

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)

**TEMPORARY ACCESS EASEMENT AGREEMENT  
(Lost Lift Station)**

GRANTOR:

NNP III – EMR 3, 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, NNP III – EMR 3, LLC, a Delaware limited liability company (“**Grantor**”) does hereby grant and convey to, CITY OF GOODYEAR, ARIZONA, an Arizona municipal corporation (“**Grantee**”), a temporary, non-exclusive easement (the “**Easement**”) over, upon and across the real property described in Exhibit A attached hereto and incorporated herein (the “**Access Area**”) for the sole and limited purpose of vehicular access between the section of S. Sendero Drive dedicated in the Estrella – Hillside Drive Map of Dedication recorded in Book \_\_\_, Page \_\_\_ in the Official Records of Maricopa County, and the real property subject to that certain sewer line and access easement recorded in the Official Records of Maricopa County at document \_\_\_\_\_ (the “**Sewer Easement Area**”).

Grantee and its successors and assigns 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 Access Area and to grant other easements, licenses, leases, and/or rights-of-way over, under, upon and across the Access Area for purposes that do not substantially impair Grantee’s rights conveyed herein.

Grantor and Grantee both acknowledge this Temporary Access Easement Agreement is and shall remain subject to and subordinate to all easements, rights of way, licenses, and matters of record, existing as of the date this Temporary Access Easement Agreement is recorded in the Maricopa County Records.

Grantee acknowledges and agrees that it has ingress and egress access to and from the Access Area by existing dedicated public streets or public rights-of-way.

Grantee shall not place any structure on, under or over the Access Area, nor shall Grantee locate any surface installation on any part of the Access Area or place any fence or enclosure structure on the Access Area.

This Temporary Access Easement Agreement shall terminate after the dedication to, and acceptance by, Grantee of a public roadway in the Access Area providing access from S. Sendero Drive to the Sewer Easement Area.

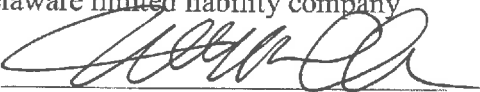
On the termination of any rights granted herein, Grantee shall execute and deliver to Grantor, within thirty (30) days after delivery of written demand therefor, a good and sufficient partial or full release, in recordable form, of the rights hereby granted.

This Temporary Access Easement Agreement constitutes a covenant running with the land for the benefit of Grantee, its successors and assigns.

IN WITNESS WHEREOF, this instrument is executed this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

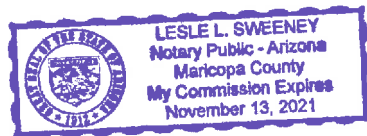
**GRANTOR:**

NNP III – EMR 3, LLC,  
a Delaware limited liability company

By:   
Name: William M. Olson  
Its: Senior Vice President

State of Arizona       )  
                                  )ss.  
County of Maricopa    )

The foregoing instrument (Temporary Access Easement Agreement) was acknowledged before me this 24<sup>th</sup> day of April, 2018 by William M. Olson, as Senior Vice President of NNP III – EMR 3, LLC, a Delaware limited liability company.



  
Notary Public

[Signatures Continued on following pages.]

**GRANTEE:**

ACCEPTED and AGREED TO by the CITY OF GOODYEAR, ARIZONA, an Arizona  
municipal corporation

By: \_\_\_\_\_

Its: \_\_\_\_\_

State of Arizona       )  
                                  )ss.  
County of Maricopa    )

The foregoing instrument (Temporary Access Easement Agreement) was acknowledged  
before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018 by  
\_\_\_\_\_, as \_\_\_\_\_ of the CITY OF  
GOODYEAR, ARIZONA, an Arizona municipal corporation, on behalf of said corporation.

