

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:

**WORD ENTERPRISES LLC, an Illinois
Limited Liability Company**

**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, **WORD ENTERPRISES LLC, an Illinois Limited Liability Company**, ("Grantor") does hereby grant and convey to the **CITY OF GOODYEAR, ARIZONA, an Arizona Municipal Corporation**, its successors, assigns, and permittees (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, assigns, and permittees 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 attorney's fees, arising out of the negligent exercise of the rights granted herein by

GRANTEE, its invitees, licensees, agents, employees, and/or successors, assigns, and permittees.

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 27th day of July, 2015.

GRANTOR:

**WORD ENTERPRISES LLC, an Illinois
Limited Liability Company**

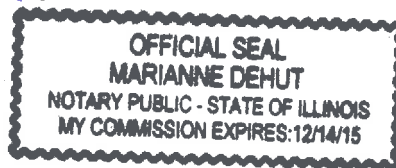
By: Sheldon L. Rosen

Its: MANAGER

State of Illinois)
)ss.
County of Cook)

On this 27th day of July, 2015, personally appeared before me Sheldon L. Rosen, _____ of WORD ENTERPRISES LLC, an Illinois Limited Liability Company, whose identity was proved to me on the basis of satisfactory evidence and who acknowledged that he signed this Exclusive Water Line Easement on behalf of WORD ENTERPRISES LLC, an Illinois Limited Liability Company.

Marianne Dehut
Notary Public



SIGNATURES CONTINUED ON FOLLOW PAGE

ACCEPTED by the CITY OF GOODYEAR, ARIZONA, an Arizona Municipal Corporation,
the _____ day of _____, 2015.

By: _____

Its: _____

State of Arizona)
)ss.
County of Maricopa)

On this _____ day of _____, 2015, personally appeared before me
_____, as _____ of the CITY OF
GOODYEAR, ARIZONA, an Arizona municipal corporation.

Notary Public

EXHIBITS OF FOLLOWING PAGES

**LEGAL DESCRIPTION
WATER METER VAULT EASEMENT**

THAT PORTION OF LOT 3, FINAL PLAT OF "BECK PROPERTY", ACCORDING TO BOOK 1183 OF MAPS, PAGE 48, RECORDS OF MARICOPA COUNTY, ARIZONA, AND LYING IN THE NORTH HALF OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A MARICOPA COUNTY BRASS CAP IN POT HOLE MARKING THE NORTH QUARTER CORNER OF SAID SECTION 9, FROM WHICH A BRASS CAP IN HAND HOLE MARKING THE NORTHEAST CORNER OF SAID SECTION 9 BEARS NORTH 90°00'00" EAST, 2628.26 FEET;

THENCE SOUTH 17°26'57" WEST, 1997.60 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3;

THENCE NORTH 00°01'48" WEST, 611.03 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF 143RD AVENUE;

THENCE SOUTH 89°58'12" EAST, 10.00 FEET TO THE EAST LINE OF AN EXISTING PUBLIC UTILITY AND LANDSCAPE EASEMENT AS SHOWN ON SAID PLAT, AND THE **POINT OF BEGINNING**;

THENCE NORTH 89°58'12" EAST, 7.00 FEET;

THENCE NORTH 00°01'48" WEST, 13.00 FEET;

THENCE SOUTH 89°58'12" WEST, 7.00 FEET TO SAID EAST LINE;

THENCE SOUTH 00°01'48" EAST, 13.00 FEET ALONG SAID EAST LINE TO THE **POINT OF BEGINNING**.

CONTAINING 91 SQUARE FEET OR 0.002 ACRES, MORE OR LESS.

