

NE 23 1N 2W
33.418281, -112.427913
APN 502-43-028J
CCW-19-179
WA449482
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.

IN WITNESS WHEREOF, **THE CITY OF GOODYEAR**, an Arizona municipal corporation, has caused this Utility Easement to be executed by its duly authorized representative, this ____ day of _____, 201__.

THE CITY OF GOODYEAR,
an Arizona municipal corporation

By: _____
Georgia Lord, Mayor

STATE OF _____ }
 } ss.
County of _____ }

This instrument was acknowledged before me this ____ day of _____, 201__
by Georgia Lord, Mayor of THE CITY OF GOODYEAR.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Seal:

Notary Public Signature

EXHIBIT "A"

(DOC. 2007-1356154 M.C.R.)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

That part of Section 23 and the Northwest quarter of Section 24, 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 Department of Transportation brass cap in a pothole marking the Southwest corner of said Section 23, from which the cotton picker spindle marking the West quarter corner of said Section 23 bears North 00 degrees 11 minutes 46 seconds East, a distance of 2636.39 feet;

THENCE South 89 degrees 37 minutes 52 seconds East along the South line of the Southwest quarter of said Section 23, a distance of 694.70 feet to the TRUE POINT OF BEGINNING;

THENCE North 00 degrees 22 minutes 08 seconds East, departing said South line, a distance of 55.00 feet to a point on a 1615.00 foot radius non-tangent curve whose center bears North 00 degrees 22 minutes 08 seconds East;

THENCE Northeasterly along said curve, through a central angle of 48 degrees 57 minutes 38 seconds, a distance of 1380.05 feet;

THENCE North 41 degrees 24 minutes 30 seconds East, a distance of 755.19 feet;

THENCE North 03 degrees 35 minutes 30 seconds West, a distance of 28.28 feet;

THENCE North 41 degrees 24 minutes 30 seconds East, a distance of 50.00 feet;

THENCE North 86 degrees 24 minutes 30 seconds East, a distance of 28.28 feet;

THENCE North 41 degrees 24 minutes 30 seconds East, a distance of 588.11 feet;

THENCE North 36 degrees 43 minutes 51 seconds East, a distance of 899.10 feet;

THENCE North 63 degrees 17 minutes 54 seconds East, a distance of 413.22 feet;

THENCE North 37 degrees 54 minutes 06 seconds East, a distance of 682.81 feet to a point on a 1040.00 foot radius non-tangent curve whose center bears North 40 degrees 28 minutes 21 seconds West;

THENCE Northeasterly along said curve, through a central angle of 15 degrees 13 minutes 23 seconds, a distance of 276.32 feet;

THENCE North 34 degrees 18 minutes 16 seconds East, a distance of 316.70 feet to the beginning of a tangent curve of 2400.00 foot radius, concave Northwesterly;

THENCE Northeasterly along said curve, through a central angle of 09 degrees 38 minutes 50 seconds, a distance of 404.09 feet;

THENCE North 24 degrees 39 minutes 26 seconds East, a distance of 159.95 feet;

THENCE North 04 degrees 36 minutes 21 seconds West, a distance of 545.39 feet to the beginning of a tangent curve of 778.00 foot radius, concave Easterly;

THENCE Northerly along said curve, through a central angle of 12 degrees 39 minutes 01 seconds, a distance of 171.77 feet;

THENCE North 08 degrees 02 minutes 40 seconds East, a distance of 217.77 feet;

THENCE North 77 degrees 52 minutes 45 seconds West, a distance of 773.33 feet;

THENCE North 00 degrees 14 minutes 26 seconds East, a distance of 31.67 feet;

THENCE South 44 degrees 19 minutes 51 seconds West, a distance of 45.92 feet;

THENCE North 89 degrees 48 minutes 02 seconds West, a distance of 30.42 feet to a point on the West line of the Northeast quarter of the Northeast quarter of said Section 23;

THENCE North 00 degrees 11 minutes 58 seconds East along said West line, a distance of

88.01 feet to the Northwest corner of the Northeast quarter of the Northeast quarter of said Section 23;

THENCE South 89 degrees 45 minutes 34 seconds East along the North line of the Northeast quarter of said Section 23, a distance of 1323.05 feet to the Maricopa County Highway Department brass cap in a handhole marking the Northwest corner of said Section 24;

