

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)

**PUBLIC UTILITY, SIDEWALK AND ACCESS EASEMENT  
(South 181<sup>st</sup> Lane)**

GRANTOR:

GRANTEE:

**NNP III-ESTRELLA MOUNTAIN RANCH, LLC, a Delaware limited liability company**     **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**, its successors and assigns ("Grantee"), a Public Utility, Sidewalk and Access Easement. The Public Utility, Sidewalk and Access Easement (the "Easement") shall be a permanent easement upon, over, under, across, above and through the real property described in Exhibit "A," attached hereto and incorporated herein (the "Easement Area"). Such Easement is for the purposes of: (i) entering upon, locating, inspecting, installing, constructing, maintaining, operating, replacing, and/or repairing public utility facilities in, over, above, and under the Easement Area by the City of Goodyear and its Permittees; (ii) entering upon, constructing, installing, operating, maintaining, repairing and/or replacing public sidewalks over and above the Easement Area by the City of Goodyear and its Permittees; (iii) pedestrian travel by the general public over any public sidewalks installed with the Easement Area; and (iv) providing access to the Easement Area for the purposes set forth herein.

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.

This Public Utility, Sidewalk and Access Easement constitutes a covenant running with the land for the benefit of the Grantee.

Grantor and its respective successors and assigns shall have no responsibility or liability for the construction, operation, maintenance, or repair of any facilities constructed pursuant to the rights granted by this Public Utility, Sidewalk and Access Easement unless installed by them. Grantor and its respective successors and assigns, hereby waives and releases Grantee from any and all liability for damage to the Property that results from the exercise of the rights granted under this easement provided Grantee shall, as soon as practicable restore the Property to a neat and presentable condition.

Grantor reserves for itself, its successors and assigns all such rights and privileges in the Easement Area as may be used without interfering with or abridging the rights and easements hereby acquired.

IN WITNESS WHEREOF, this instrument is executed this 29 day of April, 2020.

*Signatures, Acknowledgements and Exhibits on Following Pages*

GRANTOR:

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

By: [Signature]  
William M. Olson, Senior Vice President

State of Arizona )  
County of Maricopa )ss.

The foregoing instrument (Public Utility, Sidewalk and Access Easement) was acknowledged before me this 29 day of April, 2020 by William M. Olson, as Senior Vice President of **NNP III-ESTRELLA MOUNTAIN RANCH, LLC, a Delaware limited liability company.**



[Signature]  
Notary Public

GRANTEE:

ACCEPTED by the **CITY OF GOODYEAR, ARIZONA**, an Arizona municipal corporation, the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

By: \_\_\_\_\_

Its: \_\_\_\_\_

State of Arizona )  
County of Maricopa )ss.

The foregoing instrument (Public Utility, Sidewalk and Access Easement) was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020 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  
10-FOOT PUBLIC UTILITY EASEMENT (PUE)**

A PORTION OF LAND LYING WITHIN SECTIONS 34, TOWNSHIP 1 SOUTH, RANGE 2 WEST OF THE GILA & SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS;

**COMMENCING** AT, A FOUND GLO BRASS CAP BEING THE SOUTHEAST CORNER OF SECTION 27, FROM WHICH THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 27, BEARS SOUTH 88°51'31" WEST, A DISTANCE OF 2,731.34 FEET;

THENCE LEAVING SAID SOUTHEAST CORNER SOUTH 69°28'12" WEST, A DISTANCE OF 2,218.87 FEET, TO THE **POINT OF BEGINNING**;

THENCE SOUTH 30°30'38" WEST, A DISTANCE OF 13.64 FEET;

THENCE SOUTH 74°28'34" WEST, A DISTANCE OF 14.21 FEET;

THENCE SOUTH 28°26'30" WEST, A DISTANCE OF 90.09 FEET;

THENCE SOUTH 15°36'27" EAST, A DISTANCE OF 1.64 FEET;

THENCE NORTH 61°33'30" WEST, A DISTANCE OF 11.14 FEET;

