

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:

**NPC CANYON TRAILS I 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, **NPC CANYON TRAILS I LLC, a Delaware limited liability company**, 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 allowing GRANTEE and its contractors and their subcontractors to construct, operate, maintain, inspect, modify, repair, remove, and/or replace water meter(s), 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.


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

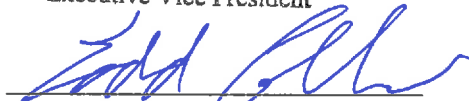
IN WITNESS WHEREOF, this instrument is executed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

*Signatures, Acknowledgements and Exhibits on Following Pages*

GRANTOR:  
NPC CANYON TRAILS I LLC  
a Delaware limited liability company

By: RSI/NP Communities LLC,  
a Delaware limited liability company  
Its Manager

By:   
\_\_\_\_\_  
Christopher W. Bley  
Executive Vice President

By:   
\_\_\_\_\_  
Todd J. Collins  
Chief Financial Officer

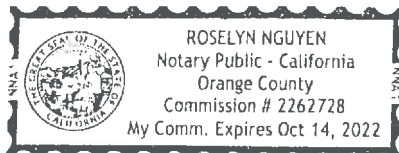
*A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.*

State of California }  
County of Orange

On September 13, 2019, before me, Roselyn Nguyen, Notary Public,  
personally appeared CHRISTOPHER W. BLEY and TODD J. COLLINS

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the foregoing  
paragraph is true and correct.



WITNESS my hand and official seal.

SIGNATURE 

PLACE NOTARY SEAL ABOVE

*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)*

August 26, 2019  
PROJECT # 050605-01-013**LEGAL DESCRIPTION  
WATER METER EASEMENT**

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTH QUARTER CORNER OF SAID SECTION 11, BEING MARKED BY A BRASS CAP IN HAND HOLE, FROM WHICH POINT THE CENTER QUARTER CORNER OF SAID SECTION 11, BEING MARKED BY A PK NAIL, BEARS SOUTH 00°13'11" WEST, A DISTANCE OF 2644.56 FEET;

THENCE SOUTH 89°42'10" EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1183.65feet;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°17'50" WEST, ALONG THE CENTERLINE OF 173RD AVENUE A DISTANCE OF 71.00 FEET;

THENCE DEPARTING SAID CENTERLINE SOUTH 89°42'10" EAST, A DISTANCE OF 40.00 FEET TO THE EAST RIGHT OF WAY LINE OF 173RD AVENUE;

THENCE SOUTH 00°17'50" WEST ALONG SAID EAST LINE, A DISTANCE OF 147.00 FEET;

THENCE CONTINUING ALONG SAID EAST LINE, SOUTH 03°43'27" WEST, A DISTANCE OF 167.30 FEET;

THENCE CONTINUING ALONG SAID EAST LINE, SOUTH 00° 17' 50" WEST, A DISTANCE OF 5.71 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE WESTERLY, HAVING A RADIUS OF 780.00 FEET;

THENCE CONTINUING ALONG SAID EAST LINE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°27'36", AN ARC DISTANCE OF 387.44 FEET;

THENCE CONTINUING ALONG SAID EAST LINE, SOUTH 28°45'24" WEST, A DISTANCE OF 137.17 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID EAST LINE, SOUTH 89°42'10" EAST, A DISTANCE OF 41.45 FEET;

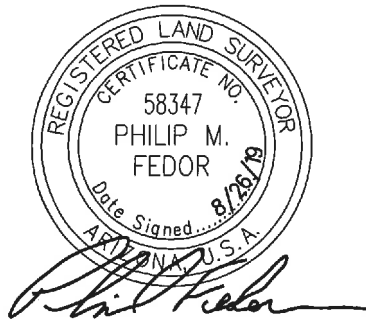
THENCE SOUTH 00° 17' 50" WEST, A DISTANCE OF 20.00 FEET TO THE SOUTH LINE OF THAT PARCEL RECORDED IN BOOK 1461, PAGE 17, MARICOPA COUNTY RECORDS;

THENCE ALONG SAID SOUTH LINE, NORTH 89°42'10" WEST, A DISTANCE OF 52.29 FEET TO THE EAST  
RIGHT OF WAY LINE OF 173RD AVENUE;

