

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)

EXCLUSIVE WATER LINE EASEMENT

GRANTOR:

GRANTEE:

**CANTAMIA AT ESTRELLA  
COMMUNITY ASSOCIATION INC., an  
Arizona non-profit corporation**

**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, **CANTAMIA AT ESTRELLA COMMUNITY ASSOCIATION INC., an Arizona non-profit corporation**, ("Grantor") does hereby grant and convey to the **CITY OF GOODYEAR, ARIZONA, an Arizona Municipal Corporation**, its successors and assigns (collectively "GRANTEE") a perpetual Exclusive Water Line Easement. The Exclusive Water Line Easement shall be a permanent easement to construct, operate, maintain, inspect, modify, repair, remove, and/or replace underground water lines under and across the real property described in Exhibit "A," attached hereto and incorporated herein (the "Easement Area"), 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. GRANTOR reserves for itself, its successors and assigns the right to use the real property described in Exhibit "A" for purposes that are not inconsistent with the City's easement rights conveyed herein and that do not interfere with or endanger any of the City's improvements constructed within, on, across, over or under the real property described in Exhibit "A". GRANTOR, its successors and assigns shall not locate, erect, construct or permit to be located, erected or constructed, any building or other structure or drill any well within the real property described in Exhibit "A".

GRANTEE shall be and remain responsible for the construction, operation, maintenance, inspection, modification, repair, removal and/or replacement of any facilities constructed by GRANTEE, and GRANTOR shall have no responsibility for the construction, operation, maintenance, inspection, modification, repair, removal and/or replacement of any facilities constructed by GRANTEE.

GRANTEE shall indemnify, defend and hold GRANTOR harmless for, from and against any and all claims, lawsuits, losses, liability or expenses, including without limitation reasonable attorneys fees, arising out of the negligent exercise of the rights granted herein by GRANTEE, its invitees, licensees, agents, employees, and/or successors and assigns.

This Water Line Easement constitutes a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

IN WITNESS WHEREOF, this instrument is executed this 24<sup>th</sup> day of March, 2014.

GRANTOR:

**CANTAMIA AT ESTRELLA  
COMMUNITY ASSOCIATION INC., an  
Arizona non-profit corporation**

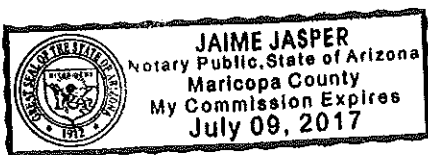
By: Dennis Palmer

Its: President

Date: 3/24/14

State of Arizona       )  
                                  )ss.  
County of Maricopa    )

On this 24 day of March, 2014, personally appeared before me  
Dennis Palmer, the President of CANTAMIA AT ESTRELLA  
COMMUNITY ASSOCIATION INC., an Arizona non-profit corporation.



Jaime Jasper  
Notary Public

ACCEPTED by the CITY OF GOODYEAR, ARIZONA, an Arizona Municipal Corporation,  
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.

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

## **EXHIBIT "A"**

### **Page 1 of 3**

#### **LEGAL DESCRIPTION WATER LINE EASEMENT**

A portion of land being situated within Tract C, as shown on the Final Plat of Province at Estrella Mountain Ranch Parcel 12, recorded in book 922, page 46 of Maricopa County Records, being located within the Southwest Quarter of Section 35, Township 1 South, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at the southwest corner (GLO brass cap) of said Section 35, from which point the west quarter corner (GLO brass cap) bears North 01°28'42" East, 2693.46 feet;

Thence along the west line of the Southwest Quarter of Section 35, North 01°28'42" East, 1138.76 feet;

Thence leaving said west line South 88°31'18" West, 286.39 feet to a point on the north right of way of West Province Parkway South, as shown on Final Plat for Province at Estrella Mountain Ranch Parcel 1, as recorded in book 904, page 10 of Maricopa County Records, the **POINT OF BEGINNING**;

Thence leaving said right of way North 01°43'54" East, 14.71 feet to a non-tangent curve, concave to the north, having a radius of 60.00 feet, the center of which bears North 29°57'26" East;

Thence easterly along said curve, through a central angle of 20°12'01", an arc length of 21.15 feet to a point of non-tangency;

Thence South 01°43'54" West, 5.59 feet to said north right of way, being a non-tangent curve, concave to the south, having a radius of 792.49 feet, the center of which bears South 04°53'39" East;

Thence westerly along said curve, through a central angle of 1°27'29", an arc length of 20.17 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 189.08 sq. ft. (0.004 acres) more or less and being subject to any easements, restrictions, and/or rights-of-way.