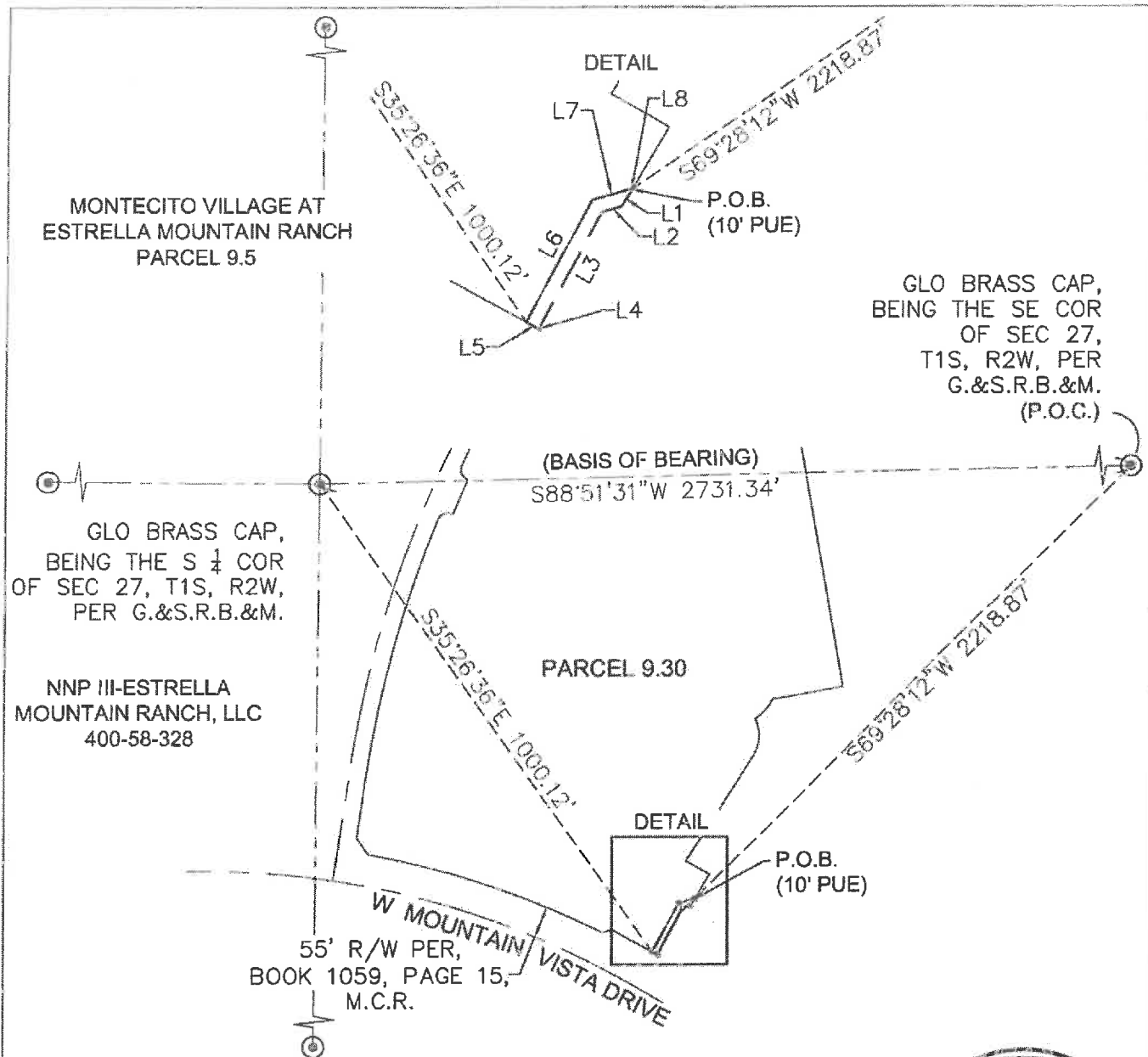
THENCE NORTH 28°26'30" EAST, A DISTANCE OF 95.52 FEET;

THENCE NORTH 74°28'34" EAST, A DISTANCE OF 27.77 FEET;

THENCE SOUTH 59°29'22" EAST, A DISTANCE OF 0.74 FEET, TO THE **POINT OF BEGINNING**.

