

After Recording, Return to:  
City of El Mirage  
Attn: City Clerk  
12145 NW Grand Avenue  
El Mirage, AZ 85335

**RESOLUTION NO. R10-11-33**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF EL MIRAGE,  
MARICOPA COUNTY, ARIZONA, DECLARING AND ADOPTING THE RESULTS OF  
THE GENERAL ELECTION HELD ON NOVEMBER 2, 2010.**

WHEREAS, the City of El Mirage, Maricopa County, Arizona did hold a General Election on the 2<sup>nd</sup> day of November, 2010 for the election of one (1) Councilmember for a 4-year term; General Plan – Approval; Election by Districts - Approval; and,

WHEREAS, the election returns have been presented to and have been canvassed by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of El Mirage, Maricopa County, Arizona, as follows:

SECTION 1. That the total number of ballots cast at said general election, as shown by the poll lists, was 4,483 (as provided by Maricopa County).

SECTION 2. That the ballots cast for the candidates for Councilmember for a 4-year term were as follows:

<u>Name</u>	<u>Vote Total</u>
Cleveland, Roger	1,317
Palladino III, John J	2,251

SECTION 3. That it is hereby found, determined and declared of record, that the following Councilmember candidates did receive a majority number of ballots of the electors of the City voting at said election and shall hereby be issued Certificates of Election:

John J. Palladino

SECTION 4. The question of whether the City of El Mirage should be divided into six council election districts for the purpose of electing city councilmembers from those council districts rather than at large:

YES 1,664

NO 2,297

SECTION 5. That it is hereby found, determined and declared of record, that the questions election by districts did not receive a majority number of ballots of the electors of the City voting at said election.

SECTION 6. The question of whether the City of El Mirage's General Plan should be approved:

YES 2,647

NO 1,199

SECTION 7. That it is hereby found, determined and declared of record, that the General Plan did receive a majority number of ballots of the electors of the City voting at said election.

SECTION 8. That it is hereby found, determined and declared of record this resolution shall be in full force and effect immediately upon its adoption.

PASSED AND ADOPTED BY the Mayor and Council of the City of El Mirage, Arizona, this 18<sup>th</sup> day of November, 2010

  
Michele Kern, Mayor

ATTEST:

  
Richard Saathoff, City Clerk

APPROVED AS TO FORM:

  
Richard Flaaen, City Attorney

**RESOLUTION NO. 10-11-35**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF EL MIRAGE, MARICOPA COUNTY, ARIZONA, APPROVING THE OGEDEN PROPERTIES MAP OF DEDICATION OF EL MIRAGE ROAD FOR ADDITIONAL RIGHT-OF-WAY ON EL MIRAGE ROAD

WHEREAS it has been proposed to dedicate additional right-of-way for El Mirage Road as shown and described in Exhibit "A"; and

WHEREAS the above map of dedication has been reviewed and approved by the City Engineer and representatives of other departments;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of El Mirage, Arizona, that the above described property is hereby platted and the rights-of-way are accepted by the City as proposed.

PASSED AND ADOPTED by the Council of the City of El Mirage this 18<sup>th</sup> day of November, 2010.

CITY OF EL MIRAGE, an Arizona  
municipal corporation

By: Michele Kern  
Michele Kern, Mayor

APPROVED AS TO FORM:

By: Richard Flaaen  
Richard Flaaen, City Attorney

ATTEST:

By: Richard Saathoff  
Richard Saathoff, City Clerk

# OGDEN PROPERTIES MAP OF DEDICATION OF EL MIRAGE ROAD

OF  
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 25,  
TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT  
RIVER BASE AND MERIDIAN, MARICOPA COUNTY,  
ARIZONA.

## OWNER STATEMENT

STATE OF ARIZONA } SS  
COUNTY OF MARICOPA }  
KNOW ALL MEN BY THESE PRESENTS:

MICHAEL R. OGDEN AND VICKI L. TOFTE/OGDEN CO-TRUSTEES OF THE OGDEN/TOFTE FAMILY LIVING TRUST DATED APRIL 22, 1996, AS OWNER HAS HEREBY VINDICATED THE NAME MAP OF DEDICATION OF EL MIRAGE ROAD, A PORTION OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATTED HEREON AND HEREBY PUBLISHES THIS PLAT AS THE PLAT OF MAP OF DEDICATION OF EL MIRAGE AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATIONS AND GIVES THE DIMENSIONS OF ALL LOTS, STREETS AND EASEMENTS CONSTITUTING SAME AND EACH LOT AND STREET SHALL BE ADDED TO THE PUBLIC FOR USE AS SUCH THE STREETS, AND EASEMENTS AS SHOWN HEREON UPON OFFICIAL ACCEPTANCE BY THE CITY IN WITNESS WHEREOF:

MICHAEL R. OGDEN AND VICKI L. TOFTE/OGDEN, AS CO-TRUSTEES OF THE OGDEN/TOFTE FAMILY LIVING TRUST DATED APRIL 22, 1996, AS OWNER, HAS HERE UNDER CAUSED THEIR NAMES TO BE SIGNED AND THE SAME TO BE SIGNED BY CO-TRUSTEES OF THE OGDEN/TOFTE FAMILY LIVING TRUST DATED APRIL 22, 1996 THEREUNTO DULY AUTHORIZED THIS \_\_\_\_\_ DAY OF NOVEMBER 2010.

