



## **City of Phoenix**

Planning and Development Department

### **CONDITIONAL APPROVAL – ABND 190094**

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 **one year** from the date of your conditional approval (**your expiration date is February 20, 2021**), 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.



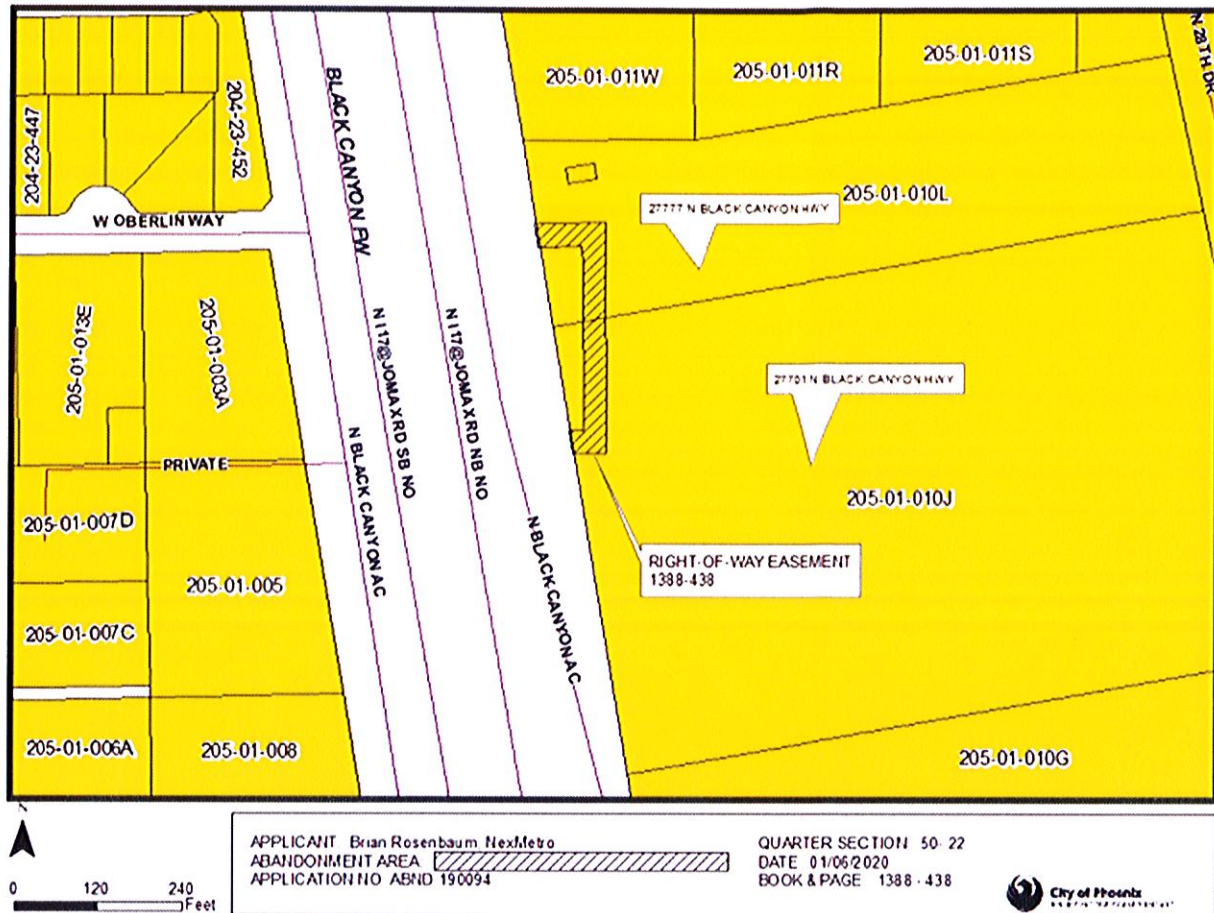
## **City of Phoenix**

Planning and Development Department

February 20, 2020  
Preliminary Abandonment Staff Report: **ABND 190094**  
Project# **18-1828**  
Quarter Section: **50-22**

<b><u>Location:</u></b>	27777 North Black Canyon Highway
<b><u>Applicant:</u></b>	Brian Rosenbaum
<b><u>Request to waive:</u></b>	To waive a federal patent easement on properties APN 205-01-010L & 205-01-010J; referencing Docket 1388, Page 438 of Maricopa County Recorder.
<b><u>Purpose of request:</u></b>	The applicant states: for private property development.
<b><u>Hearing date:</u></b>	<b>February 20, 2020</b>

## ATTACHMENT A - MAP



### Hearing Summary

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

Ms. Emily Dawson, the Abandonment Coordinator, read the case into the record.

Mr. Christopher DePerro, then turned the discussion over to the applicant.

Mr. Jared Geisler, with NexMetro Communities introduced himself for the record. Mr. Geisler then went on to explain that NexMetro acquired the property in January of 2019, has been working with City Staff on redeveloping the property for the past 18 months plus. Mr. Geisler has been working with City Staff to develop of 211-unit multifamily project and has been coordinating to modify the existing sewer easement on the property as well as add in a new water line. Through the development process, we were not notified about the patent easement on site but is shown on City maps which is why the application was submitted. The patent easement does affect with some of the structures, so we are requesting that it is removed.

Mr. Geisler did request that drafted stipulation number 1 be removed, because of the existing sewer line in place and the newly dedicated water easement.

The Hearing Officer granted a Conditional Approval with revised stipulations.

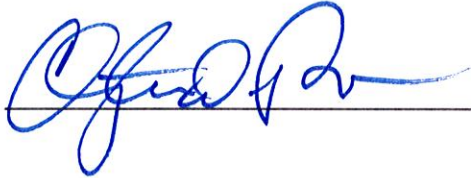
**Stipulations of Conditional Approval**

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 other than water and sewer 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. Water and sewer may remain as long as they are located within the separately dedicated water and sewer easement.
  - b. All right-of-way shall be retained as a public utilities easement with 24-hour vehicle maintenance access.
2. All stipulations must be completed within **one 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. 25. 2020

REPORT SUBMITTED BY: Alyssa Villarreal, Abandonment Secretary

cc: Applicant/Representative, Brian Rosenbaum  
Christopher DePerro, Abandonment Hearing Officer