

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, SIDEWALK AND ACCESS EASEMENT

GRANTOR:

**CHRISTOPHER TODD ESTRELLA
COMMONS, LLC, an Arizona 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, **CHRISTOPHER TODD ESTRELLA COMMONS, LLC, an Arizona 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, Sidewalk and Access Easement. The Public Utility, Sidewalk 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 the following purposes: (i) entering upon, locating, constructing, maintaining, operating, 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; and appurtenances thereto; (ii) entering upon, constructing, maintaining, repairing and/or replacing public sidewalks; (iii) public use of public sidewalks; and (iv) the right of access to the Easement Area for the purposes set forth herein.

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, Sidewalk 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, Sidewalk 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 _____, 2018.

Signatures, Acknowledgements and Exhibits on Following Pages

GRANTOR:

CHRISTOPHER TODD ESTRELLA COMMONS, LLC, an Arizona limited liability company
Arizona Public Service Company, an Arizona corporation

By: Todd Wood
Todd Wood
Its: Manager

State of Arizona)
)ss.
County of Maricopa)

The foregoing instrument (Public Utility, Sidewalk and Access Easement) was acknowledged before me this 19th day of June, 2018 by Todd Wood, as Manager of **CHRISTOPHER TODD ESTRELLA COMMONS, LLC**, an Arizona limited liability company.



Taylor Hinton
Notary Public

GRANTEE:

ACCEPTED by the **CITY OF GOODYEAR, ARIZONA**, an Arizona Municipal Corporation,
the _____ day of _____, 2018.

By: _____

Its: _____

State of Arizona)
)ss.
County of Maricopa)

The foregoing instrument (Public Utility, Sidewalk and Access Easement) 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

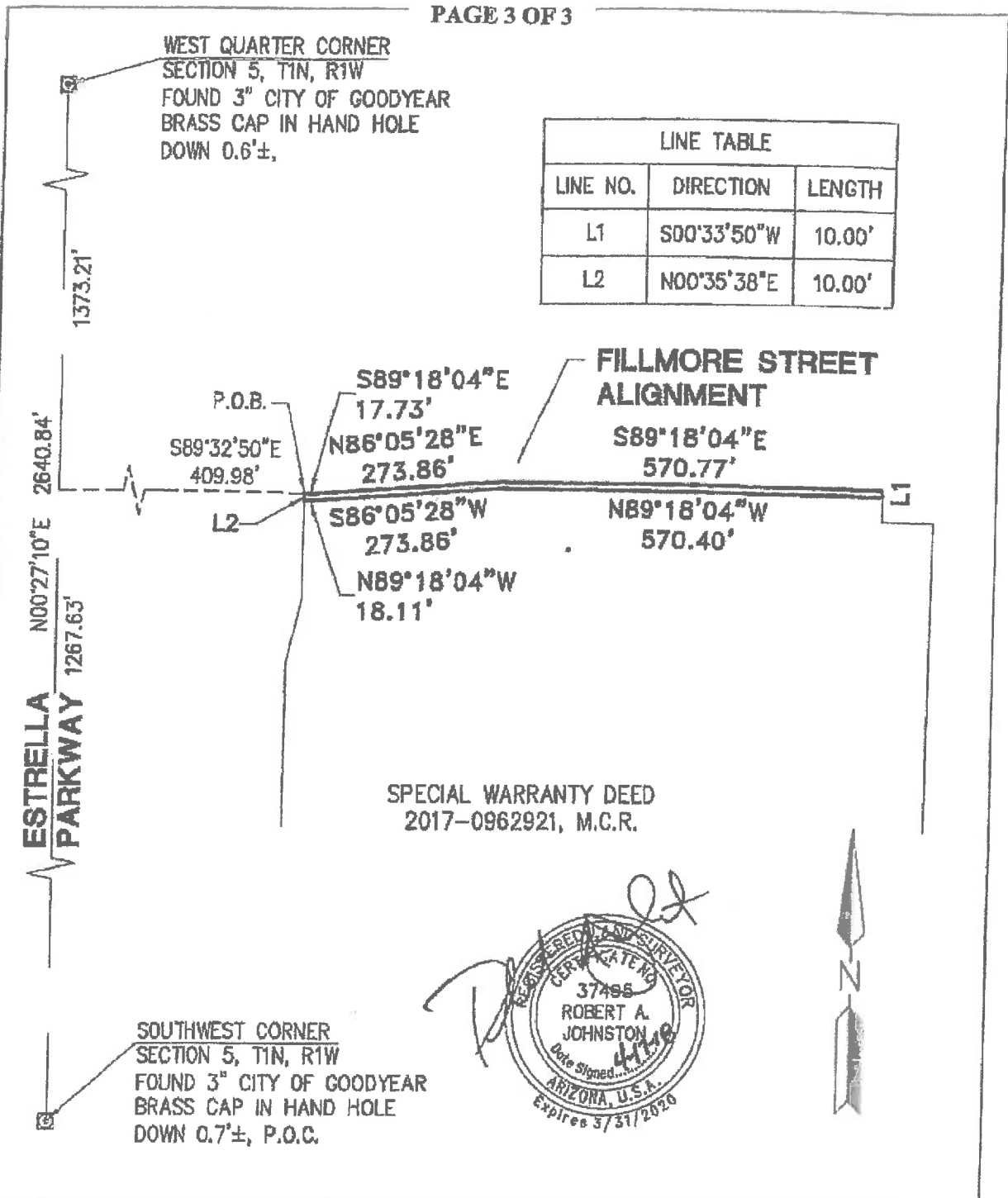
Exhibit(s) on Following Page(s)