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

**Exhibit A**

**Description of Access Area**



### EXHIBIT "A"

#### LEGAL DESCRIPTION TEMPORARY ACCESS EASEMENT APN 400-03-018E ESTRELLA

That portion of a parcel of land lying in the Southwest Quarter of Section 1, Township 1 South, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona being more particularly described as follows;

COMMENCING at the aluminum cap found flush at the West Quarter Corner of said Section 1, from which the General Land Office (GLO) brass cap found on pipe at the Southwest Corner of said Section 1 bears South 00 degrees 39 minutes 35 seconds West a distance of 2,606.17 feet, said line being the West line of the said Southwest Quarter of Section 1, and said line being the basis of bearings of this description;

Thence along the East-West mid-section line of said Section 1, North 89 degrees 52 minutes 35 seconds East a distance of 939.64 feet to a point;

Thence South 00 degrees 07 minutes 25 seconds East a distance of 1,584.67 feet to a point on a non-tangent curve to the left being concave northerly and having a radius of 19.98 feet bearing North 79 degrees 13 minutes 24 seconds East, said point also being on the east line of a 20.00-foot wide sewer easement as defined in Document # 1997-0059150 of the Maricopa County Recorder, and said point being the POINT OF BEGINNING;

Thence along said curve through a central angle of 96 degrees 34 minutes 45 seconds an arc distance of 33.67 feet to the point of reverse curvature for a non-tangent curve to the right being concave southerly and having a radius of 510.00 feet bearing South 17 degrees 19 minutes 33 seconds East;

Thence along said curve through a central angle of 65 degrees 20 minutes 21 seconds an arc distance of 581.60 feet to a point;

Thence South 48 degrees 00 minutes 52 seconds West a distance of 20.00 feet to a point on a non-tangent curve to the left being concave southerly and having a radius of 490.00 feet bearing South 48 degrees 00 minutes 48 second West;

Thence along said curve through a central angle of 71 degrees 50 minutes 13 seconds an arc distance of 614.36 feet to the point of compound curvature for a tangent curve to the left being concave southeasterly and having a radius of 12.00 feet;

Thence along said curve through a central angle of 05 degrees 12 minutes 00 seconds an arc distance of 1.09 feet to a point on said east line of the 20.00-foot sewer easement;



Thence along said east line, North 21 degrees 29 minutes 39 seconds East a distance of 58.50 feet to the POINT OF BEGINNING.

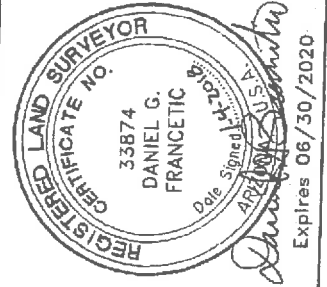
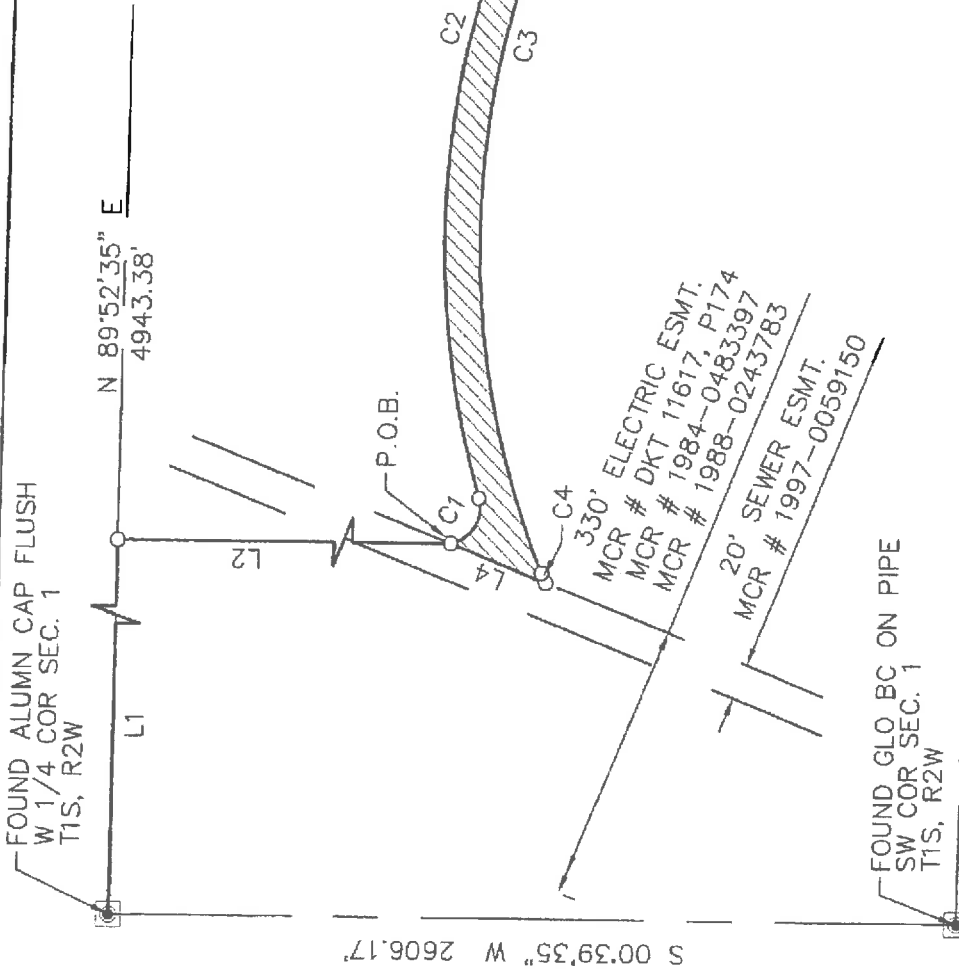
Containing an area of 12,659 SQUARE FEET or 0.291 ACRES, more or less.

