

When recorded, mail to
City Clerk
211 West Aspen Avenue
Flagstaff, Arizona 86001

PUBLIC SLOPE EASEMENT

For Valuable Consideration, the sufficiency and receipt of which are hereby acknowledged, _____ (“Grantor”), hereby grants and conveys to the City of Flagstaff, an Arizona municipal corporation (“Grantee”), an irrevocable, perpetual easement (“Easement”) for slope, embankment, fill, drainage and other similar public purposes under, over and across the real property of Grantor situated in Coconino County, Arizona, Assessor Parcel Number _____, and described in and depicted in the attached **Exhibit A** (“easement”), subject to the following terms and conditions:

1. Grantee shall have the right to survey, clear, excavate, grade, cut, fill, construct, repair, replace, alter and maintain the area within the Easement to provide lateral support to roadway improvements.
2. Grantee shall have the right of ingress and egress across adjacent property owned or controlled by the Grantor to the extent reasonably required to gain access to the property subject to the Easement.
3. Grantee shall have the right to remove or alter vegetation, improvements, or obstructions within the limits of the Easement that conflict with or hinder the Grantee’s use of the Easement. Upon completion of any such removal or alteration, the Grantee shall restore the property disturbed by any such removal or alteration to as near the pre-disturbance condition, or a Grantor approved changed condition, as the physical characteristics of the facility reasonably permit. Subject to the Grantee’s obligation set forth herein regarding restoration of the attributes of the disturbed property, the Grantor shall be responsible for the surface appearance of the property subject to this Easement.
4. To the extent permitted by Arizona law, the Grantee hereby covenants to indemnify and save Grantor harmless from any liabilities for injuries or damages to persons or property arising out of the use of the Easement by the Grantee, its officers, agents, employees and invitees.
5. Grantor shall have the right to use and enjoy the property subject to the Easement, provided that such use and enjoyment does not interfere with the Grantee’s use of the Easement, unless Grantee gives prior written consent. Grantor shall not construct or permit erection of any structure or improvement thereon that would interfere with the maintenance of the facilities within the Easement, unless Grantee gives prior written consent.
6. This Easement shall run with the land and be binding upon Grantor, its successors, heirs and assigns.

IN WITNESS WHEREOF, Grantor has caused this document to be executed in its name by the undersigned this ___ day of _____, 2019.

Flagstaff Unified School District #1

By: _____

Title: _____

STATE OF ARIZONA)
)ss.
County of _____)

ACKNOWLEDGEMENT. On this ___ day of _____, 2019, before me, a Notary Public, personally appeared _____, known to be and satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that (s)he executed the same on behalf of _____, for the purposes therein contained.

Notary Public

THENCE South 50°57'07" East, 87.77 feet;

THENCE South 41°07'05" East, 102.44 feet;

THENCE South 81°15'02" East, 92.59 feet;

THENCE North 72°10'13" East, 97.37 feet to the West line of the parcel of land described in Docket 1947, Page 830 and to the South line of the parcel of land described in Instrument No. 3385837;

THENCE South 18°30'41" East, along the West line of the parcel of land described in Docket 1947, Page 830 and along the South line of the parcel of land described in Instrument No. 3385837, 56.00 feet to the Northeast corner of the parcel of land described in Instrument No. 3340460, monumented with a 5/8" capped rebar marked "LS 26406";

THENCE South 71°32'55" West along the South line of the parcel of land described in Instrument No. 3385837 and along the North line of the parcel of land described in Instrument No. 3340460, 110.70 feet;

THENCE North 18°30'41" West, 31.28 feet;

THENCE North 81°15'02" West, 103.13 feet;

THENCE North 41°07'05" West, 110.54 feet;

THENCE North 50°57'07" West, 92.02 feet;

THENCE North 24°46'55" West, 63.84 feet;

THENCE North 17°38'11" West, 37.38 feet;

THENCE North 41°18'42" West, 50.15 feet to the proposed East right of way of Ponderosa Parkway;

THENCE Northerly along the proposed East right of way line of Ponderosa Parkway, along a curve to the left, having a radius of 884.74 feet and a central angle of 2°19'48", an arc distance of 35.98 feet (chord bearing North 12°24'20" East, chord distance 35.98 feet) to the **POINT OF BEGINNING** of this description.

