

When recorded Mail to:  
City of Goodyear  
City Clerk/LRB  
190 N. Litchfield Road  
P.O. Box 5100  
Goodyear, Arizona 85338

EXEMPT UNDER A.R.S. § 11-1134(A)(2)

### **PUBLIC UTILITY AND ACCESS EASEMENT**

GRANTOR:

**DARREL L. KUIPER AND DIANE J. KUIPER, AS CO-TRUSTEES OF THE KUIPER FAMILY TRUST UTA DATED SEPTEMBER 14, 1998**

GRANTEE:

**CITY OF GOODYEAR, ARIZONA, an Arizona Municipal Corporation**

For the consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **DARREL L. KUIPER AND DIANE J. KUIPER, AS CO-TRUSTEES OF THE KUIPER FAMILY TRUST UTA DATED SEPTEMBER 14, 1998**, ("Grantor") does hereby grant and convey to the **CITY OF GOODYEAR, ARIZONA, an Arizona Municipal Corporation**, ("GRANTEE"), its successors and assigns, a Public Utility and Access Easement. The Public Utility and Access Easement shall be a permanent easement on, over, under, across, above and through the real property described in Exhibit "A," attached hereto and incorporated herein, for all purposes, including, but not limited to entering upon, locating, constructing, maintaining, repairing, replacing, using and/or authorizing the location, construction, maintenance repair, replacement, and/or use of all utility facilities, including: water; gas; and sewer line; poles; wires; conduits; ducts; cables; telemetering and communications equipment; drainage facilities and appurtenances thereto; etc upon, together with the right of access to the easement and for the easement for these purposes.

The GRANTEE shall have all rights and privileges necessary or convenient for the full use and enjoyment of the easement, servitude and privileges herein granted for the purposes herein described.

GRANTEE shall be and remain responsible for the construction, operation, maintenance and repair of any facilities constructed by GRANTEE, and GRANTOR shall have no responsibility or liability in such construction, operation, maintenance or repair.

GRANTOR reserves for itself, its heirs, successors and assigns all such rights and privileges in the real property described in Exhibit "A" as may be used without interfering with or abridging the rights and easements herby acquired subject, however, to existing easements for public rights-of-way and public utilities.

GRANTOR, its heirs, successors and assigns, hereby waives and releases GRANTEE, its elected officials, officers, employees, agents, successors, and assigns from any and all liability for damage to GRANTOR'S property that results from GRANTEE'S exercise of its rights under this easement, PROVIDED GRANTEE shall, as soon as practicable restore all property of GRANTOR to a neat and presentable condition.

This Public Utility and Access Easement constitutes a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

Pursuant to A.R.S. § 33-404(A) the Grantor hereby discloses that it holds title as trustee under that certain trust dated September 14, 1998 ("Trust") and the names and addresses of the beneficiaries of the Trust are:

Calvin Kuiper  
13802 S. Airport Road  
Buckeye, AZ 85326

Bradley Kuiper  
13802 S. Airport Road  
Buckeye, AZ 85326

Micah Kuiper  
13866 4<sup>th</sup> Avenue  
Hanford, CA 93230

IN WITNESS WHEREOF, this instrument is executed this 21<sup>st</sup> day of March, 2014.

GRANTOR: DARREL L. KUIPER AND DIANE J. KUIPER, AS CO-TRUSTEES OF THE KUIPER FAMILY TRUST UTA DATED SEPTEMBER 14, 1998

*Darrel L. Kuiper*  
DARREL L. KUIPER, Co-Trustee

Date: 3/21/14

*Diane J. Kuiper*  
DIANE J. KUIPER, Co-Trustee

Date: 3/21/14

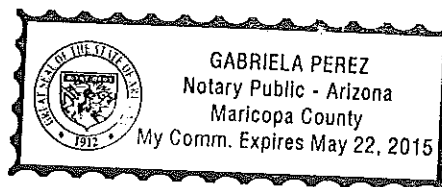
State of Arizona       )  
                                  )ss.  
County of Maricopa    )

On this 21<sup>st</sup> day of March, 2014, personally appeared before me DARREL L. KUIPER, AS CO-TRUSTEE, of the DARREL L. KUIPER AND DIANE J. KUIPER, AS CO-TRUSTEES OF THE KUIPER FAMILY TRUST UTA DATED SEPTEMBER 14, 1998.

