

When recorded, return to:
Maricopa County
Real Estate Department [PM]

EXEMPT ARS 11-1134, A3

ASSIGNMENT OF EASEMENTS

Project No.: TT344, TT367 and TT0367

Project Name: El Mirage Rd. (Northern Ave. to Peoria Ave.)

**Item Nos.: D22367-2, D22725A-2, D22727-2, D22728-2,
D22730A-2, D22734A-2, D22737-2, D22739-6, D22743-2,
D22746-2, D23367-2**

KNOW ALL MEN BY THESE PRESENTS:

That for and in the consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **MARICOPA COUNTY**, a political subdivision of the State of Arizona (“**ASSIGNOR**”), does hereby assign to the **City of El Mirage**, a municipal corporation of the State of Arizona, its successors and assigns (“**ASSIGNEE**”), all those certain easement rights in, on, over, under, through and across real property situated in Township Three (3) North, Range One (1) West, Section(s) 25, 26, 35, and 36 of the Gila and Salt River Base and Meridian, in the County of Maricopa, State of Arizona, together with any other rights granted in said easements described in each of the following instruments filed of record in the office of the Maricopa County Recorder (collectively Easements):

Drainage Easement	Document # 2016-0438576	D22367-2
Drainage Easement	Document # 2016-0168535	D22725A-2
Drainage easement	Document #2019-0696610	D22727-2
Final Order of Condemnation	Document #2016-0572422	D22728-2
Drainage Easement	Document #2016-0400413	D22730A-2
Drainage Easement	Document #2016-0438572	D22734A-2
Final Order of Condemnation	Document #2016-0351877	D22737-2
Public Utility Easement	Document #2014-0527505	D22739-6
Drainage Easement	Document #2013-0810052	D22743-2
Drainage Easement	Document #2014-0024144	D22746-2
Drainage Easement	Document #2016-0438576	D23367-2

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SUBJECT TO: any lien for taxes that is or shall become due, zoning and other governmental restrictions, and all covenants, conditions, restrictions, easements, rights-of-way, liens, and other matters of record, or matters that could be disclosed by a visual inspection or accurate survey of the real property.

TO HAVE AND TO HOLD unto **ASSIGNEE** the Easements herein described for the use and purposes set forth in each easement.

The **ASSIGNOR** hereby conveys unto **ASSIGNEE** all warranties of title of any nature whatsoever which **ASSIGNOR** and its successors possess, however, **ASSIGNOR** warrants title as against all of its acts and no other acts.

ASSIGNOR hereby assigns, and **ASSIGNEE** hereby assumes, all of **ASSIGNOR'S** rights, interests and obligations under the Easements and **ASSIGNOR** retains no rights, interests or obligations under the Easements.

The land and improvements within the areas described in the Easements shall at all times be maintained and repaired at the sole cost and expense of the **ASSIGNEE**, its contractors, agents, successors or assigns.

To the extent authorized by law, **ASSIGNOR** covenants and agrees to indemnify, defend, and hold harmless **ASSIGNEE** from and against any actions, suits, proceedings, or claims, and all costs and expenses (including without limitation, reasonable attorney's fees and costs) incurred in connections therewith, based upon or arising out of any breach or alleged breach of the Easements, or arising in connection with the Easement occurring or alleged to have occurred before the date of the assignment.

ASSIGNEE covenants and agrees to indemnify, defend, and hold harmless **ASSIGNOR** from and against any actions, suits, proceedings, or claims, and all costs and expenses (including without limitation, reasonable attorney's fees and costs) incurred in connections therewith, based upon or arising out of any breach or alleged breach of the Easements, or arising in connection with the Easements, occurring or alleged to have occurred from and after the date of this assignment.

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D22746-2, D23367-2**

The Easements shall inure to the benefit and be binding upon the **ASSIGNEE** and its respective successors and assigns.

In witness whereof, **ASSIGNOR** and **ASSIGNEE** have executed this assignment as of the dates set forth herein.

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SIGNATURE PAGES FOLLOW.

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ASSIGNOR: MARICOPA COUNTY, a political subdivision of the State of Arizona

By: _____
Clint Hickman, Chairman
Maricopa County Board of Supervisors

APPROVED AS TO FORM:

ATTEST:

Deputy County Attorney

Clerk of the Board of Supervisors

STATE OF ARIZONA)
) SS.
COUNTY OF MARICOPA)

The foregoing instrument was acknowledged before me this _____ day of _____ 2020,
by Clint Hickman, as Chairman of the Maricopa County Board of Supervisors.

Notary Public (signature)

My Commission Expires _____

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ACCEPTED:

ASSIGNEE: The City of El Mirage, a municipal corporation of the State of Arizona

By: _____

Printed Name: _____

Its: _____
(Title)

APPROVED AS TO FORM:

ATTEST:

City Attorney

City Clerk

STATE OF ARIZONA)
) SS.
COUNTY OF MARICOPA)

On this _____ day of _____, 2020, before me the undersigned Notary Public personally appeared _____, known to me to be the _____ of The City of El Mirage, a municipal corporation of the State of Arizona, and, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained.

Notary Public (signature)

My Commission Expires _____