The above described drainage easement contains 0.44 Acres more or less.

For a drawing of the parcel described above, see **Exhibit "A-2"**, which by this reference is made part of this description.

EASEMENT "E" - Slope Easement:

The slope easement is more particularly described by metes and bounds as follows:

BEGINNING at the above mentioned **POINT "D"**;

THENCE Northerly along the proposed East right of way line of Ponderosa Parkway, along a curve to the right, having a radius of 765.00 feet and a central

angle of $5^{\circ}57'54''$, an arc distance of 79.64 feet (chord bearing North $21^{\circ}22'04''$ East, chord distance 79.61 feet);

THENCE North $24^{\circ}21'00''$ East along the proposed East right of way line of Ponderosa Parkway, 137.50;

THENCE Northerly along the proposed East right of way line of Ponderosa Parkway, along a curve to the left, having a radius of 884.74 feet and a central angle of $10^{\circ}46'45''$, an arc distance of 166.45 feet (chord bearing North $18^{\circ}57'37''$ East, chord distance 166.21 feet);

THENCE South $41^{\circ}18'42''$ East, 36.38 feet;

THENCE Southerly, parallel with and 30' East of the East right of way line of Ponderosa Parkway, along a curve to the right, having a radius of 914.74 feet which bears North $75^{\circ}07'06''$ West, and a central angle of $9^{\circ}28'06''$, an arc distance of 151.16 feet (chord bearing South $19^{\circ}36'57''$ West, chord distance 150.99 feet);

THENCE South $24^{\circ}21'00''$ West, parallel with and 30' East of the East right of way line of Ponderosa Parkway, 137.50 feet;

THENCE Southerly, parallel with and 30' East of the East right of way line of Ponderosa Parkway, along a curve to the left, having a radius of 735.00 feet and a central angle of $9^{\circ}14'27''$, an arc distance of 118.54 feet (chord bearing South $19^{\circ}43'47''$ West, chord distance 118.41 feet) to the East line of Parcel 1 described in Docket 1827, Page 472 and to the West line of the parcel of land described in Instrument No. 3385837;

THENCE North $18^{\circ}13'20''$ West along the East line of Parcel 1 described in Docket 1827, Page 472 and along the West line of the parcel of land described in Instrument No. 3385837, 52.32 feet to the **POINT OF BEGINNING** of this description.

The above described slope easement contains 0.27 Acres more or less.

For a drawing of the parcel described above, see Exhibit "A-2", which by this reference is made part of this description.

