

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)

EXCLUSIVE WATER METER AND LINE EASEMENT

GRANTOR:

ACERO ESTRELLA PARKWAY, LLC, an Arizona limited liability company, as to an undivided one percent (1 %) tenancy in common interest, and GKC II, LLC, an Arizona limited liability company, as to an undivided ninety-nine percent (99%) tenancy in common interest

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, **ACERO ESTRELLA PARKWAY, LLC, an Arizona limited liability company, as to an undivided one percent (1 %) tenancy in common interest, and GKC II, LLC, an Arizona limited liability company, as to an undivided ninety-nine percent (99%) tenancy in common interest**, its successors and assigns (collectively "GRANTOR") does hereby grant and convey to the **CITY OF GOODYEAR, ARIZONA, an Arizona Municipal Corporation**, its successors and assigns (collectively "GRANTEE") a perpetual Exclusive Water Meter and Line Easement. The Exclusive Water Meter and Line Easement shall be a permanent easement to construct, operate, maintain, inspect, modify, repair, remove, and/or replace a water meter, appurtenances and underground water line(s) (the "Water Meter Facilities") within, on, across, over, and under the real property described in Exhibit "A," attached hereto and incorporated herein (the "Easement Area"), 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. GRANTOR reserves for itself, its successors and assigns the right to use the real property described in Exhibit "A" for purposes that are not inconsistent with the GRANTEE'S easement rights conveyed herein and that do not interfere with or endanger any of the Water Meter Facilities constructed within, on, across, over or under

the real property described in Exhibit "A". GRANTOR, its successors and assigns shall not locate, erect, construct or permit to be located, erected or constructed, any building or other structure or drill any well within the real property described in Exhibit "A".

GRANTEE shall be responsible for the operation of any Water Meter Facilities constructed within the Easement Area.

GRANTOR shall be responsible for the maintenance, inspection, modification, repair, removal, repair and/or replacement of any Water Meter Facilities constructed by GRANTOR, until such time as GRANTEE accepts the Water Meter Facilities, in writing, following the expiration of the applicable warranty period ("Acceptance"). Upon Acceptance of the Water Meter Facilities, GRANTEE shall be responsible for the operation, maintenance, inspection, modification, repair, removal and/or replacement of the Water Meter Facilities constructed by GRANTOR.

GRANTEE shall indemnify, defend and hold GRANTOR harmless for, from and against any and all claims, lawsuits, losses, liability or expenses, including without limitation reasonable attorney's fees, arising out of the negligence of GRANTEE, its invitees, licensees, agents, employees, and/or successors and assigns in the exercise of the rights granted herein by GRANTEE.

This Water Meter and Line Easement constitutes a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

IN WITNESS WHEREOF, this instrument is executed this _____ day of _____, 2019.

Signatures, Acknowledgements and Exhibits on Following Pages

GRANTOR:

ACERO ESTRELLA PARKWAY, LLC,
an Arizona limited liability company

By: Investment Development Management, LLC,
a Washington limited liability company
Its: Manager

By:

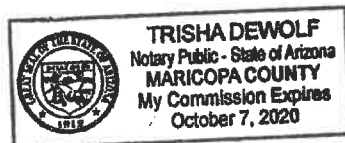

Jeffrey S. Gordon, Manager

~~State of Washington~~ ^{Arizona}

)ss.

County of ~~Clark~~ ^{Maricopa})

The foregoing instrument (Exclusive Water Meter and Line Easement) was
acknowledged before me this 8th day of April, 2019 by Jeffrey S.
Gordon, as Manager of Investment Development Management, LLC, a Washington
limited liability company, as Manager of ACERO ESTRELLA PARKWAY, LLC, an Arizona
limited liability company.




Notary Public

Signatures, Acknowledgements and Exhibits Continued on Following Pages

GRANTEE:

ACCEPTED by the CITY OF GOODYEAR, ARIZONA, an Arizona Municipal Corporation,
the ____ day of _____, 2019.

By: _____

Its: _____

State of Arizona)
)ss.
County of Maricopa)

The foregoing instrument (Exclusive Water Meter and Line Easement) was
acknowledged before me this ____ day of _____, 2019 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



**Legal Description
IDM Estrella Commons
Water Easement No. 1**

Job No. 18-221

January 24, 2019

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CITY OF GOODYEAR BRASS CAP IN A HANDHOLE AT THE WEST QUARTER CORNER OF SAID SECTION 5, FROM WHICH A CITY OF GOODYEAR BRASS CAP IN A HANDHOLE AT THE SOUTHWEST CORNER OF SAID SECTION 5 BEARS SOUTH 0 DEGREES 27 MINUTES 10 SECONDS WEST, AT A DISTANCE OF 2640.84 FEET;

THENCE SOUTH 0 DEGREES 27 MINUTES 10 SECONDS WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5, 610.82 FEET;

THENCE SOUTH 89 DEGREES 32 MINUTES 50 SECONDS EAST, 110.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 32 MINUTES 50 SECONDS EAST, 17.50 FEET;

THENCE SOUTH 0 DEGREES 27 MINUTES 10 SECONDS WEST, 16.00 FEET;

THENCE NORTH 89 DEGREES 32 MINUTES 51 SECONDS WEST, 17.50 FEET TO A POINT ON THE EAST LINE OF THE WEST 110.000 FEET OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE NORTH 0 DEGREES 27 MINUTES 10 SECONDS EAST, ALONG SAID EAST LINE, 16.00 FEET TO THE POINT OF BEGINNING.

