

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 220022

Your Federal Patent Easement Waiver 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 the Abandonment Coordinator at (602) 256-3487** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations your request will be scheduled for City Council action.

If the stipulations of Federal Patent Easement Waiver are not completed within **two years** from the date of your conditional approval (**your expiration date is April 14, 2024**), this request will then expire. At that time a new submittal will be required along with the required payment for the easement waiver process. A one-time, **two-year** extension can be requested prior to the expiration date, with applicable extension fee due.



City of Phoenix

Planning and Development Department

May 26, 2022

Preliminary Federal Patent Easement Waiver Staff Report: **ABND 220022**

Project# **22-1201**

Quarter Section: **48-25**

Council District: **2**

Location:

Southeast Corner 19th Avenue and Jomax Road

Applicant:

Dennis Newcombe, Gammage & Burnham, PLC

Request to waive:

The 33-foot wide federal patent easement encumbering the north, east, and west sides of APN 210-11-014C and the east and west sides of APN 210-11-014A.

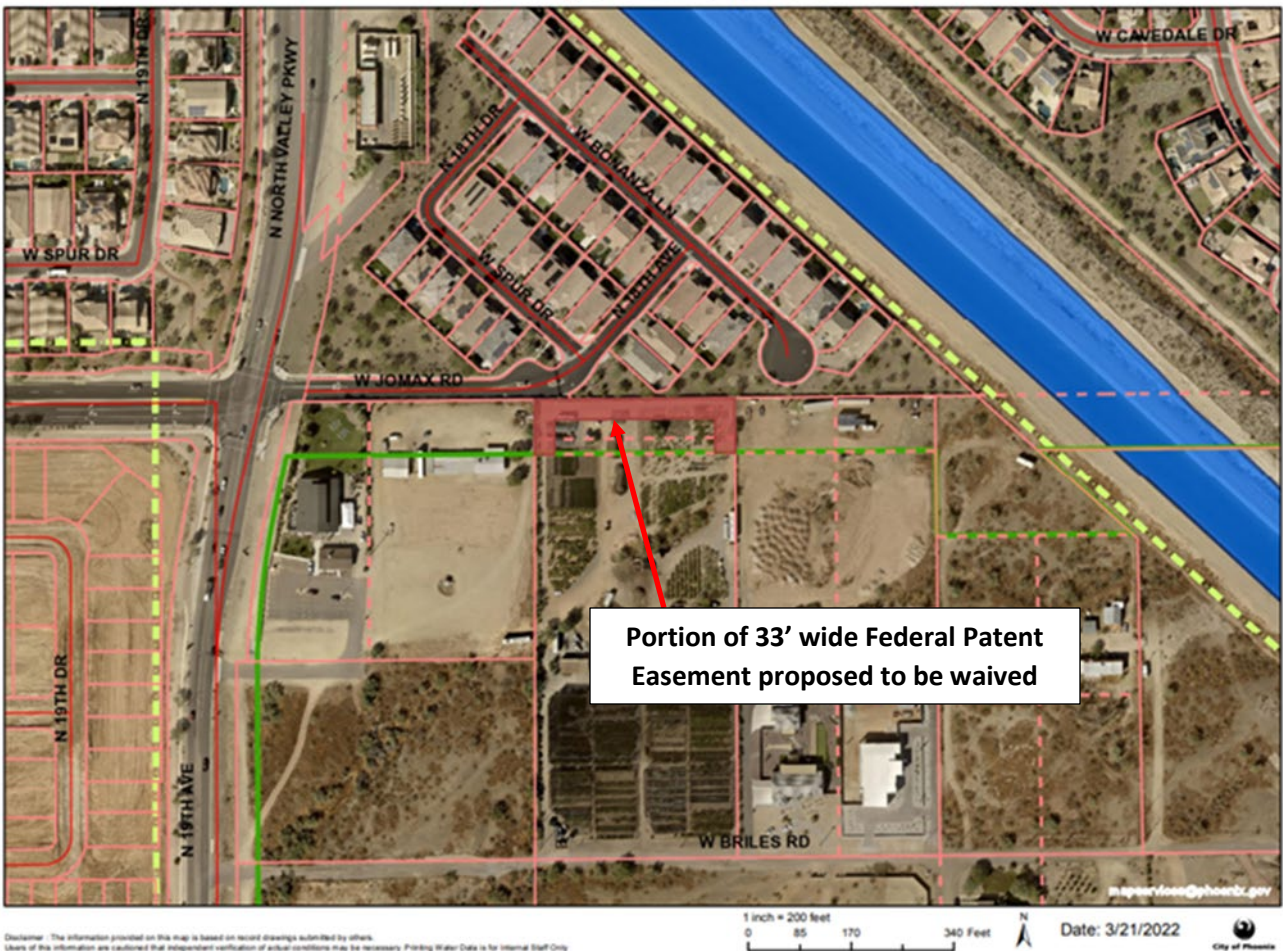
Purpose of request:

The applicant states to facilitate future redevelopment of the property.

Hearing date:

May 26, 2022

Planning and Development



Hearing Summary

Mr. Christopher DePerro, the Abandonment Hearing Officer, called the hearing to order at 9:30 am on April May 26, 2022.

Ms. Maggie Dellow, the Abandonment Coordinator introduced the abandonment case ABND 220022 by reading the Federal Patent Easement Waiver case into the record by stating the applicant, location, waiver request, and purpose of the request, as well as City staff research.

Mr. DePerro then started the discussion by asking the applicant if they would like to add any additional comments regarding the abandonment request.

Ms. Ashley Zimmerman Marsh, the applicant, explained that the proposed area for Federal Patent Easement waiver on the north side of the parcel is requested as a clean-up exercise following the approved waiver of the easement immediately south which has already been waived through the County process. She further explained that the waiver of the easement would not result in any landlocked parcels.

Ms. Dellow then reviewed the comments and staff recommended stipulations of approval. Staff conferred that the original stipulation requiring removal of utilities or the retention of a public utility easement could be removed due to the fact that all utility providers indicated no utilities were located in the area.

The Hearing Officer granted a conditional approval subject to stipulations in the staff report but revised to delete the original stipulation #1.


Stipulations of Conditional Approval

The request of Federal Patent Easement waiver is conditionally approved by the Abandonment Hearing Officer. The following stipulations will need to be met:

1. All 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: 6/7/22

REPORT SUBMITTED BY: Maggie Dellow, Abandonment Coordinator

cc: Dennis Newcombe, Applicant/Representative
Christopher DePerro, Abandonment Hearing Officer