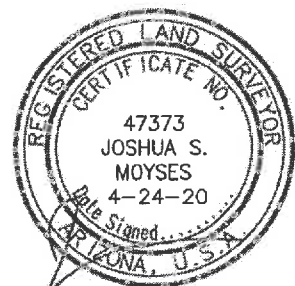
PARCEL CONTAINS 1,150 SQUARE FEET 0.026± ACRES MORE OR LESS.





# LEGEND

- (P.O.C.) POINT OF COMMENCEMENT
- (P.O.B.) POINT OF BEGINNING
- R/W RIGHT-OF-WAY
- P.U.E. PUBLIC UTILITY EASEMENT
- M.C.R. MARICOPA COUNTY RECORDER
- PARCEL LINE
- MONUMENT LINE
- SECTION LINE
- PUBLIC UTILITY EASEMENT LINE (DEDICATED)



EXPIRES 03/31/23

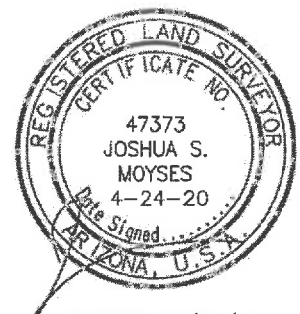
10' PUE  
DEDICATION  
EXHIBIT B



STRATEGIC  
SURVEYING, LLC  
1102 W. SOUTHERN AVE., STE 4  
TEMPE, AZ 85282  
PHONE: (480) 272-7634

DRAWN	JD
CHECKED	JSM
SCALE	NTS
DATE	4/24/20
PAGE	2 OF 3

LINE TABLE		
LINE #	LENGTH	BEARING
L1	13.64'	S30°30'38"W
L2	14.21'	S74°28'34"W
L3	90.09'	S28°26'30"W
L4	1.64'	S15°36'27"E
L5	11.14'	N61°33'30"W
L6	95.52'	N28°26'30"E
L7	27.77'	N74°28'34"E
L8	0.74'	S59°29'22"E



EXPIRES 03/31/23

10' PUE  
DEDICATION  
EXHIBIT B



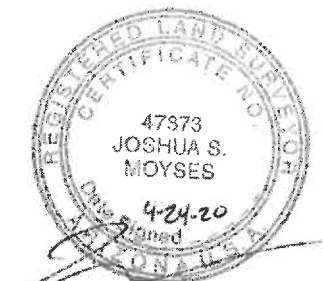
STRATEGIC  
SURVEYING, LLC

1102 W. SOUTHERN AVE., STE 4  
TEMPE, AZ 85282  
PHONE: (480) 272-7634

DRAWN	JD
CHECKED	JSM
SCALE	NTS
DATE	4/24/20
PAGE	3 OF 3

**CLOSURE REPORT**  
**10-FOOT PUBLIC UTILITY EASEMENT (PUE)**

North: 838783.2321' East: 549472.0323'  
Segment #1 : Line  
Course: S74° 28' 34"W Length: 14.21'  
North: 838779.4290' East: 549458.3407'  
Segment #2 : Line  
Course: S28° 26' 30"W Length: 90.09'  
North: 838700.2126' East: 549415.4341'  
Segment #3 : Line  
Course: S15° 36' 27"E Length: 1.64'  
North: 838698.6331' East: 549415.8753'  
Segment #4 : Line  
Course: N61° 33' 30"W Length: 11.14'  
North: 838703.9386' East: 549406.0799'  
Segment #5 : Line  
Course: N28° 26' 30"E Length: 95.52'  
North: 838787.9296' East: 549451.5726'  
Segment #6 : Line  
Course: N74° 28' 34"E Length: 27.77'  
North: 838795.3620' East: 549478.3295'  
Segment #7 : Line  
Course: S59° 29' 22"E Length: 0.74'  
North: 838794.9863' East: 549478.9671'  
Segment #8 : Line  
Course: S30° 30' 38"W Length: 13.64'  
North: 838783.2349' East: 549472.0421'  
Perimeter: 254.74' Area: 1149.50 Sq. Ft.  
Error Closure: 0.0102 Course: N73° 55' 11"E  
Error North: 0.00282 East: 0.00978  
Precision 1: 24975.49