MICHAEL R. OGDEN \_\_\_\_\_ VICKI L. TOFTE \_\_\_\_\_  
CO-TRUSTEES OF THE OGDEN/TOFTE FAMILY LIVING TRUST DATED APRIL 22, 1996, OWNER

## ACKNOWLEDGMENT

STATE OF ARIZONA } SS  
COUNTY OF MARICOPA }  
BEFORE ME THIS \_\_\_\_\_ DAY OF NOVEMBER 2010, THAT MICHAEL R. OGDEN AND VICKI L. TOFTE/OGDEN PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC WHO ACKNOWLEDGED THEMSELVES TO BE CO-TRUSTEES OF THE OGDEN/TOFTE FAMILY LIVING TRUST DATED APRIL 22, 1996, OWNER OF THE PROPERTY PLATTED HEREON AND ACKNOWLEDGE THAT THEY, AS OWNER EXECUTED THIS INSTRUMENT FOR THE PURPOSE HEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREBY SET MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

## NOTICE OF MILITARY OVER FLIGHTS

THIS SUBDIVISION LIES WITHIN THE VICINITY OF MILITARY AIRPORT AS SHOWN ON THE MAP OF THE ARIZONA REVISED STATUTES AND IS SUBJECT TO DIRECT OVERFLIGHTS BY MILITARY JET AIRCRAFT, FOR MORE INFORMATION CONTACT LUNX AIR FORCE BASE.

## SURVEYORS NOTES

- 1) THE BASIS OF BEARING IS THE MONUMENT LINE OF EL MIRAGE ROAD, ALSO BEING THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 35, USING A BEARING OF NORTH 00 DEGREES 47 MINUTES 59 SECONDS WEST.
- 2) THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ALL EASEMENTS OF RECORD.

## DEVELOPMENT NOTE

THE OWNER/DEVELOPER HEREBY AGREES, FOR ITSELF AND ITS SUCCESSORS AND ASSIGNS, AND AT NO COST OR EXPENSE TO THE CITY OF EL MIRAGE, TO CONVEY TO THE CITY OF EL MIRAGE ALL BUILDINGS AND BUILDING PHASES THAT THE SUBJECT PROPERTIES OF CITY SANITARY SEWER BEING 8305 N EL MIRAGE ROAD, WITHIN 90 DAYS OF CITY SANITARY SEWER BEING ESTABLISHED WITHIN ANY PERIMETER ROADWAY OF THE PROPERTY. THIS SHALL INCLUDE CONSTRUCTION AND INSTALLATION OF ALL SANITARY SEWER SERVICES AND ON-SITE SANITARY SEWER MAIN LINE, INCLUDING THE DEDICATION OF EASEMENTS AS REQUIRED BY PRIVATE CIVIL DESIGN OF THE LOOK TRAILWAYS OF AZ AND AS ACCEPTED BY THE CITY OF EL MIRAGE TO THE CITY SANITARY SEWER MAIN LINE. THE CITY SANITARY SEWER MAIN LINE SHALL BE DISCONTINUED AT THE TIME OF ABANDONMENT, THE SEPTIC TANK, CESSPOOL OR OTHER PRIVATE DISPOSAL SYSTEM SERVING THE PROPERTY, IN THE EVENT THE OWNER/DEVELOPER FAILS TO TIMELY AND COMPLETE THE CONNECTION TO THE CITY SANITARY SEWER SYSTEM, THE CITY SHALL HAVE THE RIGHT, UNTIL SUCH TIME AS THE PROPERTY IS CONNECTED TO THE CITY SANITARY SEWER SYSTEM, IN ITS SOLE DISCRETION, TO EITHER DISCONTINUE CITY WATER SERVICE TO THE PROPERTY OR TO EITHER PROPERTY A NON-REFUNDABLE MONTHLY FEE EQUAL TO ONE-TWELVE OF THE CITY ENGINEER'S ESTIMATE OF THE COST TO CONNECT THE PROPERTY TO THE CITY'S WATER SERVICE TO THE PROPERTY. THE SANITARY SEWER SERVICE CONNECTION SHALL ALSO ESTABLISH A BILLING ACCOUNT FOR SAID SERVICE THROUGH THE CITY OF EL MIRAGE CUSTOMER SERVICE DEPARTMENT.

