

NE 23 1N 2W
33.418834, -112.430747
APN 502-43-028E
CCW-19-109
WA449847
SER RLM

UTILITY EASEMENT

THE CITY OF GOODYEAR, an Arizona municipal corporation, (hereinafter called "Grantor"), is the owner of the following described real property located in Maricopa County, Arizona (hereinafter called "Grantor's Property"):

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Grantor, for and in consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey to **ARIZONA PUBLIC SERVICE COMPANY**, an Arizona corporation, (hereinafter called "Grantee"), and to its successors and assigns, a non-exclusive right, privilege, and easement at locations and elevations, in, upon, over, under, through and across, a portion of Grantor's Property described as follows (herein called the "Easement Premises"):

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

Grantee is hereby granted the right within the Easement Premises to: construct, reconstruct, replace, repair, operate and maintain electrical lines, together with appurtenant facilities and fixtures for use in connection therewith, for the transmission and distribution of electricity to, through, across, and beyond Grantor's Property; install, operate and maintain telecommunication wires, cables, conduits, fixtures and facilities incidental to supplying electricity or for Grantee's own use (said electrical and telecommunication lines, facilities and fixtures collectively herein called "Grantee Facilities").

Grantee is hereby granted the right, but not the obligation, to trim, prune, cut, and clear away trees, brush, shrubs, or other vegetation on, or adjacent to, the Easement Premises whenever in Grantee's judgment the same shall be necessary for the convenient and safe exercise of the rights herein granted.

Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified.

Grantor shall maintain clear areas that extend: 1) 3 feet from and around all edges of all switching cabinet pads and 2 feet from and around all edges of all transformer pads and other equipment pads, and 2) a clear operational area that extends 10 feet immediately in front of all transformer, switching cabinet and other equipment openings, and 3) a 6 feet by 6 feet hot-stick operating area off the front left corner of all transformers. No obstructions, trees, shrubs, large landscape rocks, fences, fixtures, or permanent structures shall be placed by Grantor within said clear areas; nor shall Grantor install landscape irrigation or sprinkler systems within said clear areas. Landscape irrigation or sprinkler systems installed adjacent to the clear areas shall be installed and maintained so that the transformers, switching cabinets or any other equipment do not get wet by spray or irrigation.

Grantor shall not locate, erect or construct, or permit to be located, erected or constructed, any building or other structure or drill any well within the limits of the Easement Premises; nor shall Grantor plant or permit to be planted any trees within the limits of the Easement Premises without the prior written consent of Grantee. However, Grantor reserves the right to use the Easement Premises for purposes that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities, including, without limitation, granting others the right to use all or portions of the Easement Premises for utility or roadway purposes and constructing improvements within the Easement Premises such as paving, sidewalks, landscaping, and curbing. Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface grade of the Easement Premises, and in no event shall a change in the grade compromise Grantee's minimum cover requirements or interfere with Grantee's operation, maintenance or repair.

By accepting and utilizing this easement, Grantee agrees that following any installation, excavation, maintenance, repair, or other work by Grantee within the Easement Premises, the affected area will be restored by Grantee to as close to original condition as is reasonably practicable, at the expense of Grantee; and that Grantee shall indemnify Grantor, to the extent required by law, for any loss, cost or damage incurred by Grantor as a result of any negligent installation, excavation, maintenance, repair or other work performed by Grantee within the Easement Premises.

The easement granted herein shall not be deemed abandoned except upon Grantee's execution and recording of a formal instrument abandoning the easement.

The covenants and provisions herein set forth shall extend and inure in favor and to the benefit of, and shall be binding on the heirs, administrators, executors, successors in ownership and estate, assigns and lessees of Grantor and Grantee.

EXHIBIT "A"

(DOC. 1991-0008611 M.C.R.)

That part of the Northeast Quarter of the Northeast Quarter of Section 23, Township 1 North, Range 2 West, Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the Northeast Corner of said Section 23;

Thence, North $89^{\circ}45'21''$ West, along the North line of said Section 23, a distance of 1323.12 feet to the Northwest Corner of said Northeast Quarter of the Northeast Quarter of Section 23;

Thence, South $00^{\circ}12'13''$ West, along the West line of said Northeast Quarter of the Northeast Quarter, 215.03 feet to the True Point of Beginning, said point being the beginning of a tangent curve of 540.00 foot radius concave Northeasterly;

Thence, Southeasterly, along said curve, through a central angle of $28^{\circ}17'12''$, a distance of 266.60 feet;

Thence, South $28^{\circ}04'58''$ East, 608.72 feet;

Thence, South $61^{\circ}55'02''$ West, 194.23 feet;

Thence, North $89^{\circ}47'47''$ West, 181.90 feet to a point on the West line of said Northeast Quarter of the Northeast Quarter of Section 23;

Thence, North $00^{\circ}12'13''$ East, along said West line, 883.97 feet to the True Point of Beginning.

