

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

Coconino County APN:

PUBLIC ACCESS EASEMENT

The City of Flagstaff, an Arizona municipal corporation, ("Grantor"), hereby dedicates to the public a non-exclusive easement for ingress and egress purposes over and across the real property legally described and depicted in the attached Exhibit A-1 and Exhibit B-1 ("easement"), subject to the following terms and conditions:

1. No parking is allowed within the easement. The easement is not granted for public utility uses; provided, however, any public utility seeking to locate within the easement area may request a separate easement from Grantor, which Grantor in its sole discretion may approve or deny.
2. Grantor may remove, alter, or maintain vegetation, improvements, or obstructions within the easement that conflict with ingress and egress purposes.
3. Grantor at its option may improve the easement for ingress and egress purposes. Nothing herein shall be construed to require Grantor to construct or maintain a path or driveway.
4. The easement may be used for motorized vehicular access to adjacent properties legally described in the attached Exhibit C ("the adjacent properties") upon condition that the owners of the adjacent at their expense construct and maintain a residential driveway, in the approximate location as shown on the map attached Exhibit D ("the residential driveway"), and upon condition that the residential driveway meets engineering standards of the City of Flagstaff, Arizona, acting in its governmental capacity, and upon condition that the owners of the adjacent property owners shall indemnify and hold harmless the City of Flagstaff, its elected officials, officers, employees, and agents from and against any personal injury, property damage or liability arising from stormwater or flooding, if any, to the extent it flows along the residential driveway.
5. The owners of the adjacent properties may remove, alter, or maintain vegetation, improvements, or obstructions within the easement that conflict with ingress and egress purposes.
6. The owners of the adjacent properties shall not erect signs indicating that the residential driveway is a private driveway. The driveway (at least that portion located within the easement) may be used by the public.
7. Grantor reserves the right to relocate the easement to a new location within Grantor's real property legally described in the attached Exhibit E ("Grantor's Property"), so long as Grantor at its expense provides a minimum twenty-foot (20') wide public access easement or public

right-of-way connecting from driveway entrances on the adjacent properties at the approximate locations as depicted on the map attached hereto as Exhibit D. If Grantor exercises its right to relocate the easement, then upon completion of relocation, Grantor will cause a notice of relocation of easement to be recorded along with a new Exhibit A which shall replace the Exhibit A attached hereto. This notice of relocation of easement shall have the effect of abandoning the prior easement location and establishing a new easement location.

- 8. The easement granted herein is perpetual and shall run with the land and be binding upon the Grantor and its heirs, assigns, and successors in interest.

IN WITNESS WHEREOF, Grantor has caused this access road easement to be executed this ___ day of _____, 202__.

Grantor: _____

By: _____

Title: _____

Its authorized representative

STATE OF _____)
) ss.
County of _____)

ACKNOWLEDGEMENT

On this _____ day of _____, 202__, before me, a Notary Public, personally appeared _____, whose identity was proven to me on the basis of satisfactory evidence to be the person who he or she claims to be, and who acknowledged that he or she executed the same for the purposes therein contained.

Notary Public

(Seal)

Attachments:

Exhibit A-1 Legal description of easement area

Exhibit B-1 Legal depiction of easement area

Exhibit C Legal descriptions of three (3) adjacent properties

Exhibit D Concept sketch for driveway and driveway entrances

Exhibit E Legal description of Grantor's property

Exhibit A-1 Legal Description

Following is a description of a parcel of land which is a portion of the parcel described in Exhibit A-1 in Instrument 3845125, located in the northwest quarter of Section 11, Township 21 North, Range 7 East, Gila and Salt River Base and Meridian, Coconino County, Arizona. Note: All references to recorded instruments refer to the records of the Coconino County Recorder's Office.

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

COMMENCING at the northwest corner of the parcel of land described in Exhibit A-1 in Instrument 3845125, which is common with the southwest corner of Lot 80 of Grandview Homes, Unit 2 recorded in Book 2 of Maps, Page 114. Note: The north line of the parcel of land described in Exhibit A-1 is common with the southerly lines of Lots 78, 79 and 80 of Grandview Homes, Unit 2 recorded in Book 2 of Maps, Page 114.