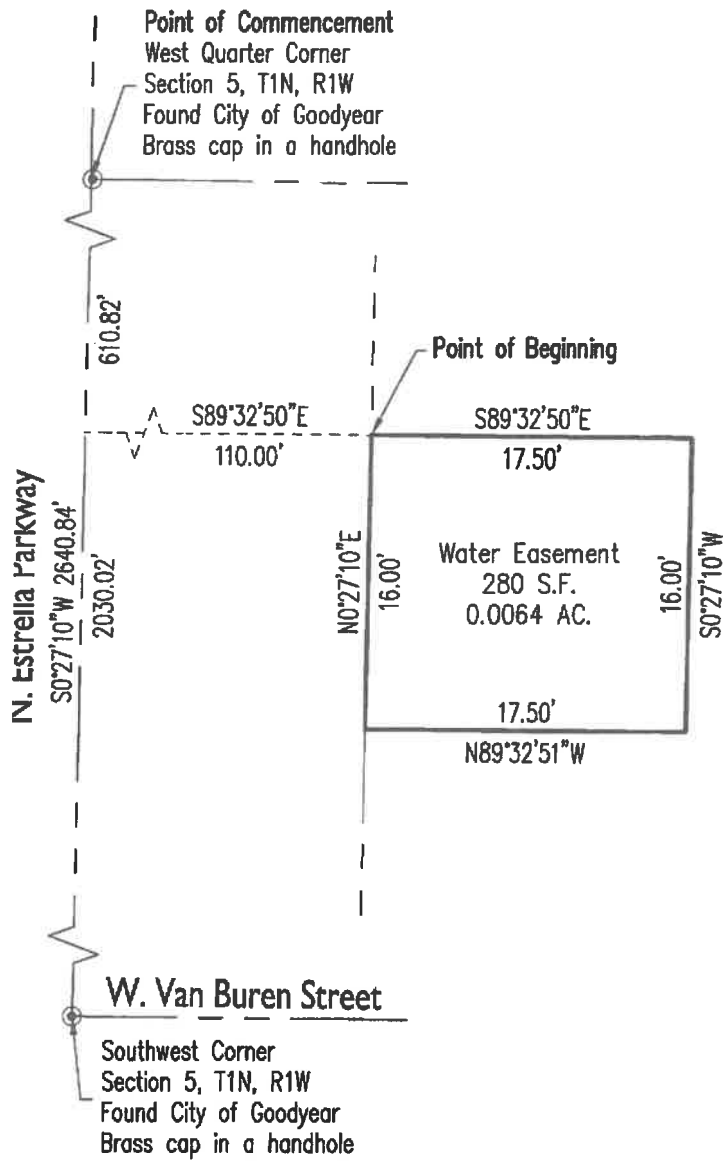
AN AREA CONTAINING 280 SQUARE FEET OR 0.0064 ACRES, MORE OR LESS.



EPS Group, Inc. • 1130 N Alma School Road, Suite 120 • Mesa, AZ 85201

Tel (480) 503-2250 • Fax (480) 503-2258

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APN: 500-10-851B
 GKC II LLC/ETAL
 Document 2018-0766972, M.C.R.



18-221

Exhibit

IDM Estrella Commons
 Water Easement No. 1





**Legal Description
IDM Estrella Commons
Water Easement No. 2**

Job No. 18-221

January 24, 2019

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CITY OF GOODYEAR BRASS CAP IN A HANDHOLE AT THE WEST QUARTER CORNER OF SAID SECTION 5, FROM WHICH A CITY OF GOODYEAR BRASS CAP IN A HANDHOLE AT THE SOUTHWEST CORNER OF SAID SECTION 5 BEARS SOUTH 0 DEGREES 27 MINUTES 10 SECONDS WEST, AT A DISTANCE OF 2640.84 FEET;

THENCE SOUTH 0 DEGREES 27 MINUTES 10 SECONDS WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5, 1288.35 FEET;

THENCE SOUTH 89 DEGREES 32 MINUTES 50 SECONDS EAST, 908.96 FEET TO A POINT ON THE NORTH LINE OF THE W. FILLMORE STREET RIGHT OF WAY AS SHOWN ON THE MAP AF DEDICATION, ESTRELLA COMMONS – EVERGREN, RECORDED IN BOOK 1413 OF MAPS, PAGE 7, RECORDS OF MARICOPA COUNTY ARIZONA, SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTH 0 DEGREES 41 MINUTES 56 SECONDS EAST, 20.00 FEET;

THENCE SOUTH 89 DEGREES 18 MINUTES 39 SECONDS EAST, 23.00 FEET;

THENCE SOUTH 0 DEGREES 41 MINUTES 56 SECONDS WEST, 20.00 FEET TO A POINT ON THE ABOVE REFERENCED NORTH LINE;

THENCE NORTH 89 DEGREES 18 MINUTES 39 SECONDS WEST, ALONG SAID NORTH LINE, 23.00 FEET TO THE POINT OF BEGINNING.

AN AREA CONTAINING 460 SQUARE FEET OR 0.0106 ACRES, MORE OR LESS.



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Point of Commencement
West Quarter Corner
Section 5, T1N, R1W
Found City of Goodyear
Brass cap in a handhole

APN: 500-10-851B
GKC II LLC/ETAL
Document 2018-0766972, M.C.R.

N. Estrella Parkway

S0°27'10"W 2640.84'

1288.35'

1352.49'

W. Van Buren Street

Southwest Corner
Section 5, T1N, R1W
Found City of Goodyear
Brass cap in a handhole

23.00'
S89°18'39"E

Water Easement
460 S.F.
0.0106 AC.

Point of Beginning

S89°32'50"E
908.96'

N89°18'39"W
23.00'

N00°41'56"E
20.00'

S00°41'56"W
20.00'



N.T.S.



18-221

Exhibit

IDM Estrella Commons
Water Easement No. 2