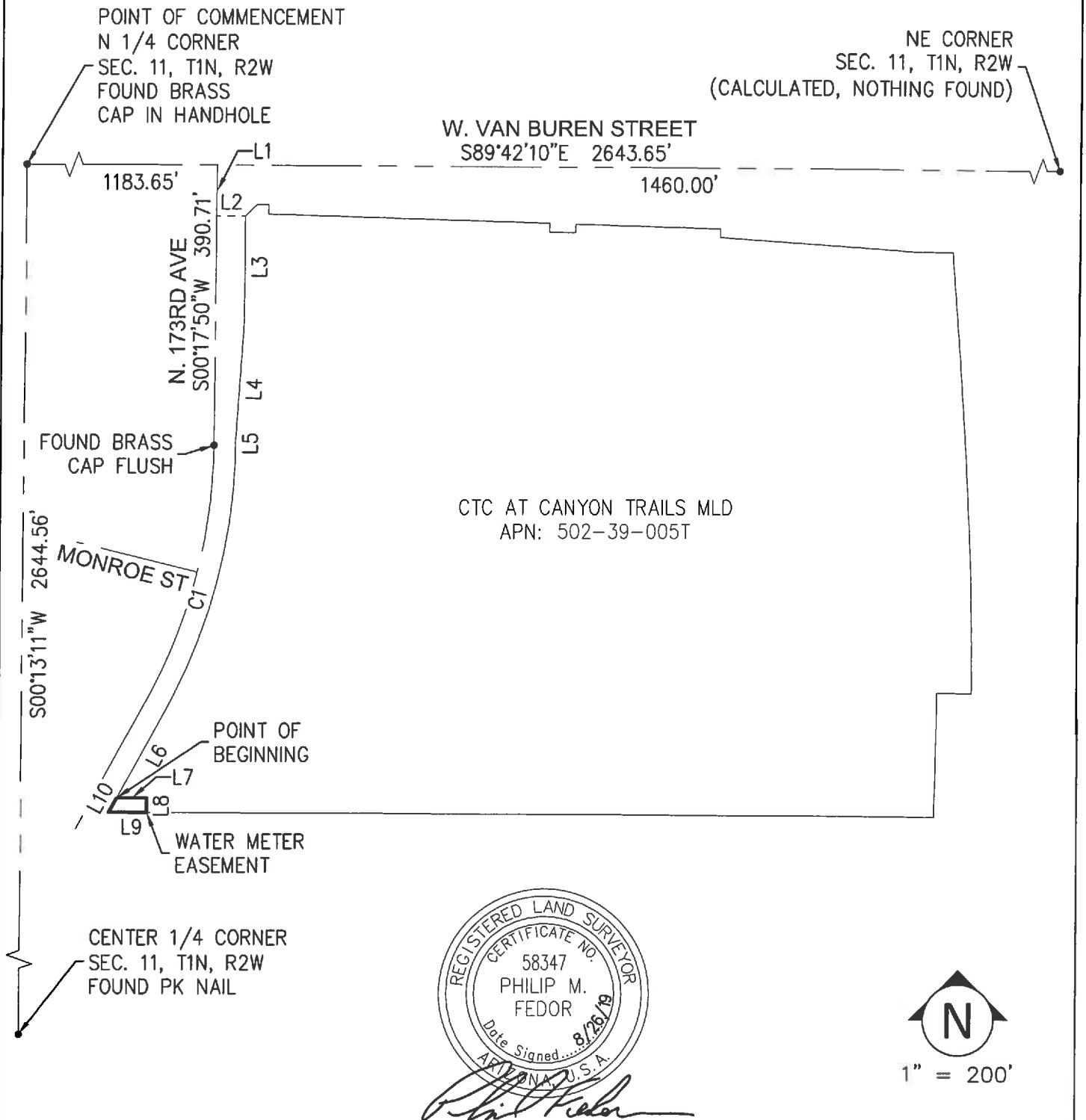
THENCE CONTINUING ALONG SAID EAST LINE, NORTH 28°45'24" EAST, A DISTANCE OF 22.75 FEET TO  
**THE POINT OF BEGINNING.**

CONTAINING 937 SQ.FT. OR 0.0215 ACRES, MORE OR LESS.