THENCE South 70°25'19" East along the north line of the parcel of land described in Exhibit A-1, 23.05 feet to the **TRUE POINT OF BEGINNING** of this description:

THENCE South 70°25'19" East along the north line of the parcel of land described in Exhibit A-1, 121.05 feet;

THENCE South 19°34'41" West, 10.18 feet;

THENCE North 70°25'19" West, 80.96 feet;

THENCE along a curve to the left having a radius of 14.00 feet, a central angle of 53°40'12" and an arc length of 13.11 feet, (chord bearing of South 82°44'35" West, chord length of 12.64 feet);

THENCE South 55°54'29" West, 14.17 feet;

THENCE North 86°23'18" West, 36.05 feet to the easterly right of way line of Linda Vista Drive as shown in Case 1, Map 149;

THENCE North 06°16'06" East along the easterly right of way line of Linda Vista Drive, 16.02 feet;

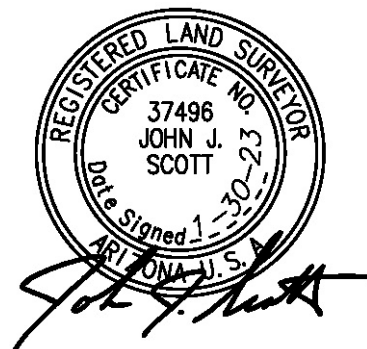
THENCE South 86°23'18" East, 23.19 feet;

THENCE North 03°36'42" East, 15.87 feet to the **TRUE POINT OF BEGINNING** of this description,

The above described access easement contains an area of 1988.88 square feet, 0.046 acres mor or less.

For a drawing of the above described easement refer to **Exhibit B-1**, which by this reference is made part of this description.

City File No. _____



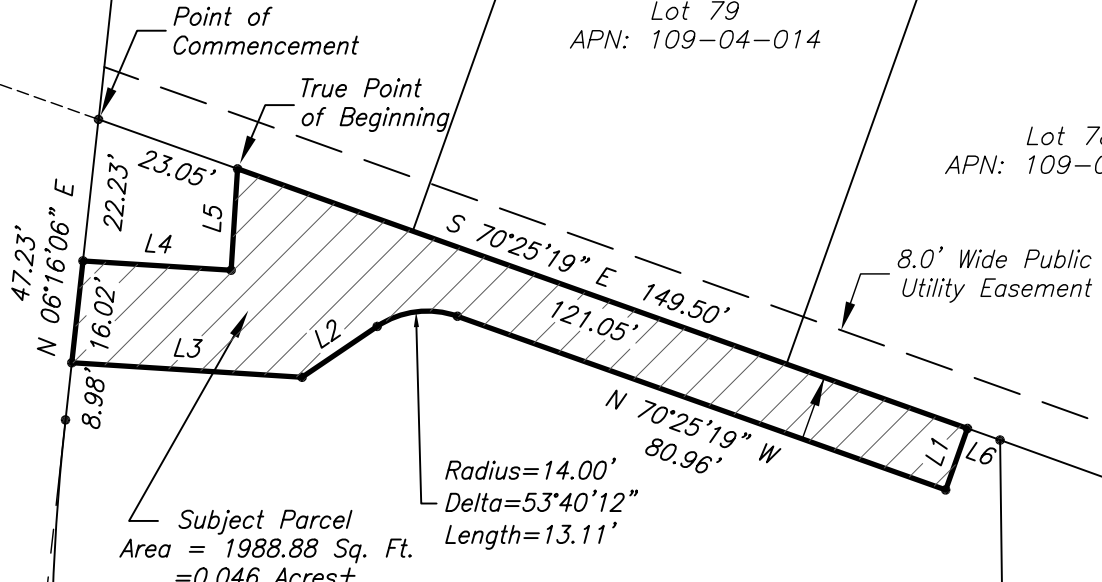
Linda Vista Drive
Case 1, Map 149

Lot 80
APN: 109-04-015

Grandview Homes, Unit 2
Book 2, Page 114

Lot 79
APN: 109-04-014

Lot 78
APN: 109-04-013



Subject Parcel
Area = 1988.88 Sq. Ft.
= 0.046 Acres ±

Radius = 14.00'
Delta = 53°40'12"
Length = 13.11'

