

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:

GRANTEE:

**RG-IPA GOODYEAR, LLC, a Delaware
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, **RG-IPA GOODYEAR, LLC, a Delaware 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 Public Utility and Access Easement. The Public Utility and Access Easement shall be a permanent easement upon, over, under, across, above and through the real property described in Exhibit "A," attached hereto and incorporated herein (the "Easement Area"), for all purposes, including, but not limited to entering upon, locating, constructing, maintaining, operation, repairing, replacing, and/or repairing all utility facilities, included but not limited to: water sewer, and gas lines; 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 Area 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.

This Public Utility and Access Easement constitutes a covenant running with the land for the benefit of the Grantee.

Grantor and its respective successors and assigns shall have no responsibility or liability for the construction, operation, maintenance, or repair of any facilities constructed pursuant to the rights granted by this Public Utility and Access Easement unless installed by them. Grantor and its respective successors and assigns, hereby waives and releases Grantee from any and all liability for damage to the Property that results from the exercise of the rights granted under this easement provided Grantee shall, as soon as practicable restore the Property to a neat and presentable condition.

Grantor reserves for itself, its successors and assigns all such rights and privileges in the Easement Area as may be used without interfering with or abridging the rights and easements hereby acquired.

IN WITNESS WHEREOF, this instrument is executed this 2 day of March, 2017.

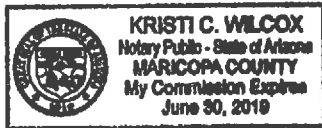
GRANTOR:

By: [Signature]

Its: MANAGER MEMBER Date: 3-2-17

State of Arizona)
)ss.
County of Maricopa)

The foregoing instrument (Public Utility and Access Easement) was acknowledged before me this 2 day of March, 2017 by William J. Feltis, as MEMBER of RG-IPA GOODYEAR, LLC, a Delaware limited liability company.



[Signature]
Notary Public

ACCEPTED by the CITY OF GOODYEAR, ARIZONA, an Arizona Municipal Corporation, the _____ day of _____, 2017.

By: _____

Its: _____ Date: _____

State of Arizona)
)ss.
County of Maricopa)

The foregoing instrument (Public Utility and Access Easement) was acknowledged before me this _____ day of _____, 2017 by _____, as _____ of the CITY OF GOODYEAR, ARIZONA, an Arizona municipal corporation, on behalf of said corporation.

Notary Public

Exhibits on Following Pages

EXHIBIT "A"
LEGAL DESCRIPTION
LIV GOODYEAR
10 FT PUBLIC UTILITY EASEMENT

A 10.00 wide foot strip of land being situated within the Northwest Quarter of Section 32, Township 2 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a brass cap in hand hole accepted as the Northwest corner of Section 32 from which a brass cap in hand hole accepted as the West Quarter corner of said Section 32 thereof bears South 00°20'34" West, 2641.41 feet (Basis of Bearing);

Thence South 00°20'34" West, 1295.00 feet along the west line of said Section 32 to a point on the monument line of Virginia Avenue as shown on the Map of Dedication for West Virginia Avenue and West Cambridge Avenue as recorded in Book 648, Page 13, in the office of the Maricopa County Recorder.

THENCE THE FOLLOWING 2 COURSES ALONG SAID MONUMENT LINE;

Thence leaving said west line South 89°39'26" East, 288.12 to the beginning of a tangent curve, concave southerly, having a radius of 2000.00 feet;

Thence easterly along said curve, through a central angle of 4°59'00" an arc length of 173.95 feet;

Thence leaving said monument line, South 06°04'02" West, 55.00 feet to a non-tangent curve, concave southerly, having a radius of 1945.00 feet, the center of which bears South 05°18'19" West, being on the south Right-Of-Way line of said Virginia Avenue and the **POINT OF BEGINNING**.

THENCE THE FOLLOWING 5 COURSES ALONG SAID SOUTH RIGHT-OF-WAY LINE;

Thence easterly along said curve, through a central angle of 00°45'43", an arc length of 25.87 feet to a tangent line;

Thence South 83°55'58" East, 100.00 feet to the beginning of a tangent curve concave northerly, having a radius of 2055.00 feet;

Thence easterly along said curve, through a central angle of 05°43'28", an arc length of 205.32 feet to a tangent line;

Thence South 89°39'26" East, 613.16 feet to the beginning of a tangent curve concave southerly, having a radius of 2545.00 feet;

Thence easterly along said curve, through a central angle of 07°58'10", an arc length of 353.99 feet to a non-tangent line;

Thence South 13°30'28" West, 10.04 feet to a point on a line 10.00 feet south of and parallel to the south Right-Of-Way line of said Virginia Avenue to a non-tangent curve, concave southerly, having a radius of 2535.00 feet, the center of which bears South 08°17'30" West;

THENCE THE FOLLOWING 5 COURSES ALONG SAID PARALLEL LINE;

Thence westerly along said curve, through a central angle of 07°56'56", an arc length of 351.69 feet to a tangent line;

Thence North 89°39'26" West, 613.16 feet to the beginning of a tangent curve concave northerly, having a radius of 2065.00 feet;

Thence westerly along said curve, through a central angle of 05°43'28", an arc length of 206.32 feet to a tangent line;

Thence North 83°55'58" West, 100.00 feet to the beginning of a tangent curve concave southerly, having a radius of 1935.00 feet;