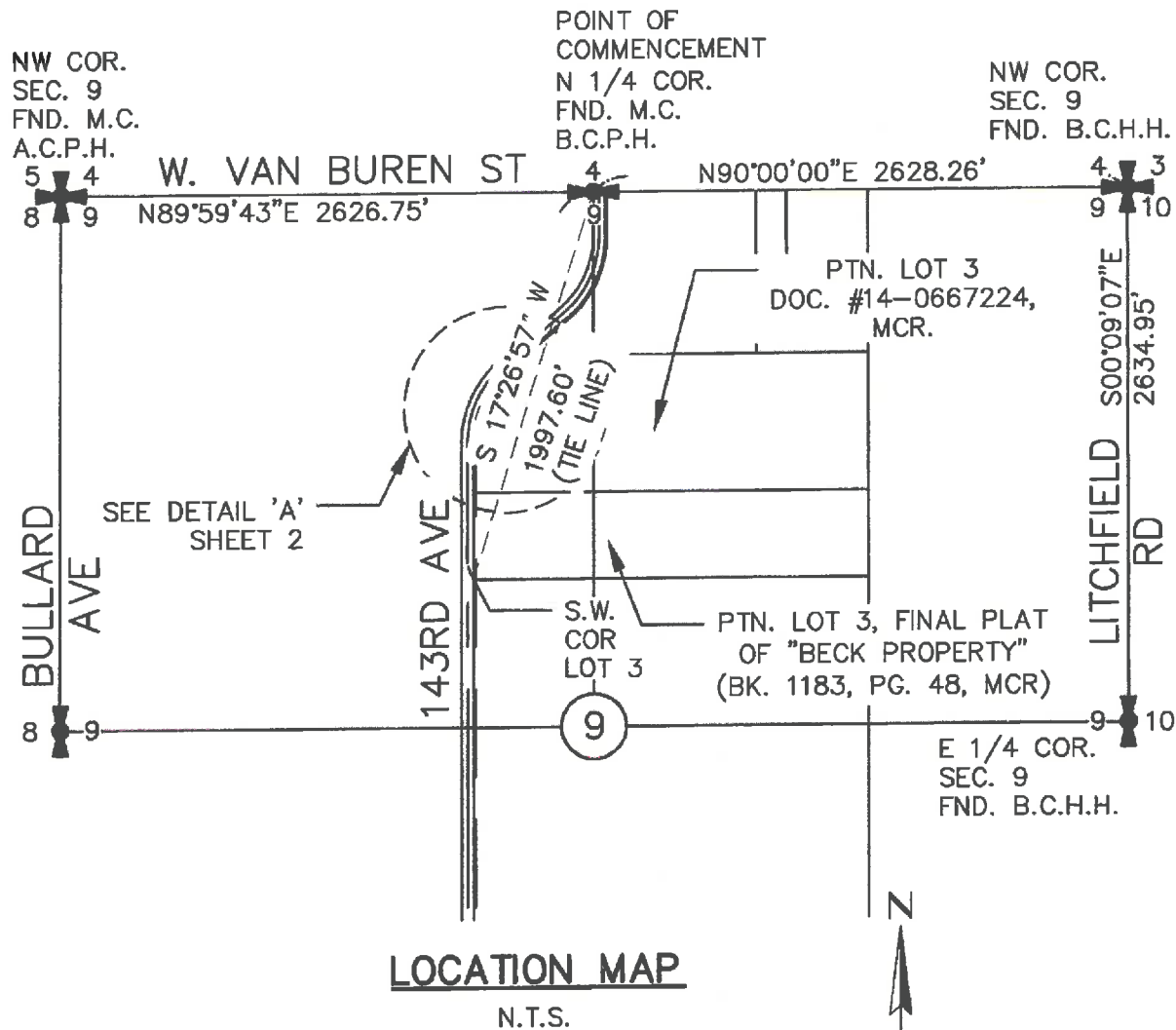


EXPIRES: 9/30/2017

PREPARED BY:
STRAND ASSOCIATES, INC.
4602 E. ELWOOD ST. STE. 16
PHOENIX, AZ 85040

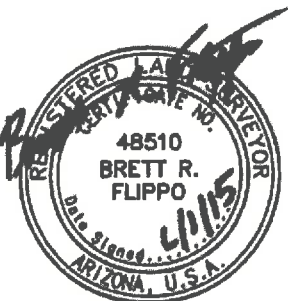
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NOTES:

1. BASIS OF BEARING: NORTH 90°00'00" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN ACCORDING TO THE FINAL PLAT OF "BECK PROPERTY", AS RECORDED IN BOOK 1183, PAGE 48, RECORDS OF MARICOPA COUNTY.
2. THIS EXHIBIT IS TO BE USED SOLELY AS A REFERENCE TO THE LEGAL DESCRIPTION(S) TO WHICH IT IS ATTACHED.