LINE	BEARING	DISTANCE
L1	S 19°34'41" W	10.18'
L2	S 55°54'29" W	14.17'
L3	N 86°23'18" W	36.05'
L4	S 86°23'18" E	23.19'
L5	N 03°36'42" E	15.87'
L6	S 70°25'19" E	5.27'

Instrument 3845125
Exhibit A-1
APN: 109-02-001P



John J. Scott

Exhibit B-1

A parcel of land which is a portion of the parcel described in Exhibit A-1 in Instrument 3845125, located in the northwest quarter of Section 11, Township 21 North, Range 7 East, Gila and Salt River Base and Meridian, Coconino County, Arizona.

City File No. _____



**ARIZONA
SURVEYING**

Arizona Surveying, Inc
1843 W. Heavenly Ct
Flagstaff, AZ 86001



Scale 1" = 30'

Exhibit C

Adjacent Property Legal Descriptions

3509 N GRANDVIEW DR FLAGSTAFF, AZ 86004:

Lot 78 of Grandview Homes, Unit 2 recorded in Book 2 of Maps, Page 114, located in the northwest quarter of Section 11, Township 21 North, Range 7 East, Gila and Salt River Base and Meridian, Coconino County, Arizona.

3513 N GRANDVIEW DR FLAGSTAFF, AZ 86004:

Lot 79 of Grandview Homes, Unit 2 recorded in Book 2 of Maps, Page 114, located in the northwest quarter of Section 11, Township 21 North, Range 7 East, Gila and Salt River Base and Meridian, Coconino County, Arizona.

