

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)

RELEASE AND TERMINATION OF EASEMENT

THIS TERMINATION AND RELEASE of EASEMENT (the "Release") is executed this ____ day of _____, 2015 by the City of Goodyear, an Arizona municipal corporation (the "City").

RECITALS

- A. On or about October 31, 1991 AMCOR Investments Corporation, a California corporation, and predecessor in interest to SUN MP Investment Properties, LLC. ("Sun MP") granted to the City an Easement for the purpose of operating and maintaining an outfall sewer and treated effluent line, which was recorded in the official records of Maricopa County on December 19, 1991 as Instrument Number 91-0595146 ("Sewer Easement"), along with a Construction Easement for the purpose of constructing an outfall sewer and treated effluent line which was recorded in the official records of Maricopa County on December 19, 1991 as Instrument Number 91-0595145 ("Sewer Easement"), jointly referred to herein as ("Easements").
- B. Pursuant to A.R.S. § 9-402, the City Council of the City of Goodyear is vested with the power to dispose of easements owned by the City that are no longer needed.
- C. The City has determined the Easements are no longer needed.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City hereby terminates and releases the easement rights in the Sewer Easement legally described in the attached Exhibit A-1, depicted in the attached Exhibit A-2 and granted to the City in that document recorded in the official records of Maricopa County on December 19, 1991 as Instrument Number 91-0595146; and the Construction Easement legally described in the attached Exhibit B-1, depicted in the attached Exhibit B-2 and granted to the City in that document recorded in the official records of Maricopa County on December 19, 1991 as Instrument Number 91-0595145 (collectively the "Property").

This Release is not intended to, nor does it, release any interest that the City may have in any portion of the Property arising by virtue of any other instrument recorded with the Maricopa County Recorder, including without limitation, any deed or easement other than the aforementioned Easements.

Dated this ____ day of _____ 2015.

CITY OF GOODYEAR, ARIZONA

By: _____

Its: _____

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

Attest:

Maureen Scott, City Clerk

Approved as to Form:

Roric Massey, City Attorney

EXHIBIT "A-1"
SEWER EASEMENT
LEGAL DESCRIPTION

A portion of Section 17, T1N, R1W of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the north quarter corner of said Section 17;

Thence S 88° 37' 16" E along the north line of Section 17, a distance of 800.42 feet;

Thence S 00° 28' 57" E along a line parallel with and 800.00 feet east of the north-south mid section line of said Section 17, a distance of 33.02 feet to a point on the south right of way line of Yuma Road, said point being the POINT OF BEGINNING;

Thence continuing S 00° 28' 57" E along a line parallel with the north-south mid section line of said Section 17, a distance of 1808.09 feet to a point on the westerly line of a non-recorded roadway right of way (Lower Buckeye Pkwy.);

Thence S 38° 50' 05" W along said non-recorded roadway right of way, a distance of 1025.88 feet;

Thence S 00° 28' 57" E along a line parallel with and 150 feet east of the north-south mid section line of said Section 17, a distance of 189.39 feet;

Thence S 38° 50' 05" W along a line parallel with and 10.00 feet southeasterly of said non-recorded roadway right of way line, a distance of 236.74 feet to the north-south mid section line of Section 17;

Thence 00° 28' 57" W along the north-south mid section line of said Section 17, a distance of 21.51 feet to a point on the southeasterly line of said non-recorded roadway right of way, said point being on a non-tangent curve having a radius of 1055.00 feet, concave to the northwest, whose center bears N 46° 29' 43" W;

Thence northeasterly along said curve and along the southern line of said non-recorded roadway right of way, through a central angle of 4° 45' 11", an arc distance of 87.52 feet to a point of tangency;

Thence continuing N 38° 50' 05" E along the southerly line of said non-recorded roadway, right of way, a distance of 65.98 feet;

Thence N 00° 28' 57" W, parallel with and 100.00 feet east of the north south mid section line of said Section 17 a distance of 189.39 feet;

Thence N 38° 50' 05" E along a line parallel with and 10.00 feet northwesterly of said non-recorded roadway right of way, a distance of 1025.86 feet;

Thence N 00° 28' 57" W along a line parallel with and 750.00 feet west of the north-south mid section line of said Section 17, a distance of 1854.98 feet to a point on the south right of way line of Yuma Road;

Thence S 88° 37' 16" E along the south right of way line of Yuma Road, a distance of 50.03 feet to the POINT OF BEGINNING;

Said parcel containing 2.6031 acres.