## FLOOD PLAIN

ACCORDING TO FEMA FLOOD INSURANCE RATE MAP, MAP NUMBER 040103010A, DATED SEPTEMBER 30, 2005, THE SUBJECT PROPERTY IS LOCATED IN ZONE X, ZONE X IS DEFINED AS "AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD."

## REFERENCES

- 1. T. A. S. M. LAND TITLE SURVEY PREPARED BY SUPERIOR SURVEYING SERVICES, INC. G. BRYAN GUEZEMBERGER, RLS 31100, JOB NUMBER 9907332, DATED AUGUST 10, 1999 REVISED AUGUST 13, 1999.
- 2. BOUNDARY SURVEY PREPARED BY SOUTHWESTERN STATES SURVEYING, RANDY S. DELBRIDGE RLS 19214, JOB NUMBER 200884, DATED AUGUST 25, 2000
- 3. PLSS SUBDIVISION RECORD OF SURVEY RECORDED IN BOOK 688, PAGE 41, MARICOPA COUNTY RECORDS
- 4. RESULTS OF SURVEY RECORDED IN BOOK 930 PAGE 27, MARICOPA COUNTY RECORDS
- 5. FINAL PLAT NORTHEAST CORNER OF OLIVE AVENUE AND EL MIRAGE ROAD, RECORDED IN BOOK 987 PAGE 46, MARICOPA COUNTY RECORDS
- 6. WARRANTY DEED RECORDED IN 1996-0107373, MARICOPA COUNTY RECORDS
- 7. QUIT CLAIM DEED RECORDED IN 2004-0401516, MARICOPA COUNTY RECORDS
- 8. WARRANTY DEED RECORDED IN 2005-0934577, MARICOPA COUNTY RECORDS
- 9. QUITCLAIM DEED RECORDED IN 2007-1202987, MARICOPA COUNTY RECORDS
- 10. SPECIAL WARRANTY DEED RECORDED IN 2008-0435443, MARICOPA COUNTY RECORDS

## APPROVAL OF CITY ENGINEER

DATA ON THIS PLAT REVIEWED AND APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2010, BY THE CITY ENGINEER OF EL MIRAGE, ARIZONA.

BY: \_\_\_\_\_ CITY ENGINEER DATE: \_\_\_\_\_

## APPROVAL OF CITY COUNCIL

APPROVED BY THE COUNCIL OF THE CITY OF EL MIRAGE, ARIZONA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2010.

BY: \_\_\_\_\_ CITY CLERK

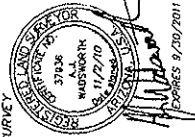
## PARENT PARCEL DESCRIPTION

THE WEST HALF OF THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 25; WESTE N 01° 00' DEGREES 47' MINUTES 59" SECONDS WEST, A DISTANCE OF 120.31 FEET; THENCE NORTH 80 DEGREES 55' MINUTES 22" SECONDS EAST, 53 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE NORTH 00 DEGREES 47' MINUTES 59" SECONDS WEST, A DISTANCE OF 220.31 FEET;  
THENCE NORTH 89 DEGREES 49' MINUTES 02" SECONDS EAST, A DISTANCE OF 987.15 FEET TO A POINT ON THE WEST LINE OF THE EAST 302 FEET OF SECTION 25, THE SOUTHWEST QUARTER OF SAID SECTION 25;  
THENCE SOUTH 00 DEGREES 47' MINUTES 59" SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 220.98 FEET;  
THENCE SOUTH 89 DEGREES 51' MINUTES 22" SECONDS WEST, A DISTANCE OF 987.24 FEET TO THE TRUE POINT OF BEGINNING.  
EXCEPT THAT PORTION, IF ANY, LYING WITHIN THE NORTH 288 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 25

## CERTIFICATION

A. J. WADSWORTH HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA AND THAT THE SURVEY SHOWN HEREON WAS COMPLETED UNDER MY DIRECT SUPERVISION DURING THE MONTH OF NOVEMBER 2010 AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE MONUMENTS SHOWN ACTUALLY EXIST.