Containing 3.257 Acres, more or less.

September 19, 2019

LEGAL DESCRIPTION FOR
ARIZONA PUBLIC SERVICE
UTILITY EASEMENT

That portion of that certain parcel of land described in Document No. 1991-0008611, Records of Maricopa County, Arizona, situated in the Northeast Quarter of Section 23, Township 1 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the Maricopa County Highway Department Brass Cap in hand hole marking the Northeast Corner of said Section 23, from which the Maricopa County Aluminum Cap marking the North Quarter Corner of said Section 23 bears North 89°45'21" West, a distance of 2,646.24 feet;

Thence North 89°45'21" West, along the North line of the Northeast Quarter of said Section 23, a distance of 1,323.12 feet to the Northwest Corner of the Northeast Quarter of the Northeast Quarter of said Section 23;

Thence South 00°12'13" West, along the West line of the Northeast Quarter of the Northeast Quarter of said Section 23, a distance of 215.03 feet to the beginning of a 540.00 foot radius tangent curve, concave Easterly, being the True Point of Beginning;

Thence Southerly, along said curve and along the Westerly right-of-way line of 173rd Avenue, through a central angle of 09°52'29", a distance of 93.07 feet to a point on a line which is parallel with and 8.00 feet Easterly, as measured at right angles, from the West line of the Northeast Quarter of the Northeast Quarter of said Section 23;

Thence South 00°12'13" West, departing said Westerly right-of-way line along said parallel line, a distance of 163.70 feet;

Thence South 39°38'36" East, departing said parallel line, a distance of 6.24 feet to a point on a line which is parallel with and 12.00 feet Easterly, as measured at right angles, from the West line of the Northeast Quarter of the Northeast Quarter of said Section 23;

Thence South 00°12'13" West, along last said parallel line, a distance of 173.91 feet;

Thence North 90°00'00" East, departing said parallel line, a distance of 3.33 feet;

Thence South 00°00'00" East, a distance of 6.00 feet;
Thence North 90°00'00" West, a distance of 4.00 feet;
Thence South 00°00'00" East, a distance of 8.25 feet;

Thence North 90°00'00" West, a distance of 11.38 feet to a point on the West line of the Northeast Quarter of the Northeast Quarter of said Section 23;

Thence North 00°12'13" East, along said West line, a distance of 449.30 feet to the True Point of Beginning.

Containing 3,877 Square Feet or 0.089 Acres, more or less.



NW CORNER THE NE 1/4 OF THE NE 1/4, SECTION 23
TOWNSHIP 1 NORTH, RANGE 2 WEST

EXHIBIT "B"

LOWER BUCKEYE ROAD

N89°45'21"W 1323.12'

NORTHEAST CORNER, SECTION 23
TOWNSHIP 1 NORTH, RANGE 2 WEST
POINT OF COMMENCEMENT

TRUE POINT
OF BEGINNING

CURVE TABLE

NO.	LENGTH	RADIUS	DELTA
C1	266.60'	540.00'	028°17'12"
C2	93.07'	540.00'	009°52'29"
NO.	TANGENT	CHORD	CHORD-BEARING
C1	136.08'	263.90'	S13°56'24"E
C2	46.65'	92.95'	S04°44'01"E

30' R/W

APN 502-44-003D

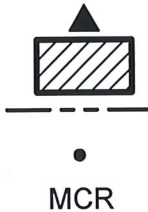
N00°12'13"E 883.97'

173RD AVENUE
S28°04'58"E 608.71'

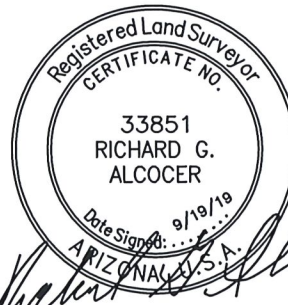
CITY OF GOODYEAR
DOC. 1991-0008611 MCR
APN 502-43-028E

