

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)

TRAFFIC CONTROL EASEMENT

GRANTOR:

**NNP III-ESTRELLA MOUNTAIN
RANCH, 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- ESTRELLA MOUNTAIN RANCH, LLC, a Delaware limited liability company** ("GRANTOR"), does hereby grant and convey to the **CITY OF GOODYEAR, ARIZONA, an Arizona municipal corporation** ("GRANTEE"), its successors and assigns, a permanent easement (the "Easement") to construct, operate, maintain, repair, remove and replace all forms of stoplights, visual and audio traffic control devices, electronics, switches, counters, controllers, transmitters, cameras, detectors, mechanical, electrical and other signboards and displays, sensors, communications devices, and all other manner of pedestrian, vehicular and other traffic control devices, together with appurtenances of every description under and across 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.

GRANTEE shall have all rights and privileges necessary or convenient for the full use and enjoyment of the Easement for the purposes herein described.

GRANTEE shall be and remain responsible for the construction, operation, maintenance and repair of any facilities constructed by GRANTEE, and GRANTOR shall have no responsibility or liability in such construction, operation, maintenance or repair.

GRANTOR, subject to any other existing easements within the Easement Area, reserves for itself, its heirs, successors and assigns all such rights and privileges in the Easement Area as may be used without interfering with or abridging the rights and Easement granted herein.

GRANTOR, its heirs, successors and assigns, hereby waives and releases GRANTEE, its elected officials, officers, employees, agents, successors, and assigns from any and all liability for damage to GRANTOR'S property that results from GRANTEE'S exercise of its rights under this Traffic Control Easement, PROVIDED GRANTEE shall, as soon as practicable, restore all property of GRANTOR to a neat and presentable condition. GRANTEE shall repair all damage caused by

GRANTEE to any facilities upon or under the property of GRANTOR, including without limitation, any and all utility lines and facilities now or hereafter located within an easement running between the Easement Area and the public right-of-way known as Estrella Parkway.

This Traffic Control Easement 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 _____, 2019.

GRANTOR:

NNP III-ESTRELLA MOUNTAIN RANCH, LLC,
a Delaware limited liability company

By: _____

William M. Olson

Its: Senior Vice President

Date: 5-7-2019

State of Arizona)

)ss.

County of Maricopa)

On this 7th day of May, 2019, personally appeared before me William M. Olson, Senior Vice President of NNP III-ESTRELLA MOUNTAIN RANCH, LLC, a Delaware limited liability company, who acknowledged the execution of this instrument on behalf of such company.



Notary Public

ACCEPTED by the CITY OF GOODYEAR, ARIZONA, an Arizona Municipal Corporation, the
_____ day of _____, 20____.

By: _____
Its: _____

Date: _____

State of Arizona)
)ss.
County of Maricopa)

On this day, personally appeared before me _____, as
_____ of the CITY OF GOODYEAR, ARIZONA, an Arizona municipal
corporation, on behalf of said corporation.

Notary Public

EXHIBIT "A"



Hoskin-Ryan Consultants, Inc.
creative engineering solutions

LEGAL DESCRIPTION

EASEMENT AT ESTRELLA PARKWAY & SAN MIGUEL AVENUE

A PORTION OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP, FOUND AT THE INTERSECTION OF ESTRELLA PARKWAY AND SAN MIGUEL AVENUE, FROM WHENCE A BRASS CAP, FOUND IN ESTRELLA PARKWAY BEARS NORTH 22°18'21" WEST (BASIS OF BEARING), A DISTANCE OF 1,503.07 FEET;

THENCE NORTH 67°41'39" EAST, A DISTANCE OF 65.00 FEET, TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID ESTRELLA PARKWAY;

THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE OF ESTRELLA PARKWAY, NORTH 67°41'39" EAST, A DISTANCE OF 9.70 FEET, TO A LINE 9.70 FEET EAST OF AND PARALLEL WITH SAID EASTERLY LINE OF ESTRELLA PARKWAY, AND TO THE **TRUE POINT OF BEGINNING**;

THENCE ALONG SAID PARALLEL LINE, NORTH 22°18'21" WEST, A DISTANCE OF 74.93 FEET;

THENCE DEPARTING SAID PARALLEL LINE, SOUTH 67°18'21" EAST, A DISTANCE OF 22.83 FEET, TO A LINE 25.80 FEET EAST OF AND PARALLEL WITH SAID EASTERLY LINE OF ESTRELLA PARKWAY;

THENCE ALONG LAST SAID PARALLEL LINE, SOUTH 22°18'21" EAST, A DISTANCE OF 97.72 FEET;

THENCE SOUTH 22°41'39" WEST, A DISTANCE OF 22.83 FEET, TO SAID LINE 9.70 FEET EAST OF AND PARALLEL WITH THE EASTERLY RIGHT-OF-WAY LINE OF ESTRELLA PARKWAY;

THENCE ALONG LAST SAID PARALLEL LINE, NORTH 22°18'21" WEST, A DISTANCE OF 55.07 FEET, TO THE **TRUE POINT OF BEGINNING**.