## EXHIBIT "A"

### Page 2 of 3

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

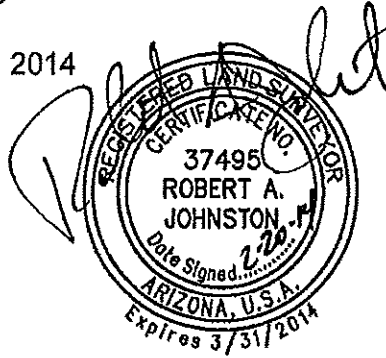
Prepared by: HilgartWilson

1661 E. Camelback Road, Suite 275

Phoenix, AZ 85016

Project No. 1018

Date: February 20, 2014



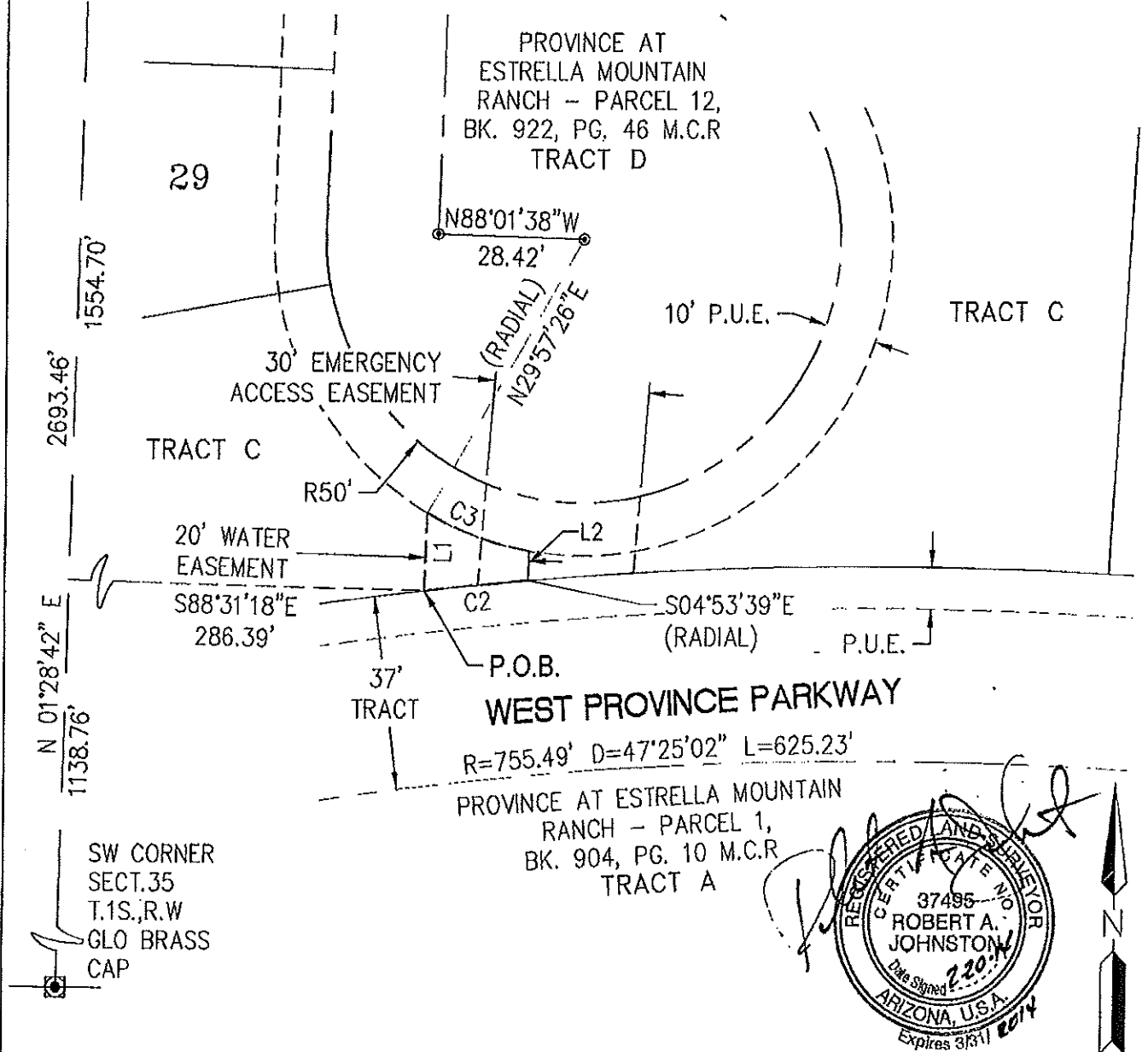
# EXHIBIT "A"

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W1/4  
SECT.35  
T.1S.,R.W  
GLO BRASS  
CAP

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C2	792.49'	1°27'29"	20.17'
C3	60.00'	20°12'01"	21.15'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N01°43'54"E	14.71'
L2	S01°43'54"W	5.59'



PROJ. #:	1018
DATE:	FEB 2014
SCALE:	1" = 30'
DRAWN BY:	NS
CHECKED BY:	NL

CANTAMIA
PARCEL 12
GOODYEAR, ARIZONA
WATERLINE EASEMENT EXHIBIT

**HILGARTWILSON**  
1661 E. CAMELBACK RD., STE. 275  
PHOENIX, AZ 85016  
P: 602.490.0535 / F: 602.325.0161