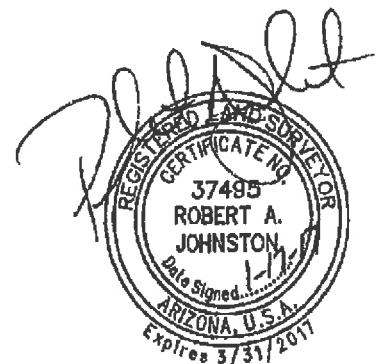
Thence westerly along said curve, through a central angle of 00°46'12", an arc length of 26.00 feet to a tangent line;

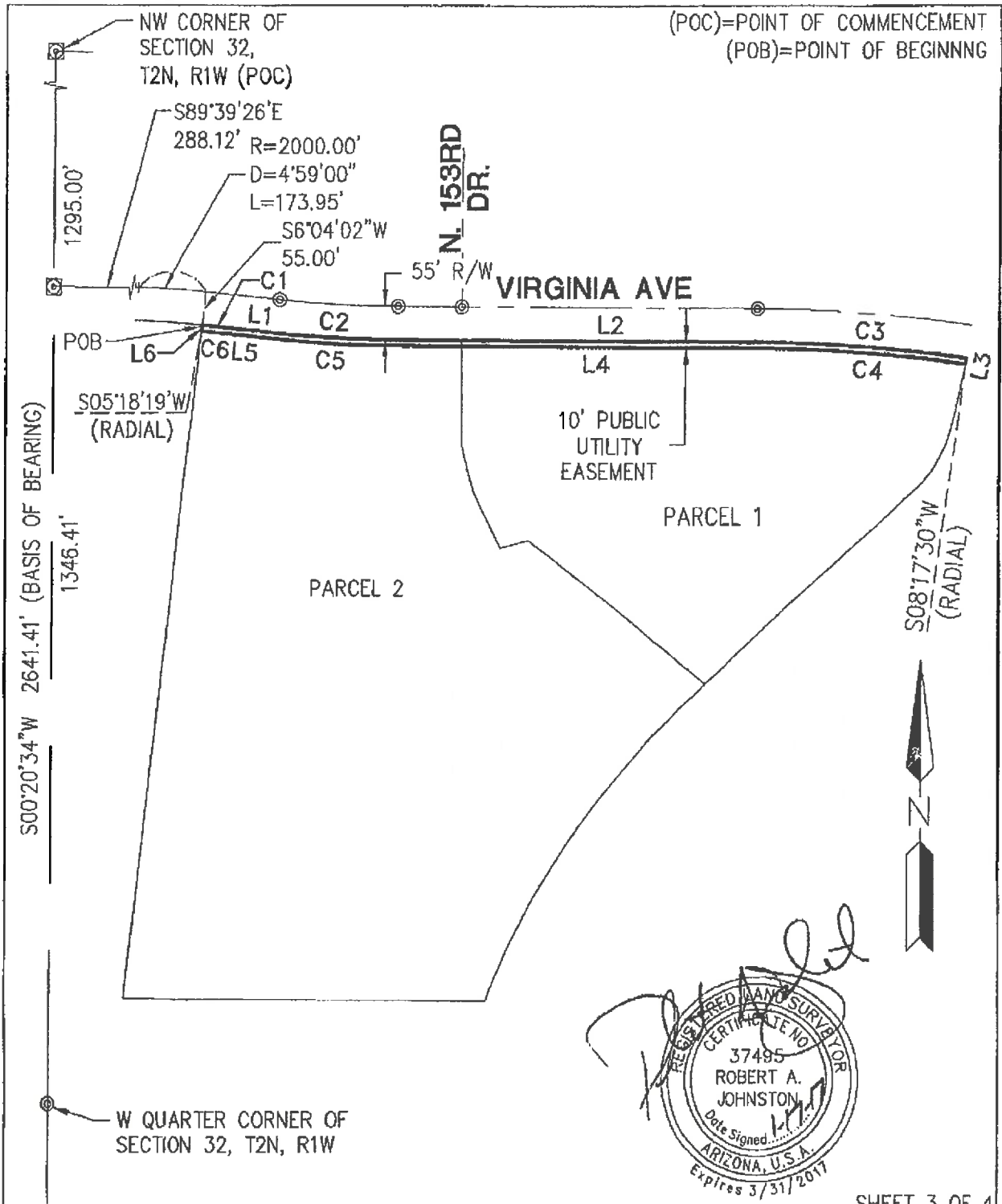
Thence North 06°50'32" East, 10.00 feet to the **POINT OF BEGINNING**.


Said portion of land containing 12,978 s.f., or 0.298 acres, more or less and being subject to any easements, restrictions, and/or rights-of-way.

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

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No.: 1700
Date: January 2017






PROJ.NO.: 1700	LIV GOODYEAR	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: JAN 2017	10 FT PUBLIC UTILITY EASEMENT	
SCALE: NTS	GOODYEAR, ARIZONA	
DRAWN BY: SWR	EXHIBIT "B"	
CHECKED BY: RAJ		

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S83°55'58"E	100.00'
L2	S89°39'26"E	613.16'
L3	S13°30'28"W	10.04'
L4	N89°39'26"W	613.16'
L5	N83°55'58"W	100.00'
L6	N06°50'32"E	10.00'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	1945.00'	0°45'43"	25.87'
C2	2055.00'	5°43'28"	205.32'
C3	2545.00'	7°58'10"	353.99'
C4	2535.00'	7°56'56"	351.69'
C5	2065.00'	5°43'28"	206.32'
C6	1935.00'	0°46'12"	26.00'



SHEET 4 OF 4

PROJ. NO.: 1700	LIV GOODYEAR 10 FT PUBLIC UTILITY EASEMENT GOODYEAR, ARIZONA	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
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