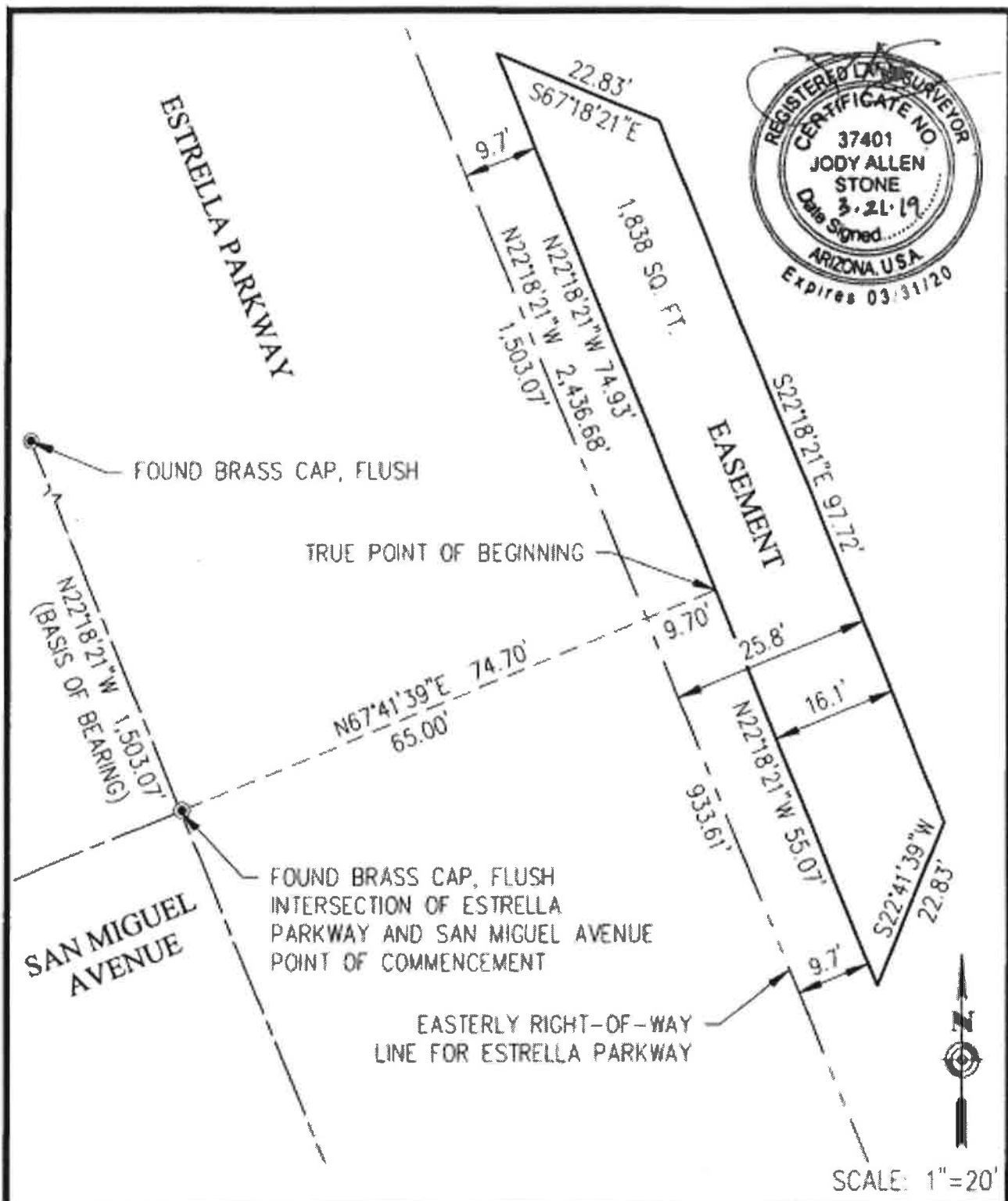
CONTAINING 1,838 SQUARE FEET, OR 0.042 ACRES MORE OR LESS.



Land Planning | Hydrology | Land Development | Civil Infrastructure | Land Surveying | Construction Services

5050 N 40th STREET, Suite 100, Phoenix, AZ 85018 | Office (602)252-8384 | Fax (602)252-8385 | www.hoskinryan.com
Hoskin-Ryan dba Hoskin-Ryan Consulting, LLC

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 creative engineering solutions

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**EASEMENT ESTRELLA PARKWAY
 & SAN MIGUEL AVENUE**

EXHIBIT TO ACCOMPANY LEGAL

FIGURE 1