

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)(3)

PUBLIC UTILITY AND ACCESS EASEMENT

GRANTOR:

RP PV VI LLC, a Delaware limited liability company

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, **RP PV VI 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 ____ day of _____, 2017.

Signatures, Acknowledgements and Exhibits on Following Pages

GRANTOR:
RP PV VI LLC, a Delaware limited liability company

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 RP PV VI LLC, a Delaware limited liability company.

Notary Public

GRANTEE:

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

By:_____

Its:_____

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

Exhibit(s) on Following Page(s)

EXHIBIT "A"

LEGAL DESCRIPTION

EXHIBIT "A"
LEGAL DESCRIPTION
10' PUBLIC UTILITY EASEMENT

All that certain lot, tract, or parcel of land, situated in a portion of the North Half of Section 26, Township 2 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more completely described as follows, to-wit:

COMMENCING at a found aluminum cap stamped "LS 21080" for the North Quarter corner of said Section 26, from which a found City of Goodyear brass cap flush for the Northeast corner of said Section 26 bears South 89 deg. 59 min. 49 sec. East (Basis of Bearings) - 2639.88 feet, and from which a found City of Goodyear brass cap for the Northwest corner of said Section 26 bears North 89 deg. 59 min. 41 sec. West - 2639.84 feet;

THENCE North 89 deg. 59 min. 41 sec. West along the North line of the Northwest Quarter of said Section 26, a distance of 43.91 feet;

THENCE South 00 deg. 00 min. 19 sec. West departing said North line, a distance of 65.00 feet to the **TRUE POINT OF BEGINNING**;

THENCE South 89 deg. 59 min. 41 sec. East being 65.00 feet South of and parallel with the North line of the Northwest Quarter of said Section 26, a distance of 43.60 feet;

THENCE South 89 deg. 59 min. 49 sec. East being 65.00 feet South of and parallel with the North line of the Northeast Quarter of said Section 26, a distance of 32.91 feet;

THENCE South 81 deg. 03 min. 58 sec. East, a distance of 25.77 feet;

THENCE South 89 deg. 59 min. 49 sec. East being 69.00 feet South of and parallel with the North line of the Northeast Quarter of said Section 26, a distance of 40.62 feet;

THENCE South 00 deg. 00 min. 11 sec. West, a distance of 6.00 feet;

THENCE South 89 deg. 59 min. 49 sec. East, a distance of 26.89 feet;

THENCE North 74 deg. 37 min. 37 sec. East, a distance of 8.41 feet;

THENCE North 00 deg. 00 min. 11 sec. East, a distance of 6.22 feet;

THENCE North 74 deg. 37 min. 37 sec. East, a distance of 5.83 feet;

THENCE South 89 deg. 59 min. 49 sec. East being 65.00 feet South of and parallel with the North line of the Northeast Quarter of said Section 26, a distance of 1406.25 feet;

THENCE South 00 deg. 17 min. 08 sec. West, a distance of 10.00 feet;

THENCE North 89 deg. 59 min. 49 sec. West being 75.00 feet South of and parallel with the North line of the Northeast Quarter of said Section 26, a distance of 1401.82 feet;

THENCE South 00 deg. 00 min. 11 sec. West, a distance of 5.39 feet;

THENCE South 74 deg. 37 min. 37 sec. West, a distance of 17.38 feet;

THENCE North 89 deg. 59 min. 49 sec. West being 85.00 feet South of and parallel with the North line of the Northeast Quarter of said Section 26, a distance of 38.24 feet;

THENCE North 00 deg. 00 min. 11 sec. East, a distance of 6.00 feet;

THENCE North 89 deg. 59 min. 49 sec. West being 79.00 feet South of and parallel with the North line of the Northeast Quarter of said Section 26, a distance of 31.41 feet;

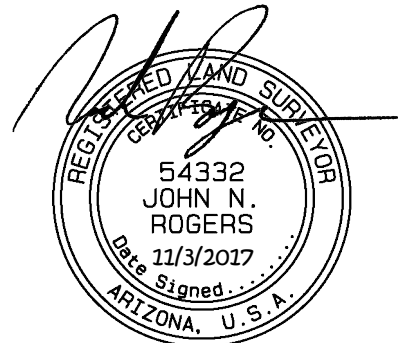
THENCE North 81 deg. 03 min. 58 sec. West, a distance of 25.77 feet;

THENCE North 89 deg. 59 min. 49 sec. West being 75.00 feet South of and parallel with the North line of the Northeast Quarter of said Section 26, a distance of 32.17 feet;

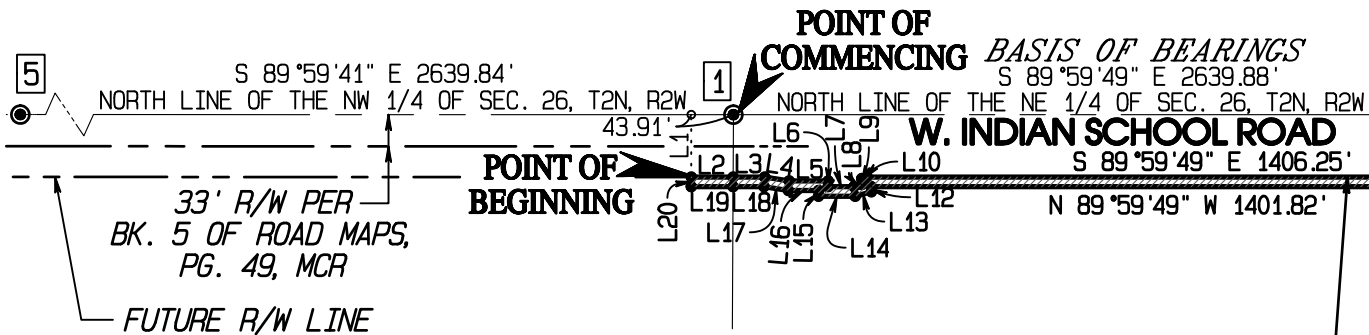
THENCE North 89 deg. 59 min. 41 sec. West being 75.00 feet South of and parallel with the North line of the Northwest Quarter of said Section 26, a distance of 43.55 feet;