EXPIRES: 3/31/23



When recorded Mail to:

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City Clerk / LRB  
190 N. Litchfield Road  
P.O. Box 5100  
Goodyear, Arizona 85338

EXEMPT UNDER A.R.S. § 11-1134(A)(3)

**PUBLIC UTILITY, SIDEWALK AND ACCESS EASEMENT  
(West Amber Ridge Way)**

GRANTOR:

GRANTEE:

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

**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**, its successors and assigns ("Grantee"), a Public Utility, Sidewalk and Access Easement. The Public Utility, Sidewalk and Access Easement (the "Easement") shall be a permanent easement upon, over, under, across, above and through the real property described in Exhibit "A," attached hereto and incorporated herein (the "Easement Area"). Such Easement is for the purposes of: (i) entering upon, locating, inspecting, installing, constructing, maintaining, operating, replacing, and/or repairing public utility facilities in, over, above, and under the Easement Area by the City of Goodyear and its Permittees; (ii) entering upon, constructing, installing, operating, maintaining, repairing and/or replacing public sidewalks over and above the Easement Area by the City of Goodyear and its Permittees; (iii) pedestrian travel by the general public over any public sidewalks installed with the Easement Area; and (iv) providing access to the Easement Area for the purposes set forth herein.

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Grantor reserves for itself, its successors and assigns all such rights and privileges in the Easement Area as may be used without interfering with or abridging the rights and easements hereby acquired.

IN WITNESS WHEREOF, this instrument is executed this 29 day of April, 2020.

*Signatures, Acknowledgements and Exhibits on Following Pages*

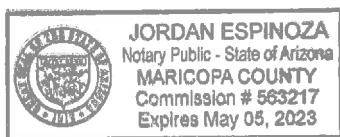
GRANTOR:

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

By: [Signature]  
William M. Olson, Senior Vice President

State of Arizona )  
 )ss.  
County of Maricopa )

The foregoing instrument (Public Utility, Sidewalk and Access Easement) was acknowledged before me this 29 day of April, 2020 by William M. Olson, as Senior Vice President of **NNP III-ESTRELLA MOUNTAIN RANCH, LLC, a Delaware limited liability company.**



[Signature]  
Notary Public

GRANTEE:

ACCEPTED by the **CITY OF GOODYEAR, ARIZONA**, an Arizona municipal corporation, the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

By: \_\_\_\_\_

Its: \_\_\_\_\_

State of Arizona )  
 )ss.  
County of Maricopa )

The foregoing instrument (Public Utility, Sidewalk and Access Easement) was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020 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**  
**8-FOOT PUBLIC UTILITY EASEMENT (PUE)**

A PORTION OF LAND LYING WITHIN SECTIONS 34, TOWNSHIP 1 SOUTH, RANGE 2 WEST OF THE GILA & SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS;

**COMMENCING AT**, A FOUND GLO BRASS CAP BEING THE SOUTHEAST CORNER OF SECTION 27, FROM WHICH THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 27, BEARS SOUTH 88°51'31" WEST, A DISTANCE OF 2,731.34 FEET;

THENCE LEAVING SAID SOUTHEAST CORNER SOUTH 70°25'52" WEST, A DISTANCE OF 2,174.08 FEET, TO THE **POINT OF BEGINNING**;

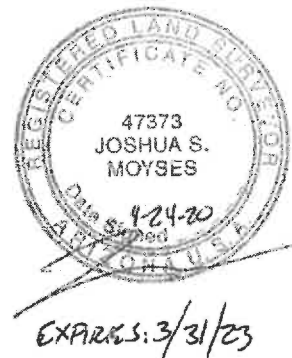
THENCE SOUTH 30°30'38" WEST, A DISTANCE OF 8.00 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE WHOSE RADIUS BEARS SOUTH 30°30'38" WEST, A DISTANCE OF 1,732.00 FEET;