SEE ATTACHED EXHIBIT "A", BY REFERENCE MADE A PART HERETO.



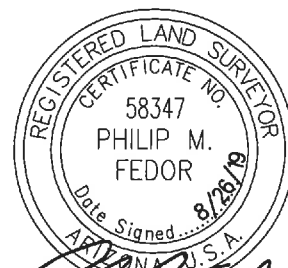
# EXHIBIT "A"



# EXHIBIT "A"

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	71.00'	S00°17'50"W
L2	40.00'	S89°42'10"E
L3	147.00'	S00°17'50"W
L4	167.30'	S03°43'27"W
L5	5.71'	S00°17'50"W
L6	137.17'	S28°45'24"W
L7	41.45'	S89°42'10"E
L8	20.00'	S00°17'50"W
L9	52.29'	N89°42'10"W
L10	22.75'	N28°45'24"E

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	387.44'	780.00'	028°27'36"



*Philip M. Fedor*



August 26, 2019  
PROJECT # 050605-01-013

**LEGAL DESCRIPTION  
WATER METER EASEMENT**

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTH QUARTER CORNER OF SAID SECTION 11, BEING MARKED BY A BRASS CAP IN HAND HOLE, FROM WHICH POINT THE CENTER QUARTER CORNER OF SAID SECTION 11, BEING MARKED BY A PK NAIL, BEARS SOUTH 00°13'11" WEST, A DISTANCE OF 2644.56 FEET;

THENCE SOUTH 89°42'10" EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1183.65 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°17'50" WEST, ALONG THE CENTERLINE OF 173RD AVENUE A DISTANCE OF 71.00 FEET;

THENCE DEPARTING SAID CENTERLINE SOUTH 89°42'10" EAST, A DISTANCE OF 40.00 FEET TO THE EAST RIGHT OF WAY LINE OF 173RD AVENUE;

THENCE CONTINUING ALONG SAID EAST LINE SOUTH 00°17'50" WEST, A DISTANCE OF 147.00 FEET;

THENCE CONTINUING ALONG SAID EAST LINE SOUTH 03°43'27" WEST, A DISTANCE OF 167.30 FEET;

THENCE CONTINUING ALONG SAID EAST LINE SOUTH 00° 17' 50" WEST, A DISTANCE OF 5.71 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE WESTERLY, HAVING A RADIUS OF 780.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 015°22'04", AN ARC DISTANCE OF 209.21 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID EAST LINE SOUTH 76°02'25" EAST, A DISTANCE OF 58.17 FEET;

THENCE SOUTH 13°57'35" WEST, A DISTANCE OF 20.00 FEET;

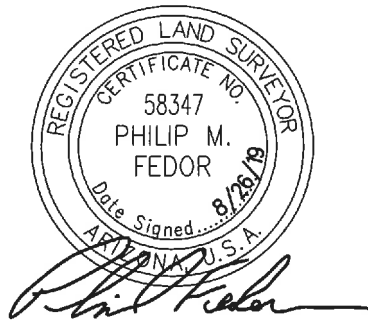
THENCE NORTH 76°02'25" WEST A DISTANCE OF 59.03 FEET TO THE EAST RIGHT OF WAY LINE OF 173RD AVENUE AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE WESTERLY, HAVING

A RADIUS OF 780.00 FEET, A CORD BEARING OF NORTH 16°24'00" EAST, AND A CHORD DISTANCE OF 20.02 FEET;