L3
APN 502-45-183

LEGEND

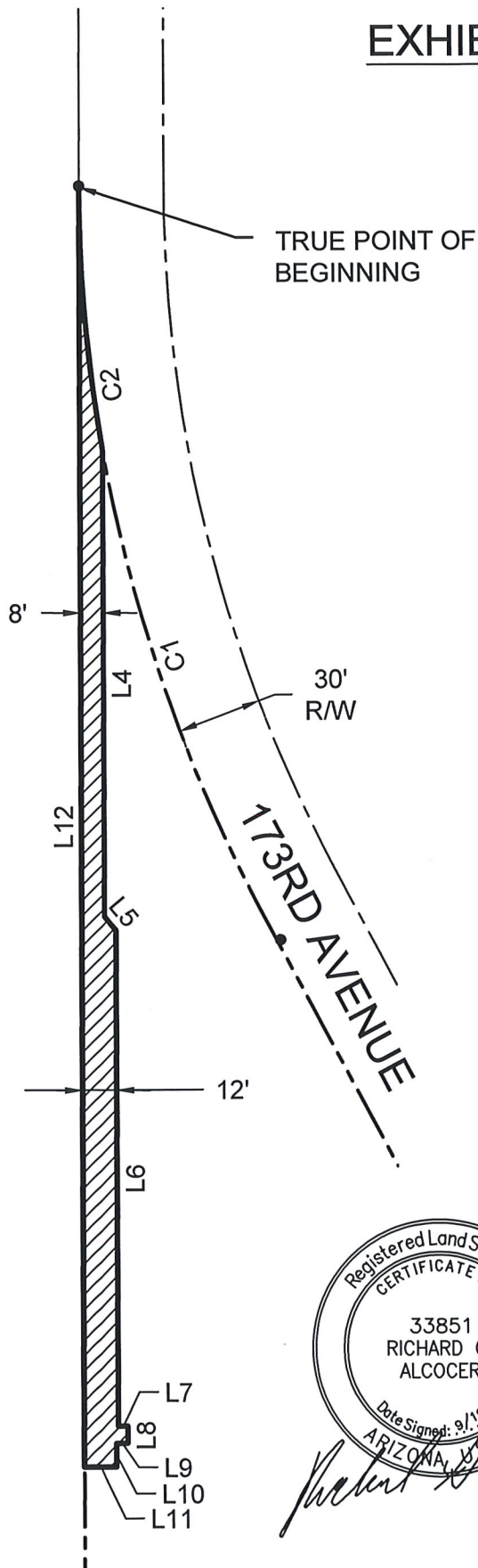


SECTION CORNER
EASEMENT AREA
PROPERTY LINE
PROPERTY CORNER
MCR
MARICOPA COUNTY RECORDER








JOB #	WA449847	DATE	9/19/2019
T.1N., R.2W., SEC. 23, NE. 1/4			
SCALE 1" = 150' SHEET 1 OF 2			
UTILITY EASEMENT			
SURVEY: FLORES / ELLIS			
DRAWN BY: L.JOHN			

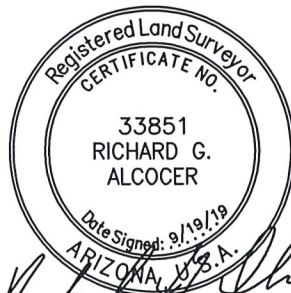
EXHIBIT "B"



LINE TABLE		
NO.	BEARING	LENGTH
L1	S00°12'13"W	215.03'
L2	S61°55'02"W	194.23'
L3	N89°47'47"W	181.90'
L4	S00°12'13"W	163.70'
L5	S39°38'36"E	6.24'
L6	S00°12'13"W	173.91'
L7	N90°00'00"E	3.33'
L8	S00°00'00"E	6.00'
L9	S90°00'00"W	4.00'
L10	S00°00'00"E	8.25'
L11	S90°00'00"W	11.38'
L12	N00°12'13"E	449.30'

LEGEND

-  SECTION CORNER
-  EASEMENT AREA
-  PROPERTY LINE
-  PROPERTY CORNER
-  MARICOPA COUNTY RECORDER



JOB #	WA449847	DATE	9/19/2019
T.1N., R.2W., SEC. 23, NE. 1/4			
SCALE	1" = 60'	SHEET	2 OF 2
UTILITY EASEMENT			
SURVEY:	FLORES / ELLIS		
DRAWN BY:	L. JOHN		

WA449847

BOUNDARY

RB = S89°47'47.0000" E

R = 540.0000

A = 93.0667

C = 92.9516

CB = S04°44'01.4380" E

D = 09°52'28.8760"

T = 46.6489

RB = S80°19'44.1240" W

S00°12'13.0000" W 163.7006

S39°38'36.0674" E 6.2428

S00°12'13.0000" W 173.9097

N89°59'59.8672" E 3.3269

S00°00'00.1328" E 6.0000

S89°59'59.8672" W 4.0000

S00°00'00.1328" E 8.2497

S89°59'59.8672" W 11.3776

N00°12'13.0000" E 449.3023

N00°00'00.0000" E 0.0000

to

Area = 3,877 0.089 AC

Closing course: 58°04'24.4827" 0.000208

Misclosure: 1/1,000,000+

North Error: 0.000110

East Error: 0.000177

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