1131 E LINDA VISTA DR FLAGSTAFF, AZ 86004:

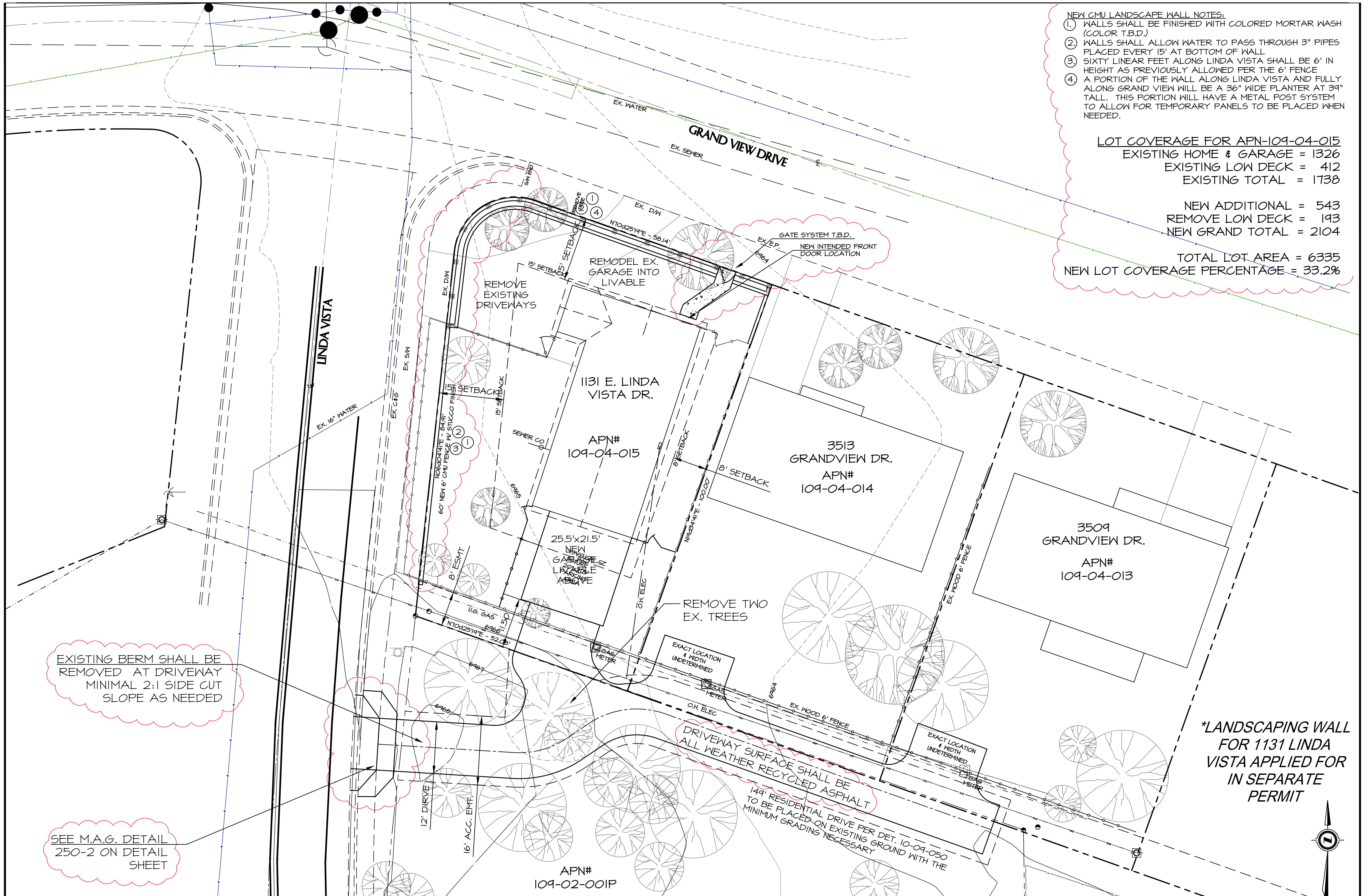
Lot 80 of Grandview Homes, Unit 2 recorded in Book 2 of Maps, Page 114, located in the northwest quarter of Section 11, Township 21 North, Range 7 East, Gila and Salt River Base and Meridian, Coconino County, Arizona.

- NEW CMU LANDSCAPE WALL NOTES:**
- WALLS SHALL BE FINISHED WITH COLORED MORTAR WASH (COLOR T.B.D.)
 - WALLS SHALL ALLOW WATER TO PASS THROUGH 3" PIPES PLACED EVERY 15' AT BOTTOM OF WALL
 - SIXTY LINEAR FEET ALONG LINDA VISTA SHALL BE 6' IN HEIGHT AS PREVIOUSLY ALLOWED PER THE 6' FENCE
 - A PORTION OF THE WALL ALONG LINDA VISTA AND FULLY ALONG GRAND VIEW WILL BE A 36" WIDE PLANTER AT 39" TALL. THIS PORTION WILL HAVE A METAL POST SYSTEM TO ALLOW FOR TEMPORARY PANELS TO BE PLACED WHEN NEEDED.

LOT COVERAGE FOR APN-109-04-015
 EXISTING HOME & GARAGE = 1326
 EXISTING LOW DECK = 412
 EXISTING TOTAL = 1738

NEW ADDITIONAL = 543
 REMOVE LOW DECK = 193
 NEW GRAND TOTAL = 2104

TOTAL LOT AREA = 6335
 NEW LOT COVERAGE PERCENTAGE = 33.2%



EXISTING BERM SHALL BE REMOVED AT DRIVEWAY MINIMAL 2:1 SIDE CUT SLOPE AS NEEDED

SEE M.A.G. DETAIL 250-2 ON DETAIL SHEET

*LANDSCAPING WALL FOR 1131 LINDA VISTA APPLIED FOR IN SEPARATE PERMIT

THE INTENTION FOR THE NEW ACCESS EASEMENT IS TO PROVIDE ALTERNATE ACCESS TO PARCELS 109-04-015, 109-04-014, 109-04-013 WHICH WILL ALLOW FOR LANDSCAPING WALLS ON THE NORTH SIDES OF THE LOTS FOR A DEFENDABLE SITUATION FROM THE WATERS

ALLEY CONCEPT SKETCH

Scale 1"=10'-0"
 1-FT CONT.