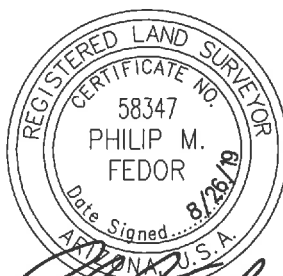
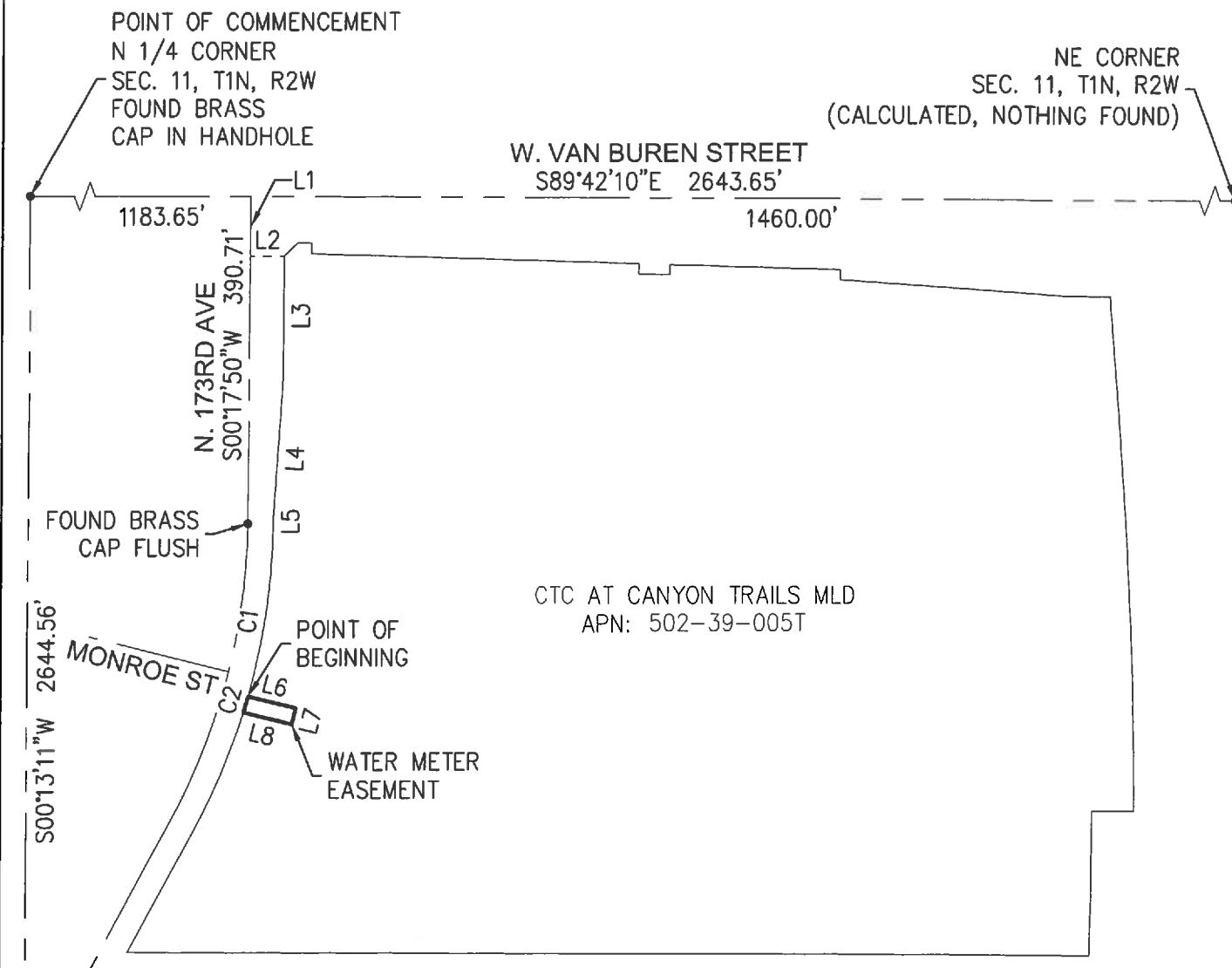
THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 001°28'14", AN ARC DISTANCE OF 20.02 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,171 SQ.FT. OR 0.0269 ACRES, MORE OR LESS.

SEE ATTACHED EXHIBIT "A", BY REFERENCE MADE A PART HERETO.



# EXHIBIT "A"



1" = 200'

# EXHIBIT "A"

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	71.00'	S00°17'50"W
L2	40.00'	S89°42'10"E
L3	147.00'	S00°17'50"W
L4	167.30'	S03°43'27"W
L5	5.71'	S00°17'50"W
L6	58.17'	S76°02'25"E
L7	20.00'	S13°57'35"W
L8	59.03'	N76°02'25"W

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BRNG	CHORD
C1	209.21'	780.00'	015°22'04"	S07°58'51"W	208.58'
C2	20.02'	780.00'	001°28'14"	N16°24'00"E	20.02'