THENCE South 89 degrees 46 minutes 09 seconds East along the North line of the Northwest quarter of said Section 24, a distance of 1321.59 feet to the Northeast corner of the West half of the Northwest quarter of said Section 24;

THENCE South 00 degrees 09 minutes 53 seconds West along the East line of the West half of the Northwest quarter of said Section 24, a distance of 70.67 feet;

THENCE South 79 degrees 46 minutes 20 seconds West, departing said East line, a distance of 1025.75 feet;

THENCE South 07 degrees 12 minutes 19 seconds West, a distance of 498.59 feet;

THENCE South 10 degrees 22 minutes 00 seconds West, a distance of 977.89 feet;

THENCE South 01 degrees 23 minutes 32 seconds West, a distance of 190.04 feet to a point on a line which is parallel with and 75.00 feet Easterly, as measured at right angles, from the West line of the Northwest quarter of said Section 24;

THENCE South 00 degrees 11 minutes 10 seconds West along said parallel line, a distance of 740.11 feet to a point on the South line of the Northwest quarter of said Section 24;

THENCE North 89 degrees 45 minutes 48 seconds West along said South line, a distance of 75.00 feet to the Maricopa County Highway Department brass cap in a handhole marking the West quarter corner of said Section 24;

THENCE South 00 degrees 11 minutes 30 seconds West along the East line of the Southeast quarter of said Section 23, a distance of 75.00 feet to a point on a line which is parallel with and 75.00 feet Southerly, as measured at right angles, from the North line of the Southeast quarter of said Section 23;

THENCE North 89 degrees 43 minutes 14 seconds West along said parallel line, a distance of 609.99 feet;

THENCE South 55 degrees 21 minutes 16 seconds West, departing said parallel line, a distance of 1249.55 feet;

THENCE South 41 degrees 24 minutes 30 seconds West, a distance of 2455.05 feet to a point on the South line of the Southwest quarter of said Section 23;

THENCE North 89 degrees 37 minutes 52 seconds West along said South line, a distance of 1350.35 feet to the TRUE POINT OF BEGINNING;

EXCEPT THEREFROM the following described parcel of land:

COMMENCING at said Maricopa County Highway Department brass cap in a handhole marking the West quarter corner of said Section 24;

THENCE North 00 degrees 11 minutes 10 seconds East along the West line of the Northwest quarter of said Section 24, a distance of 98.26 feet;

THENCE North 89 degrees 48 minutes 50 seconds West, a distance of 160.00 feet to the TRUE POINT OF BEGINNING;

THENCE South 45 degrees 13 minutes 58 seconds West, a distance of 46.63 feet to a point on a line which is parallel with and 65.00 feet Northerly, as measured at right angles, from the South line of the Northeast quarter of said Section 23;

THENCE North 89 degrees 43 minutes 14 seconds West along said parallel line, a distance of 593.47 feet;

THENCE North 48 degrees 47 minutes 35 seconds West, departing said parallel line, a distance of 125.66 feet;

THENCE North 41 degrees 12 minutes 25 seconds East, a distance of 262.75 feet to the

beginning of a tangent curve of 1440.00 foot radius, concave Northwesterly;
THENCE Northeasterly along said curve, through a central angle of 06 degrees 54 minutes 09 seconds, a distance of 173.48 feet;
THENCE North 34 degrees 18 minutes 16 seconds East, a distance of 316.70 feet to the beginning of a tangent curve of 2800.00 foot radius, concave Northwesterly;
THENCE Northeasterly along said curve, through a central angle of 05 degrees 44 minutes 22 seconds, a distance of 280.48 feet;
THENCE South 13 degrees 31 minutes 58 seconds East, a distance of 506.12 feet to a point on a line which is parallel with and 160.00 feet Westerly, as measured at right angles, from the West line of the Northwest quarter of said Section 24;
THENCE South 00 degrees 11 minutes 10 seconds West along said parallel line, a distance of 396.34 feet to the TRUE POINT OF BEGINNING.

**EXCEPT THOSE AREAS INCLUDED IN FINAL JUDGEMENT, RECORDED IN
INSTRUMENT #2014-0017538 OFFICIAL RECORDS OF THE COUNTY RECORDER,
MARICOPA COUNTY, ARIZONA.**

EXHIBIT "B"

LOWER BUCKEYE ROAD

BASIS OF BEARING
N89°45'34"W 2646.10'

TRUE POINT OF BEGINNING

POINT OF COMMENCEMENT

NE. COR. SEC. 23
T.1N., R.2W.