T1N
R1W 09

T1N
R1W 08

WAYUMAR RD



T1N
R1W 16

S BULLARD AVE


T1N
R1W 17

W LOWER BUCKEYE PKWY

Exhibit A-2

Sewer Easement

N



0 0.05 0.1 0.15

Miles




EXHIBIT "B-1"
SEWER CONSTRUCTION EASEMENT
LEGAL DESCRIPTION

Portions of Section 17, T1N, R1W, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

PARCEL I

Commencing at the north quarter corner of said Section 17;

Thence S 88° 37' 18" E along the north line of said Section 17, a distance of 850.45 feet;

Thence S 00° 28' 57" E along a line parallel with and 850.00 feet east of the north-south mid section line of said Section 17, a distance of 33.02 feet to a point on the south right of way line of Yuma Road, said point being the POINT OF BEGINNING;

Thence continuing S 00° 28' 57" E along a line parallel with the north-south mid section line of said Section 17, a distance of 1745.41 feet to a point on the westerly line of a non recorded roadway right of way (Lower Buckeye Pkwy.);

Thence S 38° 50' 05" W along a non-recorded roadway right of way, a distance of 78.91 feet;

Thence N 00° 28' 57" W along a line parallel with and 800.00 feet east of the north-south mid section line of said Section 17, a distance of 1808.09 feet to a point on the south right of way line of Yuma Road;

Thence S 88° 37' 16" E along the south right of way line of Yuma Road, a distance of 50.03 feet to the POINT OF BEGINNING;

Said Parcel I containing 2.0394 acres;

AND;

PARCEL II

Commencing at the north quarter corner of said Section 17;

Thence S 88° 37' 16" E along the north line of said Section 17, a distance of 750.40 feet;

Thence S 00° 28' 57" E along a line parallel with and 750.00 feet east of the north-south mid section line of said Section 17, a distance of 1888.00 feet to a point 10.00 feet northwesterly of the westerly line of a non-recorded roadway right of way (Lower Buckeye Pkwy), said point being the POINT OF BEGINNING;

Thence S 38° 50' 05" W along a line parallel with and 10.00 feet northwesterly of said non-recorded roadway right of way, a distance of 1002.19 feet;

Thence N 00° 28' 57" W along a line parallel and 115.00 feet east of the north-south mid section line of said Section 17, a distance of 78.91 feet to a point 60.00 feet northwesterly of said non-recorded roadway right of way;

Thence S. 38° 50' 05" E along a line parallel with and 60.00 feet northwesterly of said non-recorded roadway right of way, a distance of 1002.19 feet;

Thence S 00° 28' 57" E along a line parallel with and 750.00 feet east of the north-south mid section line of said Section 17, a distance of 78.91 feet to the POINT OF BEGINNING;

Said Parcel II containing 1.1504 acres;

AND;

PARCEL III

Commencing at the north quarter corner of said Section 17;

Thence S 88° 37' 16" E along the north line of said Section 17, a distance of 800.42 feet;

Thence S 00° 28' 57" E along a line parallel with and 800.00 feet east of the north-south mid section line of said Section 17, a distance of 1841.10 feet to a point on the westerly line of a non-recorded roadway right of way (Lower Buckeye Pkwy.);

Thence S 38° 50' 05" W along said non-recorded roadway right of way, a distance of 946.95 feet to the POINT OF BEGINNING;

Thence S 00° 28' 57" E along a line parallel with and 200.00 feet east of the north-south mid section line of said Section 17, a distance of 268.30 feet;

Thence S 38° 50' 05" W along a line parallel with and 60.00 feet southeasterly of the south line of said non-recorded roadway right of way, a distance of 315.65 feet;

Thence N 00° 28' 57" W, along the north-south mid section line of said Section 17, a distance of 78.91 feet to the south line of said Section 17, a distance of 78.91 feet to the south line of said non-recorded roadway right of way;

Thence N 38° 50' 05" E along a line parallel with and 10.00 feet southeasterly of the south line of said non-recorded roadway right of way, a distance of 236.74 Feet;

Thence N 00° 28' 57" W along a line parallel with and 150.00 feet east of the north-south mid section line of said Section 17, a distance of 189.39 feet to a point on the westerly line of said non-recorded roadway right of way;

Thence N 38° 50' 05" E along said non-recorded roadway right of way, a distance of 78.91 feet to the POINT OF BEGINNING.

Said Parcel III containing 0.5797 acres.

T1N
R1W 09

T1N
R1W 08

WAYUMARD



T1N
R1W 16

S-BULLARD AVE

T1N
R1W 17

W-LOWER BUCKEYE PKWY

Exhibit B-2

Sewer
Construction
Easement