My Commission Expires:

May 22, 2015

*Gabriela Perez*  
Notary Public



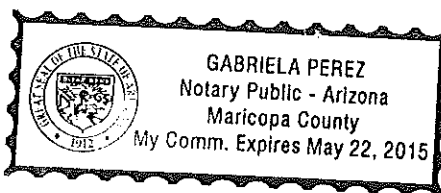
State of Arizona       )  
                                  )ss.  
County of Maricopa    )

On this 21<sup>st</sup> day of March, 2014, personally appeared before  
me DIANE J. KUIPER, AS CO-TRUSTEE, of the DARREL L. KUIPER AND DIANE J. KUIPER, AS  
CO-TRUSTEES OF THE KUIPER FAMILY TRUST UTA DATED SEPTEMBER 14, 1998.

My Commission Expires:

May 22, 2015

Gabriela Perez  
Notary Public



ACCEPTED by the CITY OF GOODYEAR, ARIZONA, the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

State of Arizona       )  
                                  )ss.  
County of Maricopa    )

On this day, personally appeared before me \_\_\_\_\_, as  
\_\_\_\_\_ of the CITY OF GOODYEAR, ARIZONA, an Arizona  
municipal corporation, on behalf of said corporation.

My Commission Expires:

\_\_\_\_\_  
Notary Public

\_\_\_\_\_

**EXHIBIT "A"**  
**Page 1 of 2**  
**LEGAL DESCRIPTION**

**10 FOOT PUBLIC UTILITY AND LANDSCAPE EASEMENT**

The South 10 feet of Lot 1, of St. Thomas Evangelical Lutheran Ministries, according to the plat of record in the office of the county recorder of Maricopa County, Arizona, recorded in Book 687 of Maps, Page 31, within the Southwest quarter of Section 6, Township 1 North, Range 1 West of the Gila and Salt River Base Meridian, Maricopa County, Arizona and being more particularly described as follows:

**COMMENCING** at the Southwest corner of said Section 6, from which the South quarter corner of Section 6, bears South 89 degrees 41 minutes 00 seconds East (Basis of Bearing), a distance of 2581.39 feet;

**THENCE** South 89 degrees 41 minutes 00 seconds East, along the South line of said Section 6, a distance of 853.23 feet;

**THENCE** North 00 degrees 12 minutes 27 seconds East, a distance of 65.00 feet, to a point on the North Right-of-Way line of West Van Buren Street and the Southeast corner of said Lot 1, as shown in said Book 687, Page 31, and also being the **POINT OF BEGINNING**;

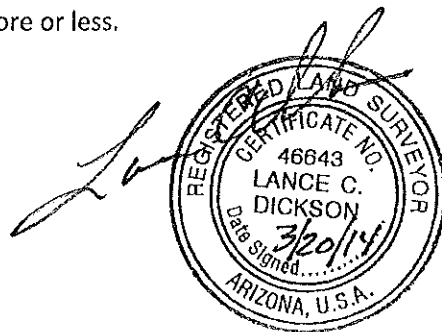
**THENCE** North 89 degrees 41 minutes 00 seconds West, along the South line of said Lot 1 and parallel with South line of Section 6, a distance of 768.60 feet;

**THENCE** North 44 degrees 52 minutes 08 seconds West along said South line of Lot 1, a distance of 14.19 feet;

**THENCE** South 89 degrees 41 minutes 00 seconds East, parallel with said South line, a distance of 778.65 feet to the East line of said Lot 1;

**THENCE** South 00 degrees 12 minutes 27 seconds West along said East line of Lot 1, a distance of 10.00 feet, to the **POINT OF BEGINNING**.

