-10**

<u>Location:</u>	Southeast Corner of Lower Buckeye & 79th Avenue
<u>Applicant:</u>	Josh Robinson- Hilgart Wilson LLC.,
<u>Request to abandon:</u>	To abandon all easements within Tuscano Parcel D and excess right-of-way as shown along 79th Avenue
<u>Purpose of request:</u>	The applicant states: Abandonment request is to allow for a new single-family subdivision to be platted and for new development to commence.
<u>Hearing date:</u>	December 11, 2018 (Continued from November 13, 2018)



Hearing Summary

Mr. Christopher DePerro, the Hearing Officer, opened up the discussion by reviewing the abandonment area map with the applicant, Mr. Joshua Robinson, with Hilgart-Wilson, LLC.

After reviewing the abandonment area map, Mr. Robinson stated that he had read through the staff report and takes no exception to any of the stipulations, there is no intent to abandon any right-of-way along 79th Avenue. Mr. Robinson then stated that there is a possibility of additional right-of-way being dedicated, due to a potential removal of portions of the median, which were previously dedicated as tracts.

Mr. DePerro asked Mr. Robinson who the ownership of the tracts belonged to. Mr. Robinson replied by stating the ownership was of the master HOA. Mr. DePerro then stated if the additional dedication were to take place then a maintenance agreement would end up happening if the median is staying.

Mr. DePerro discussed the stipulations with Mr. Robinson.

The Hearing Officer granted the abandonment with a conditional approval with stipulations.

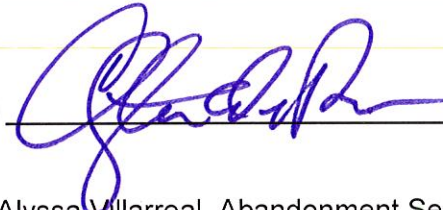
Stipulations of Conditional Approval

The request of abandonment, is conditionally approved by the Abandonment Hearing Officer. The following stipulations will need to be met:

1. This abandonment must be approved concurrent with the replat of Tuscano PCD, Parcels D&G.
2. No right-of-way within 40 feet of the 79th Avenue monument line may be abandoned.
3. All utilities shall be relocated to locations approved by each affected utility company. All work is to be done by each affected utility company at no expense to the affected utility company. An appropriate performance agreement, in an approved form and cost amount, must be posted with the Planning and Development Department to guarantee the improvements.
4. Any additional road, drainage and utility alignments and/or easements will be determined as part of the final plat review.
5. Stipulations must be completed within **two years** from the Abandonment Hearing Officer's decision.

This conditional approval has been reviewed and approved by the Abandonment Hearing Officer.

Hearing Officer Signature: _____



Date: _____

12.26.18

REPORT SUBMITTED BY: Alyssa Villarreal, Abandonment Secretary

cc: Applicant/Representative, Josh Robinson, Hilgart Wilson, LLC
Christopher DePerro, Abandonment Hearing Officer