EXPIRES: 9/30/2017

EXHIBIT MAP
MICHAEL LEWIS DISTRIBUTION FACILITY
N 1/2 OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 1 WEST
MARICOPA COUNTY, ARIZONA



1 OF 2
3734.003

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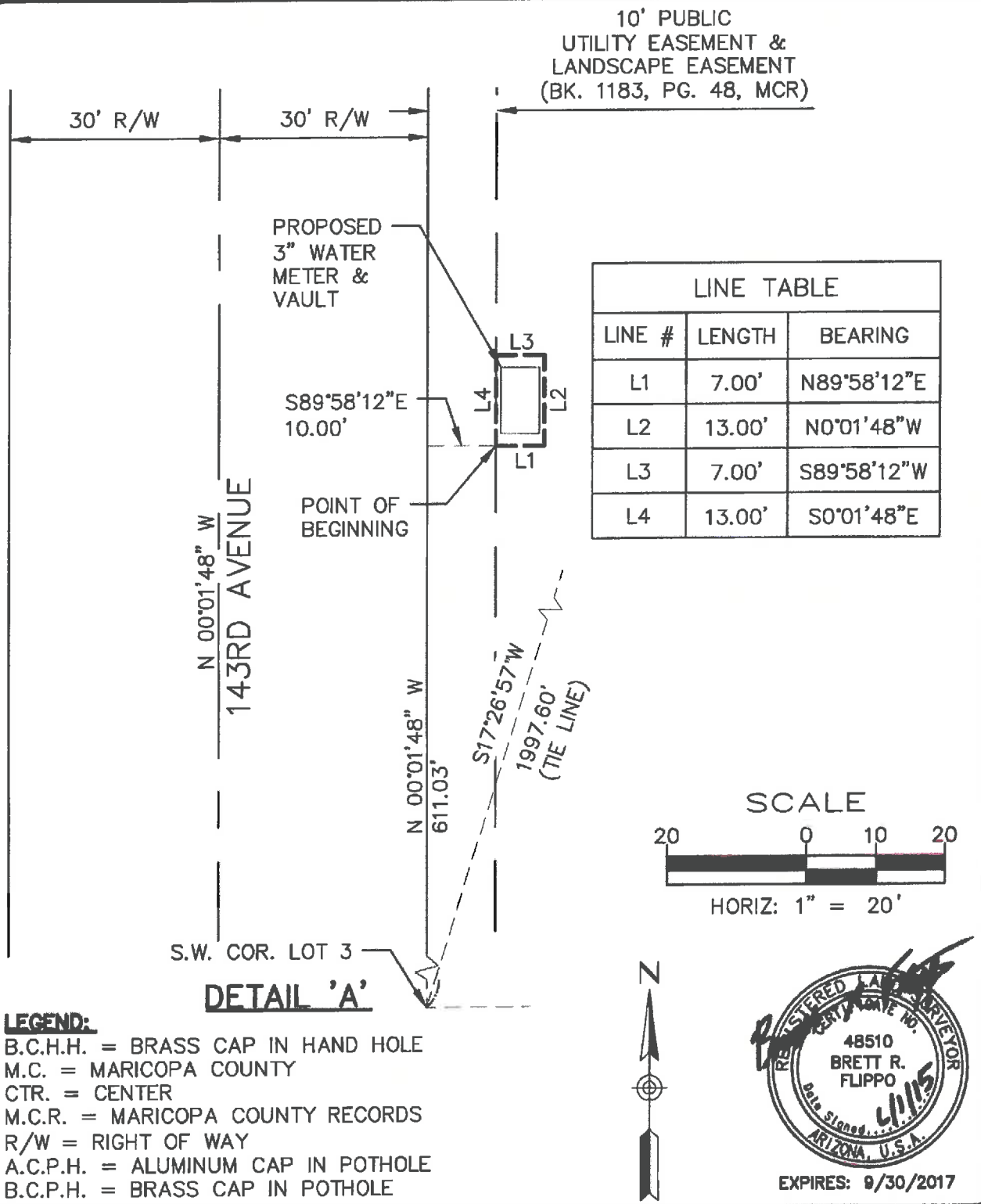


EXHIBIT MAP
MICHAEL LEWIS DISTRIBUTION FACILITY
N 1/2 OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 1 WEST
MARICOPA COUNTY, ARIZONA



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3734.003