EXHIBIT "A"

LEGAL DESCRIPTION

EXHIBIT "A"

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PROJ.NO.: 1178	ESTRELLA COMMONS PUBLIC UTILITY EASEMENT GOODYEAR, ARIZONA	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: APRIL 2018		
SCALE: N.T.S.		
DRAWN BY: JDL		
CHECKED BY: RAJ	EXHIBIT	

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EXHIBIT "A"

PAGE 1 OF 3

**LEGAL DESCRIPTION
ESTRELLA COMMONS
PUBLIC UTILITY EASEMENT #1**

A portion of land being situated within the land as described in the Special Warranty Deed, as recorded in Document No. 2017-0962921, Maricopa County Records, Arizona, lying with the Southwest Quarter of Section 5, 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 found 3 inch City of Goodyear brass cap in hand hole accepted as the Southwest corner of said Section 5 from which a found 3 inch City of Goodyear brass cap in hand hole accepted as the West Quarter corner thereof bears North 00°27'10" East, 2640.84 feet;

Thence North 00°27'10" East, 1267.63 feet along the west line of said Southwest Quarter;

Thence leaving said west line, South 89°32'50" East, 409.98 feet to the northwest corner of said Special Warranty Deed, being the **POINT OF BEGINNING**;

Thence along the northerly line of said Special Warranty Deed the following 3 courses:

Thence South 89°18'04" East, 17.73 feet;

Thence North 86°05'28" East, 273.86 feet;

Thence South 89°18'04" East, 570.77 feet to the northeast corner of said Special Warranty Deed;

Thence South 00°33'50" West, 10.00 feet along the east line of said Special Warranty Deed;

Thence along a line that is parallel with and 10.00 feet south of said northerly line the following 3 courses:

Thence North 89°18'04" West, 570.40 feet;

Thence South 86°05'28" West, 273.86 feet;

Thence North 89°18'04" West, 18.11 feet;

Thence North 00°35'36" East, 10.00 feet along the west line of said Special Warranty Deed to the **POINT OF BEGINNING**.

EXHIBIT "A"

PAGE 2 OF 3

The above described parcel contains a computed area of 8,624 sq. ft. (0.1980 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

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

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1178
Date: April 2018