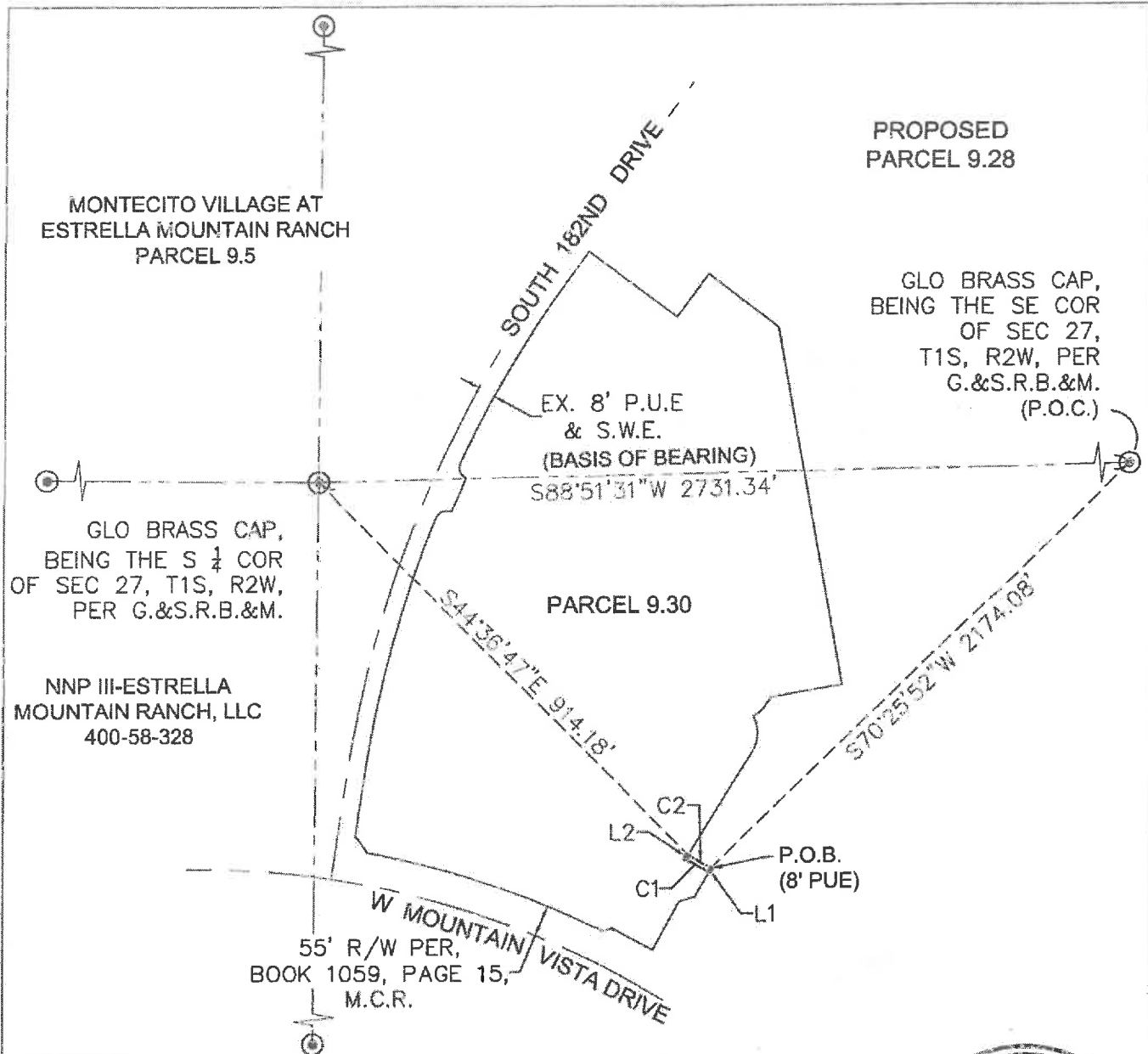
THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT, WHOSE CENTRAL ANGLE IS 1°32'26", AND LENGTH OF 46.57 FEET;

THENCE NORTH 32°00'58" EAST, A DISTANCE OF 8.01 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE WHOSE RADIUS BEARS SOUTH 28°59'02" WEST, A DISTANCE OF 1,740.00 FEET

THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT, WHOSE CENTRAL ANGLE IS 1°31'36", AND LENGTH OF 46.36 FEET, TO THE **POINT OF BEGINNING**.

