

ATTACHMENT B



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 190076

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 Martinez at (602) 495-0156** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations Robert 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 January 9, 2022**), 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.



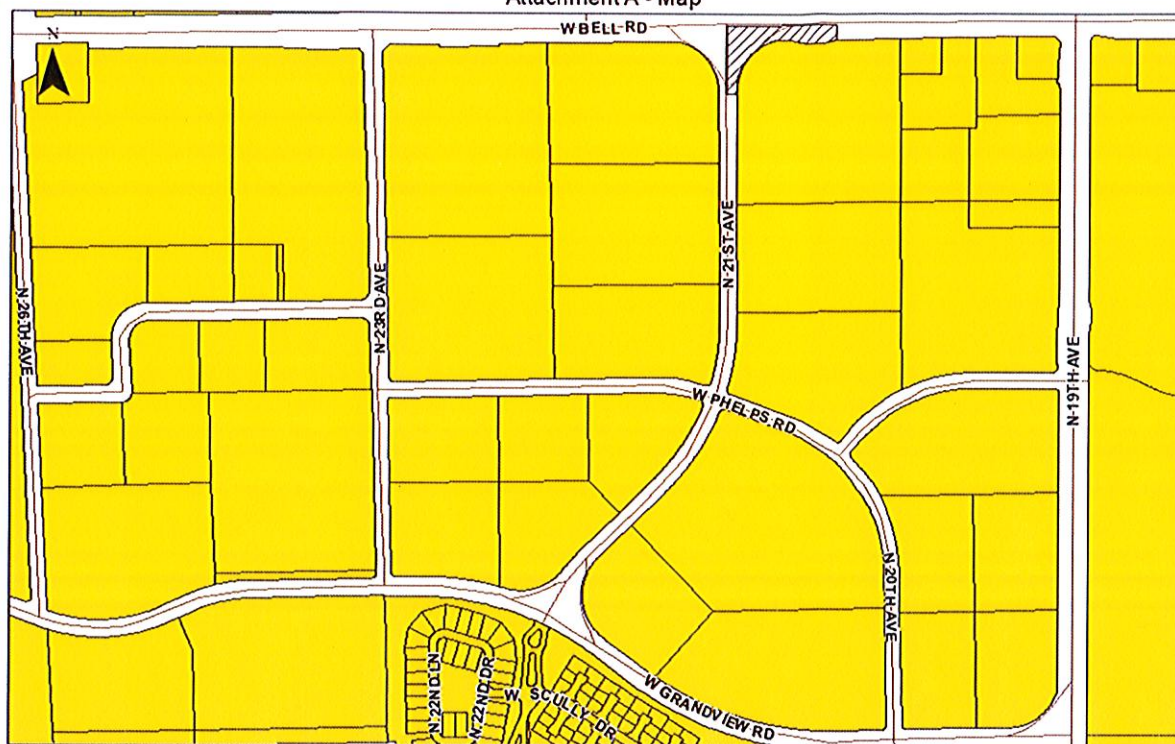
City of Phoenix

Planning and Development Department

January 9, 2020
Preliminary Abandonment Staff Report: **V190076A**
Project# **18-1329**
Quarter Section: **36-24**

<u>Location:</u>	Intersection at North 21 st Avenue & Bell Road
<u>Applicant:</u>	Grant Herneise; Hunter Engineering
<u>Request to abandon:</u>	To abandon the right-of-way intersections at 21st Avenue and Bell Road.
<u>Purpose of request:</u>	The applicant states: Hunter Engineering is proposing new Rights-of-Way to be dedicated that will replace the existing improvements with new improvements within the portions to be abandoned.
<u>Hearing date:</u>	January 9, 2020

Attachment A - Map



410 205 0 410
Feet



APPLICANT: HUNTER ENGINEERING
ABANDONMENT AREA:
APPLICATION NO: V190076A

QUARTER SECTION: 36-24
DATE: 04-NOV-2019
BOOK 317 PAGE 20

Hearing Summary

Mr. Christopher DePerro, the Abandonment Hearing Officer opened the hearing with introductions and provided instructions.

Ms. Rocio Iniguez, the Abandonment Coordinator, read the abandonment request, purpose and staff research into the record.

Mr. Christopher DePerro, the Hearing Officer asked the applicant if there was anything further he would like to explain on the abandonment request.

Mr. Grant Herneise with Hunter Engineering explained that they are trying to get rid of the existing slip lane on Bell Road and are currently under review to turn into a stop intersection. They are doing the abandonment to prepare for future development in the area.

The Hearing Officer discussed the research he had found. He wanted to clarify that the pieces that were State Land at one point were issued not dedicated. Area of bell road between the two issuances of easements were granted originally to Maricopa County that was later amended to include utilities. The City then annexed it, later there was an assignment from Maricopa County to the City of Phoenix which then accepted the assignment converting it to City easement. The

underlying fee title before sunbelt purchased it through auction was State Land. The fee title auction took any existing encumbrances. Therefore, abandoning anything within the 55 feet south monument line cannot be done through this process, however in speaking to Jamie Spear our Deputy Finance Director you can dedicate over it as the fee title owner.

The Hearing Officer granted a Conditional Approval with revised stipulations.

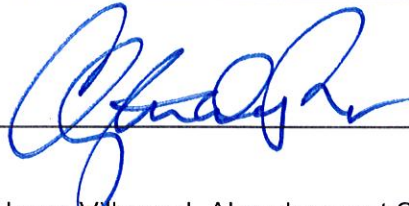
Stipulations of Conditional Approval

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

1. Either a or b shall be complied with:
 - a. 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.
 - b. All right-of-way shall be retained as a public utilities easement with 24-hour vehicle maintenance access.
2. No right-of-way within 55 feet the Bell Road monument line shall be abandoned. Only the easements dedicated under Book 317, Page 20 may be abandoned per this application.
3. Dedicate right-of-way totaling 55 feet and a 10-foot wide sidewalk easement for the south half of Bell Road
4. Dedicate a minimum right-of-way totaling 40 feet for 21st Avenue for the length of the abandonment request.
5. Final approval of this abandonment shall run concurrently with the street dedications.
6. All stipulations must be completed within **two year** from the Abandonment Hearing Officer's decision.

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

Hearing Officer Signature: _____



Date: _____

3.26.2020

REPORT SUBMITTED BY: Alyssa Villarreal, Abandonment Secretary.

cc: Applicant/Representative, Grant Hirneise; Hunter Engineering
Christopher DePerro, Abandonment Hearing Officer