



City of Phoenix

Planning and Development Department

CONDITIONAL APPROVAL – ABND 240044

Your abandonment request was granted **CONDITIONAL APPROVAL**.

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) 262-7403** for questions and notification of your completion of the stipulations.

Upon completion of the stipulations your request will be scheduled for City Council formal approval. You will receive a copy of the abandonment document after it has been recorded with Maricopa County.

If the stipulations of abandonment are not completed within **two years** from the date of your conditional approval (**your expiration date is March 13, 2027**), 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

March 13, 2025

Abandonment Staff Report: **ABND 240044**

Project# **00-4403**

Council District: **3**

Location:

4725 East Cactus Road

Applicant:

Scott Wagner

Request to abandon:

To abandon a portion of an existing 20-foot by 12-foot sewer and water easement located on 4725 East Cactus Road.

Purpose of request:

The applicant states the existing sewer and water easement is no longer needed due to the future development of the site.



City Staff Comments and Recommendations:

PDD Civil Review – Michelle Flores

Recommended approval with the following stipulations or improvements.

- Water Services Department approval required

Water Services Department – Donald Reynolds

WSD has no stipulations for this Abandonment.

PDD Site Planner – Dru Maynus

No comments received.

Street Transportation Department Utility Coordination – Andrea Diaz

The Street Transportation Department Utility Coordination section has no comments.

Utility Comments

The request was also routed to outside utility companies for their input. Listed below are the responses from each utility.

Cox – Zach Lawson

I have reviewed the proposed abandonment request for the parcel located at N 46th Street and East Paradise Village Parkway, in Phoenix AZ.

Based upon the supplied drawings/exhibit that you've submitted it has been determined that COX **will** allow easement abandonment **with the following stipulations.**

Existing facilities are protected in place within the newly established P.U.E. or relocated prior to the abandonment of the existing public utility easement.

Also please note that Cox Communications accepts no liability for costs associated with any relocation of existing facilities required because of this proposed abandonment.

If I can be of further assistance or a conflict arises, please contact me using the contact information below.

Southwest Gas – Susan R. Mulanax

After reviewing the plans for the above-referenced project, it has been determined that there are **no apparent conflicts** between the Southwest Gas system and your proposed abandonment of the public utility easements. Southwest Gas would like to recommend abandonment of the public utility easements for water and sewer located at the above-referenced location.

Thank you for your cooperation on this project. Please contact me if you have any questions or require additional information.

Arizona Public Service – Angelica Ontiveros

APS has released all electric easements in conflict with the new development.

CenturyLink – Jody Butte

CenturyLink of Arizona, Inc. d/b/a CENTURYLINK ("CenturyLink") has reviewed the request for a letter of no objection to the approval request described above and has determined that it has no objections with respect to the areas proposed as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

CenturyLink has facilities located along the S ROW of Cactus Road.

It is the intent and understanding of CenturyLink that this Abandonment shall not reduce our rights to any other existing easements or rights we have on this site or in the area.

This Letter of No Objection response is submitted with the stipulation that if CenturyLink Facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities.

If you have any questions, please contact Jody Butte 814-599-0114 or jody.butte@lumen.com

Salt River Project – Michael Laguna

Salt River Project has no objection to the abandonment of the existing 20-foot water and sewer easement as shown in the abandonment package. This is in an Arizona Public Service serving area.

If you have any questions or need further information, please feel free to contact me on 602-

236-3116.

Recommended Stipulations of Approval

The request of abandonment, if approved by the Abandonment Hearing Officer, will be subject to the following stipulations:

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. An appropriate performance agreement, in an approved form and cost amount, must be posted with the Planning and Development Department to guarantee the improvements.
 - b. All easement areas shall be retained as a public utilities easement with 24-hour vehicle maintenance access.
2. All stipulations must be completed within **two years** from the Abandonment Hearing Officer's decision.

For assistance regarding the above stipulations, please contact the Abandonment Coordinator at 602-262-7403.

This conditional approval has been reviewed and approved.

Signature: _____



Date: March 14, 2025

REPORT SUBMITTED BY: Dru Maynus, Abandonment Coordinator

cc Scott Wagner, Applicant/Representative
 Miguel Victor, Deputy Director of PDD
 Aracely Herrera, Site Planning Supervisor, Planner III