See attached Exhibit "B" by reference made a part hereto



# EXHIBIT "B"

ESTRELLA  
APN 400-03-018E  
TEMPORARY ACCESS EASEMENT



## LEGEND



TEMPORARY ACCESS EASEMENT

## BASIS OF BEARING

THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 1 BEARING S 00°39'35" W



3033 N. 44th Street Suite 250  
Phoenix, AZ 85008-3279  
Tel: 602.244.2566  
Fax: 602.244.8947  
Website: www.Entellus.com

## ESTRELLA

APN 400-03-018E

SECTION 1 T1S, R2W

## TEMPORARY ACCESS EASEMENT

DATE: 10/5/17 REV'D:

DRAWN BY: CAM/CHK'D: DGF JPG: 3 OF 4

FILE: 848012\_03\_LOST TEMPORARY ACCES ESM1.DWG

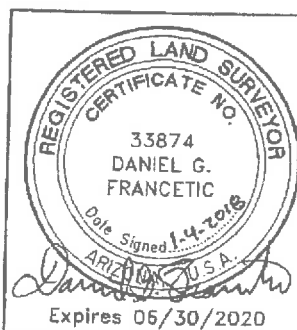
# APN 400-03-018E

LINE TABLE

LINE	BEARING	DISTANCE
L1	N89° 52' 35"E	939.64'
L2	S0° 07' 25"E	1584.67'
L3	S48° 00' 52"W	20.00'
L4	N21° 29' 39"E	58.50'

CURVE TABLE

CURVE	DISTANCE	RADIUS	DELTA
C1	33.67	19.98	96°34'45"
C2	581.60	510.00	65°20'21"
C3	614.36	490.00	71°50'13"
C4	1.09	12.00	5°12'00"



## LEGEND

 TEMPORARY ACCESS EASEMENT

## BASIS OF BEARING

THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 1 BEARING S 00°39'35" W



**Entellus™**  
 3033 N. 44th Street Suite 250  
 Phoenix, AZ 85018.7228  
 Tel 602.244.2566  
 Fax 602.244.8947  
 Website: www.Entellus.com

## ESTRELLA

APN 400-03-018E

SECTION 1, T1S, R2W

## TEMPORARY ACCESS EASEMENT

DATE: 9/20/17 REV'D:  
 DRAWN BY: CAM CHK'D: DGF PG:4 OF 4  
 FILE: 848012\_03\_LOST TEMPORARY ACCES ESMT.DWG