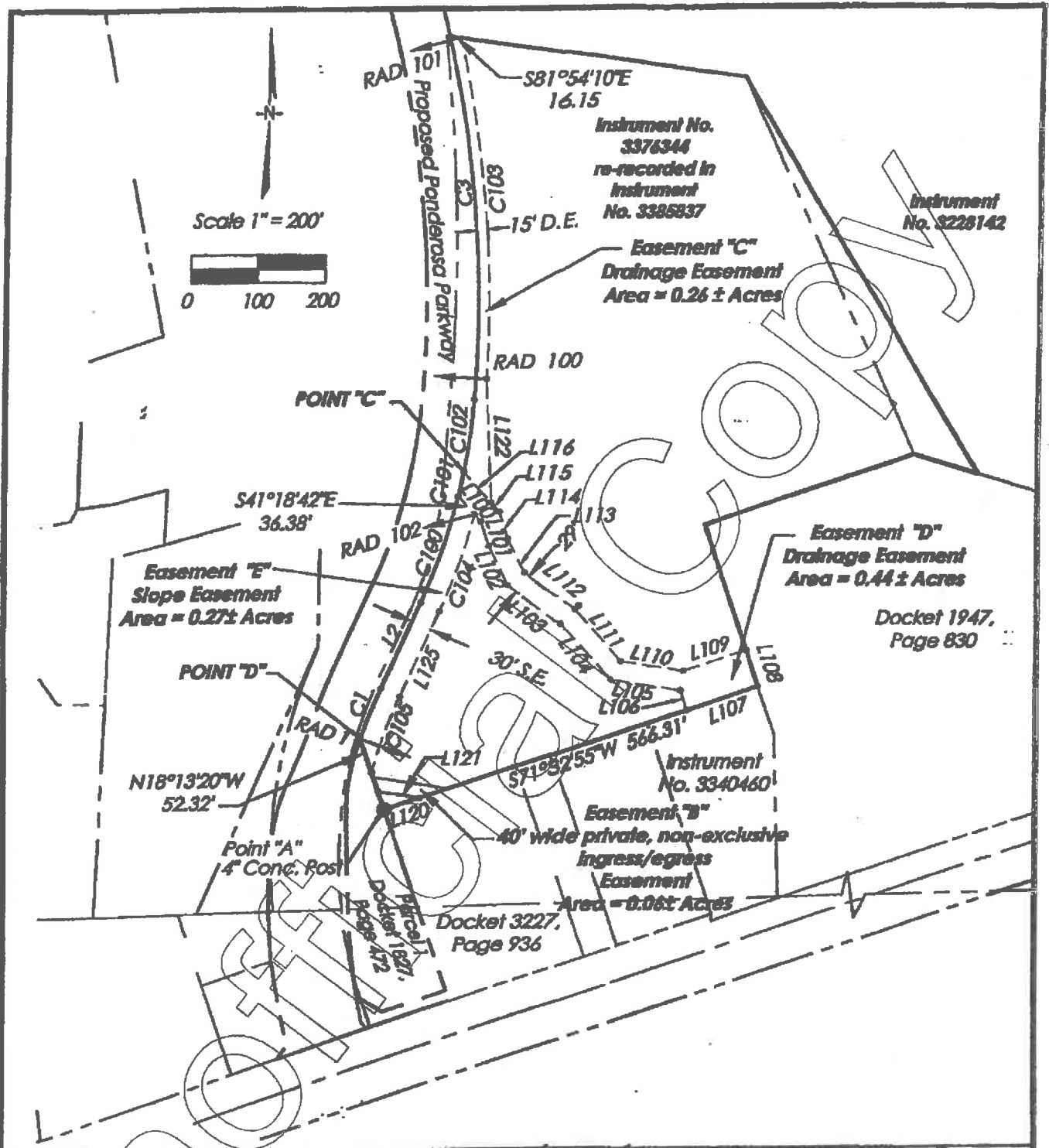
EASEMENT "F" - 16' Wide Public Utility Easement:

A 16' wide strip of land which lies 8.0 feet on each side of the following described line:

COMMENCING at the above mentioned **POINT "B"**;

THENCE North $18^{\circ}30'41''$ West along the South line of the parcel of land described in Instrument No. 3385837 and along the West line of the parcel of land described in Docket 1947, Page 830, 8.00 feet to the **POINT OF BEGINNING** of this description;

THENCE North $66^{\circ}39'29''$ West, 284.53 feet;



ARIZONA ENGINEERING COMPANY
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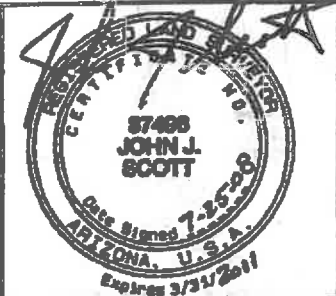


Exhibit "A-2"
Easements are located in the Southwest 1/4 of Section 14, Township 21 North, Range 7 East, Gila and Salt River Meridian, Coconino County, Arizona.

SHEET 2 OF 4