ALL FEDERAL, STATE, AND LOCAL CODES, ORDINANCES, REGULATIONS ETC. SHALL BE CONSIDERED AS PART OF SPECIFICATIONS FOR THIS BUILDING AND SHALL TAKE PREFERENCE OVER ANYTHING SHOWN, DESCRIBED, OR IMPLIED WHERE SAME ARE AT VARIANCE

CITY OF FLAGSTAFF
 ANISSA DOTEN
 DAVID & KIMBERLY KAHLER
 KURT MATTOCKS
 OWNERS

CHUCK RUSCHER
 DESIGN CONSULTANT
 5 MONTE VISTA LANE
 SEDONA, ARIZONA 86336
 (928) 607-3060
 DESIGNER

LINDA VISTA
 ALLEY DETAILS
 PROJECT

DATE: 7/22/22
 10/05/22 REV. PER CITY CONCEPT PLAN COMMENTS
 1/31/23 CORRECTED TYPOS

Exhibit E

A parcel of land being a portion of Lot 3, located in the Northwest quarter of Section 11, Township 21 North, Range 7 East of the Gila and Salt River Base and Meridian, Coconino County, Arizona, said parcel of land is more particularly described by metes and bounds as follows:

COMMENCING at the Center quarter corner of Section 11, monumented with a brass cap, from which point the West quarter corner of Section 11, monumented with an aluminum cap, LS 4321, bears South $89^{\circ} 57' 40''$ West, a distance of 2632.82 feet;

Thence North $00^{\circ} 47' 27''$ West, along the North-South mid-section line of Section 11, a distance of 498.88 feet to the intersection with the East right of way line of West Street as described in Docket 1473, Page 149, records of Coconino County, Arizona, the TRUE POINT OF BEGINNING of this description;

Thence Northwesterly along the East right of way line of West Street and along a curve to the right whose center point bears North $62^{\circ} 10' 11''$ East, having a radius of 416.97 feet and a central angle of $13^{\circ} 00' 02''$, an arc distance of 94.61 feet (chord bearing North $21^{\circ} 19' 48''$ West, chord distance of 94.41 feet);

Thence North $14^{\circ} 49' 47''$ West, along the East right of way line of West Street, a distance of 430.48 feet;

Thence Northerly along the East right of way line of West Street and along a curve to the right having a radius of 375.01 feet and a central angle of $21^{\circ} 02' 14''$, an arc distance of 137.69 feet (chord bearing North $04^{\circ} 18' 40''$ West, chord distance of 136.92 feet) to the East right of way line of Linda Vista as shown on the plat for McMillan Heights recorded in Case 1 of Maps, Page 149, records of Coconino County, Arizona;

Thence North $06^{\circ} 12' 27''$ East, along the East right of way line of Linda Vista, a distance of 47.23 feet to the South line of Grandview Homes, Unit Two, recorded in Book 2 of Maps, Page 114, records of Coconino County, Arizona;

Thence South $70^{\circ} 28' 58''$ East, along the South line of Grandview Homes, Unit Two, a distance of 149.50 feet to the Northwest corner of the parcel of land described in Instrument No. 3064250, records of Coconino County, Arizona, and to the North-South mid-section line of Section 11, monumented with a 2-inch brass cap marked "COF, 1962";

Thence South $00^{\circ} 47' 27''$ East, along the North-South mid-section line of Section 11, a distance of 637.68 feet to the TRUE POINT OF BEGINNING of this description.

The Basis of Bearings for this description is the North-South mid-section line of Section 11, which bears North $00^{\circ} 47' 27''$ West, according to Docket 1437, Page 149, records of Coconino County, Arizona.