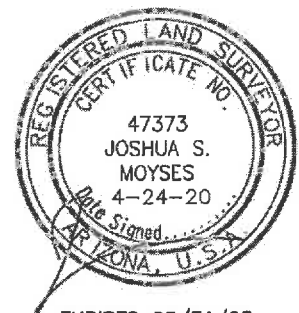
PARCEL CONTAINS 372 SQUARE FEET 0.0085± ACRES MORE OR LESS.





# LEGEND

- (P.O.C.) POINT OF COMMENCEMENT
- (P.O.B.) POINT OF BEGINNING
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- PARCEL LINE
- MONUMENT LINE
- SECTION LINE
- PUBLIC UTILITY EASEMENT LINE (DEDICATED)



EXPIRES 03/31/23

8' PUE  
DEDICATION  
EXHIBIT B



STRATEGIC  
SURVEYING, LLC  
1102 W. SOUTHERN AVE., STE 4  
TEMPE, AZ 85282  
PHONE: (480) 272-7634

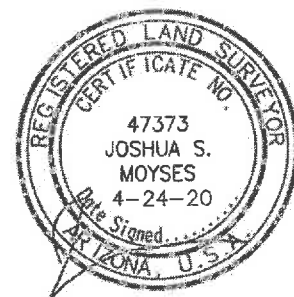
DRAWN	JD
CHECKED	JSM
SCALE	NTS
DATE	4/24/20
PAGE	2 OF 3

# LINE TABLE

LINE #	LENGTH	BEARING
L1	8.00'	S30°30'38"W
L2	8.01'	N32°00'58"E

# CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHD BEARING	CHD LENGTH
C1	46.57'	1732.00'	1°32'26"	N60°15'36"W	46.57'
C2	46.36'	1740.00'	1°31'36"	S60°15'10"E	46.36'



EXPIRES 03/31/23

8' PUE  
DEDICATION  
EXHIBIT B



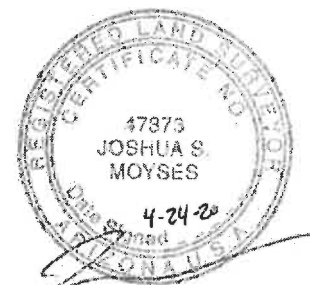
STRATEGIC  
SURVEYING, LLC

1102 W. SOUTHERN AVE., STE 4  
TEMPE, AZ 85282  
PHONE: (480) 272-7634

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CHECKED	JSM
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DATE	4/24/20
PAGE	3 OF 3

**CLOSURE REPORT**  
**8-FOOT PUBLIC UTILITY EASEMENT (PUE)**

North: 841345.8319' East: 547272.0915'  
Segment #1 : Line  
Course: S30° 30' 38"W Length: 8.00'  
North: 841338.9397' East: 547268.0299'  
Segment #2 : Curve  
Length: 46.57' Radius: 1732.00'  
Delta: 1.5406 (d) Tangent: 23.29'  
Chord: 46.57' Course: N60° 15' 36"W  
Course In: S30° 30' 38"W Course Out: N28° 58' 11"E  
RP North: 839846.7599' East: 546388.6985'  
End North: 841362.0414' East: 547227.5939'  
Segment #3 : Line  
Course: N32° 00' 58"E Length: 8.01'  
North: 841368.8331' East: 547231.8404'  
Segment #4 : Curve  
Length: 46.36' Radius: 1740.00'  
Delta: 1.5266 (d) Tangent: 23.18'  
Chord: 46.36' Course: S60° 15' 10"E  
Course In: S28° 59' 02"W Course Out: N30° 30' 38"E  
RP North: 839846.7576' East: 546388.6996'  
End North: 841345.8304' East: 547272.0912'  
Perimeter: 108.94' Area: 371.73 Sq. Ft.  
Error Closure: 0.0015 Course: S9° 28' 25"W  
Error North: -0.00151 East: -0.00025  
Precision 1: 72626.67



EXPIRES: 3/31/20