Said parcel containing 7,736 square feet or 0.18 acres more or less.



Expires 6/30/2016

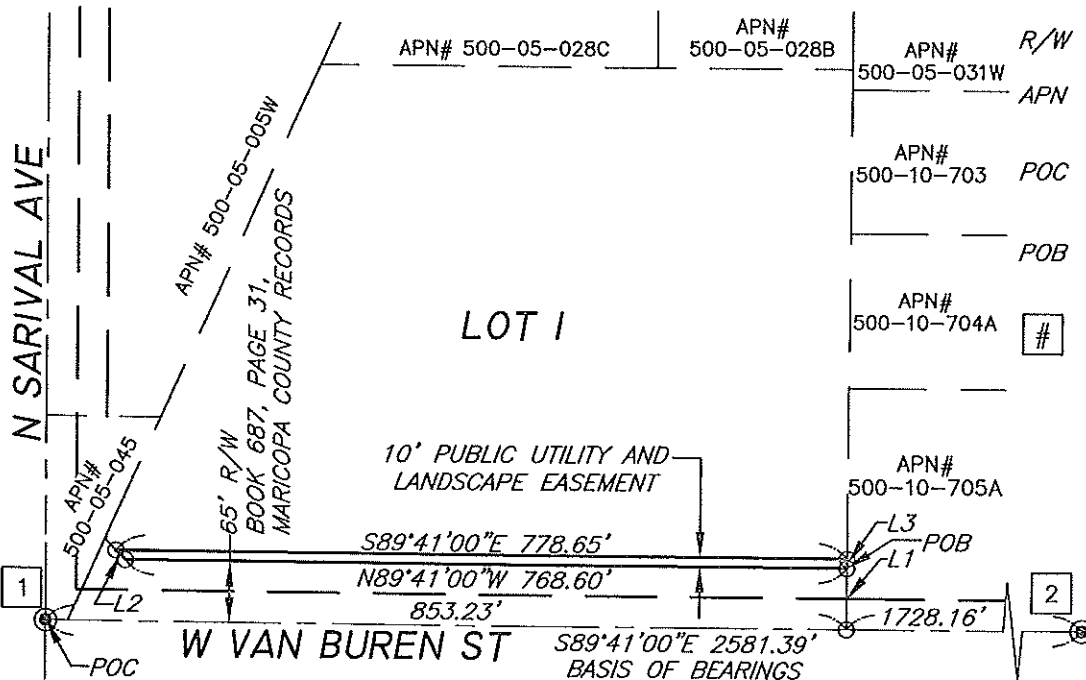
# MONUMENT NOTES:

# LEGEND:

LINE TABLE		
LINE	LENGTH	BEARING
L1	65.00	N00°12'27"E
L2	14.19	N44°52'08"W
L3	10.00	S00°12'27"W

- 1 BRASS CAP IN HANDHOLE SOUTHWEST CORNER OF SECTION 6, T1N, R1W
- 2 SOUTH QUARTER CORNER OF SECTION 6, T1N, R1W

- EASEMENT LINE
- - - MONUMENT LINE
- RIGHT-OF-WAY LINE
- ADJOINING PROPERTY
- RIGHT-OF-WAY
- APN ASSESSOR'S PARCEL NUMBER
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- # MONUMENT NOTE



NOT TO SCALE

**10' PUBLIC UTILITY AND LANDSCAPE EASEMENT**



**Arizona Surveying and Mapping**

P.O. BOX 35455  
2411 WEST NORTHERN, SUITE 110, PHOENIX, AZ 85069  
TEL (602) 246-9919 FAX (602) 246-9944 INFO@ASAMI.COM

JOB NO : P14-036

DATE : 03/14/14

PAGE: 1 OF 1



EXPIRES 06/30/2016