THENCE North 00 deg. 00 min. 19 sec. East, a distance of 10.00 feet to the **POINT OF BEGINNING**, containing 16,024 square feet or 0.368 acres of land, more or less.

Exhibit attached and made a part hereof.



EXPIRES 3/31/2019



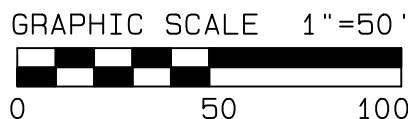
RP PV VI, LLC
2010-0605237, MCR

LINE TABLE

LINE	BEARING	DISTANCE
L1	S00°00'19"W	65.00'
L2	S89°59'41"E	43.60'
L3	S89°59'49"E	32.91'
L4	S81°03'58"E	25.77'
L5	S89°59'49"E	40.62'
L6	S00°00'11"W	6.00'
L7	S89°59'49"E	26.89'
L8	N74°37'37"E	8.41'
L9	N00°00'11"E	6.22'
L10	N74°37'37"E	5.83'
L11	S00°17'08"W	10.00'
L12	S00°00'11"W	5.39'
L13	S74°37'37"W	17.38'
L14	N89°59'49"W	38.24'
L15	N00°00'11"E	6.00'
L16	N89°59'49"W	31.41'
L17	N81°03'58"W	25.77'
L18	N89°59'49"W	32.17'
L19	N89°59'41"W	43.55'
L20	N00°00'19"E	10.00'

MTD-SECTION LINE OF SEC. 26, T2N, R2W

MATCH SHEET 4



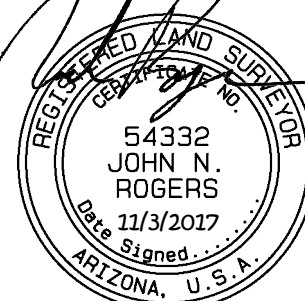
PAGE 3 OF 4

EXHIBIT "A"
10' PUBLIC UTILITY EASEMENT
PORTION OF THE NORTH HALF OF SECTION 26, T2N, R2W
OF THE G.&S.R.B.&M., MARICOPA COUNTY, ARIZONA

GOODWIN AND
MARSHALL INC.

CIVIL ENGINEERS ~ PLANNERS ~ SURVEYORS
2705 S. ALMA SCHOOL RD. #2, CHANDLER, AZ 85286
(602) 218-7285

Scale : 1"=50'
Date : 11/2/2017
Job No. : 10590A
Drafted : B.A.J.
Checked : J.N.R.



EXPIRES 3/31/2019

W:\10590A - PV303 West\COGO\PV303 WEST IINMOD RP PV VINMOD RP PV VI.pro

BASIS OF BEARINGS

S 89°59'49" E 2639.88'

NORTH LINE OF THE NE 1/4 OF SEC. 26, T2N, R2W

W. INDIAN SCHOOL ROAD

S 89°59'49" E 1406.25'

N 89°59'49" W 1401.82'

2

L11

FUTURE R/W LINE

EPCOR WATER ARIZONA, INC.
(F.K.A.) ARIZONA-AMERICAN
WATER COMPANY
2004-0561498, MCR

CITY OF GOODYEAR
2003-0588322, MCR

10' PUBLIC UTILITY EASEMENT
16,024 SQ. FT. / 0.368 AC.

MATCH SHEET 3

MONUMENT NOTES

- 1 FOUND ALUMINUM CAP LS 21080
NORTH QUARTER CORNER SECTION 26,
T2N, R2W, ALONG INDIAN SCHOOL ROAD
- 2 FOUND CITY OF GOODYEAR BRASS CAP
FLUSH NORTHEAST CORNER OF SECTION
26, T2N R2W, AT THE INTERSECTION OF
INDIAN SCHOOL ROAD AND COTTON LANE
- 5 FOUND CITY OF GOODYEAR BRASS CAP IN
HANDHOLE THE NORTHWEST CORNER OF
SECTION 26, T2N, R2W, AT THE
INTERSECTION OF INDIAN SCHOOL ROAD
AND CITRUS ROAD

GRAPHIC SCALE 1"=50'



PAGE 4 OF 4

EXHIBIT "A"

**10' PUBLIC UTILITY EASEMENT
PORTION OF THE NORTH HALF OF SECTION 26, T2N, R2W
OF THE G.&S.R.B.&M., MARICOPA COUNTY, ARIZONA**

**GOODWIN AND
MARSHALL INC.**

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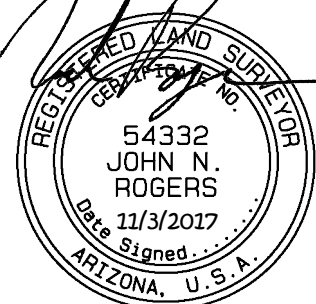
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W:\10590A - PV303 West\COGO\PV303 WEST IINMOD RP PV VINMOD RP PV VI.pro