S00°11'09"W 33.00'

N89°45'34"W 1227.65'

447.67'

L9 L10

N89°45'34"W 33.00'

APN 502-43-028G

L11

Δ=4°47'58"

R=3253.29' L=272.52'

S00°08'26"W 352.27'

S00°11'09"W 1289.00'

COTTON ROAD

APN 502-43-028J

DOC. NO. 2007-1356154 MCR

EL CIDRO PHASE 1 PARCEL 3
BOOK 1331 OF MAPS, PAGE 48 MCR

N08°02'40"E 217.77'

33' R/W

L8

L7

L1

L6

L5

L3

L2

L4

N. 1/4 COR. SEC. 23
T.1N., R.2W.

LEGEND

EASEMENT AREA

PROPERTY LINE

SECTION LINE

SECTION CORNER

PROPERTY CORNER

MCR

MARICOPA COUNTY RECORDER

Registered Land Surveyor
CERTIFICATE NO.
33851
RICHARD G. ALCOCER
Date Signed: 11/25/19
ARIZONA U.S.A.

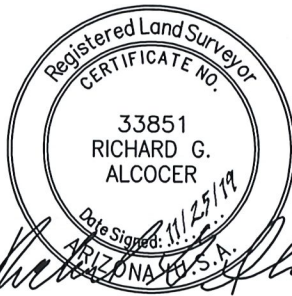
ADDITIONAL SOURCE USED TO
CREATE THIS EXHIBIT:
DOC. NO. 2012-0062684 MCR

JOB #	WA449482	DATE	11/25/19
T.1N., R.2W., SEC. 23, NE. 1/4			
SCALE 1" = 100'	SHEET 1 OF 2		
UTILITY EASEMENT			
SURVEY:	FLORES		
DRAWN BY:	J. KITCHEN		

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EXHIBIT "B"

LINE TABLE		
NO.	BEARING	LENGTH
L1	S00°00'27"E	113.96'
L2	N90°00'00"E	5.33'
L3	S00°00'00"E	18.25'
L4	N90°00'00"W	15.33'
L5	N00°00'00"E	18.25'
L6	N90°00'00"E	2.00'
L7	N00°00'27"W	113.99'
L8	S89°45'34"E	8.00'
L9	S89°45'34"E	135.13'
L10	S03°41'49"W	15.34'
L11	S04°53'27"W	89.80'



JOB #	WA449482	DATE	11/25/19
T.1N., R.2W., SEC. 23, NE. 1/4			
SCALE	N/A	SHEET	2 OF 2
UTILITY EASEMENT			
SURVEY: FLORES			
DRAWN BY: J. KITCHEN			

November 25, 2019

LEGAL DESCRIPTION FOR
APN 502-43-028J
ELECTRIC EASEMENT

That part of the Northeast Quarter of 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°45'34" West, a distance of 2646.10 feet;

Thence South 00°11'09" West, along the East line of the Northeast Quarter of said Section 23, a distance of 33.00 feet to a point on the South Right-of-Way line of Lower Buckeye Road;

Thence North 89°45'34" West, departing said East line, along said South Right-of-Way line, a distance of 33.00 feet to a point on the West Right-of-Way line of Cotton Road;

Thence continuing North 89°45'34" West, along said South Right-of-Way line, a distance of 447.67 feet to the True Point of Beginning;

Thence South 00°00'27" East, departing said South Right-of-Way line, a distance of 113.96 feet;

Thence North 90°00'00" East, a distance of 5.33 feet;

Thence South 00°00'00" East, a distance of 18.25 feet;

Thence South 90°00'00" West, a distance of 15.33 feet;

Thence North 00°00'00" East, a distance of 18.25 feet;

Thence North 90°00'00" East, a distance of 2.00 feet;

Thence North 00°00'27" West, a distance of 113.99 feet to a point on the South Right-of-Way line of Lower Buckeye Road;

Thence South 89°45'34" East, along said South Right-of-Way line, a distance of 8.00 feet to the True Point of Beginning.

Containing 1191.63 Square Feet or 0.027 Acres, more or less.