A. J. WADSWORTH  
R.L.S. #57936



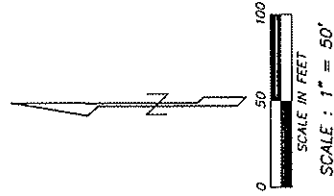
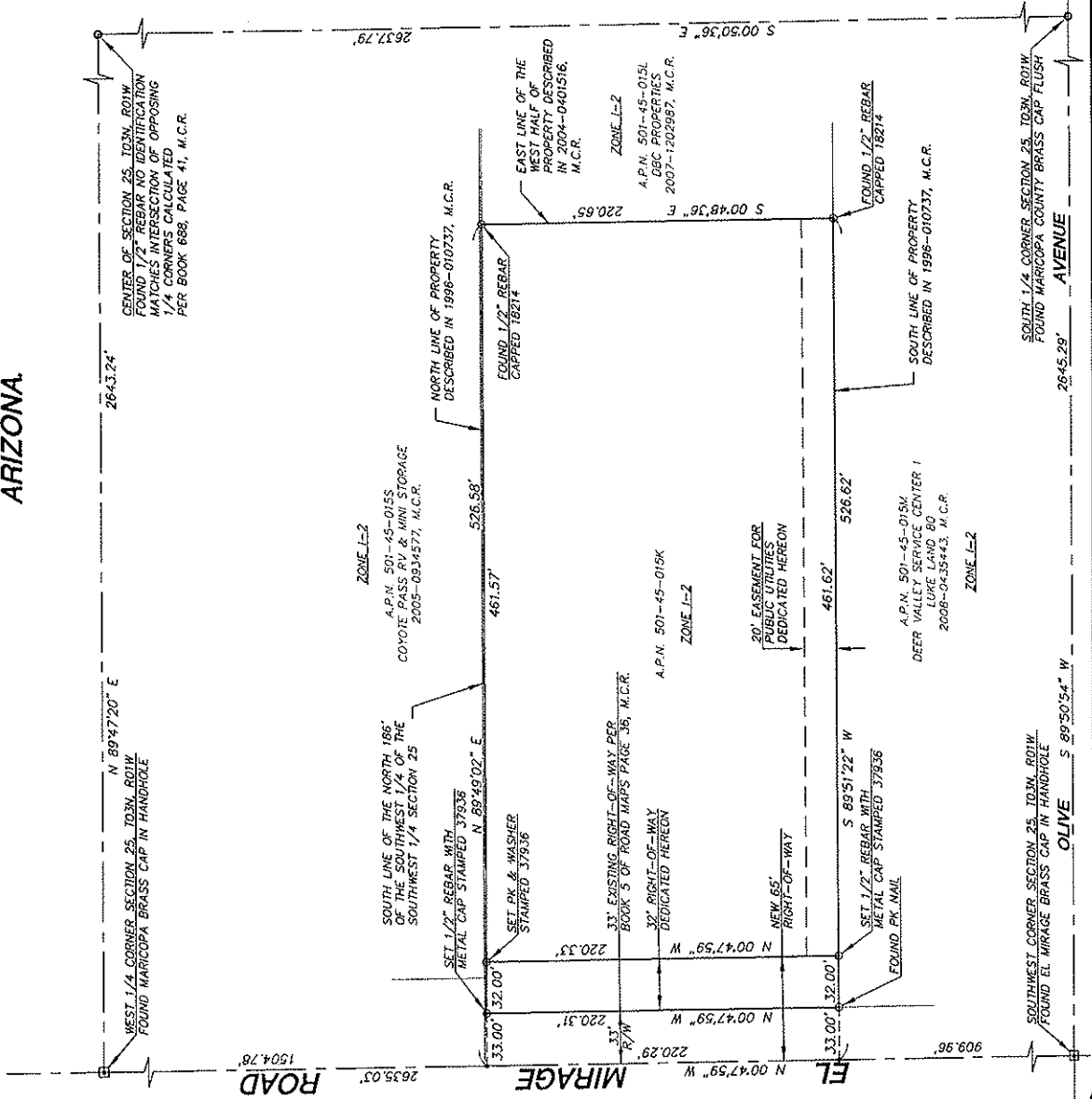
**Superior Surveying Services, Inc.**  
Professional Land Surveying  
21415 North 23rd Avenue, Phoenix, Arizona 85027  
Phone (623) 869-0223 Fax (623) 869-0726

MAP OF DEDICATION OF EL MIRAGE ROAD

OGDEN PROPERTIES - 9305 N EL MIRAGE ROAD, EL MIRAGE, AZ 85335
DATE: _____
CHK: AJW
DESCRIPTION
DRAWN BY: _____ SHEET 1 OF 2
DATE: 11/2/10
JOB NO.: 101020

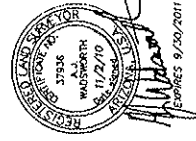
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### LEGEND

- BOUNDARY LINE
- - - CENTER LINE OF MONUMENT LINE
- o INDICATES BOUNDARY CORNER (FOUND OR SET AS NOTED)
- A.P.N. ASSESSORS PARCEL NUMBER
- M.C.R. MARICOPA COUNTY RECORDS



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DATE	DESCRIPTION	REVISED BY	DATE	JOB NO.