

ORDINANCE NO. 022-49

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF EASEMENTS AND DEEDS AT VARIOUS LOCATIONS THROUGHOUT THE CITY AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.

WHEREAS, infrastructure is being constructed at various locations throughout the City in conjunction with private development; and

WHEREAS, these construction projects may require new or extended infrastructure, such as public roadways, water lines, sewer lines, sidewalks and other public utilities; and

WHEREAS, where these improvements are located on private property, the owners have agreed to dedicate or convey ownership, possessory interests and/or access to the City so that the City can maintain, operate, repair, replace and remove, if necessary, the associated roadway and/or infrastructure.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the real property interests and/or public dedication(s) being authorized and accepted are summarized in attached Exhibit 1, Deeds and Easements Table.

SECTION 2. That the City Council hereby authorizes and instructs the City Manager to execute the easements and deeds attached hereto as Attachments 1 - 3 granting the interest in, or dedication of, the properties therein legally described.

SECTION 3. That the City Clerk is instructed and authorized to forward a certified copy of this ordinance for recording to the Maricopa County Recorder's Office.

SECTION 4. That the provisions of this ordinance shall become effective thirty (30) days after passage of this ordinance by the Glendale City Council.

(Signatures on the following page)

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 9<sup>th</sup> day of August, 2022.

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Mayor Jerry P. Weiers

ATTEST:

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Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

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Michael D. Bailey, City Attorney

REVIEWED BY:

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Kevin R. Phelps, City Manager

## EXHIBIT 1

### DEEDS AND EASEMENTS TABLE FOR ORDINANCE NO. \_\_\_\_\_

ATTACHMENT NO.		
1	Grantor Name	GV ECHO OWNER, LLC / ECHO PARK 303 PARTNERS, LLC
	Development/Project	WOOLF LOGISTICS CENTER
	Location	9501 & 9701 North 151 <sup>st</sup> Avenue
	Purpose	Right-of-Way on Hatcher Road
	Conveyance Document	Special Warranty Deed
2	Grantor Name	EQUITY TRUST COMPANY FBO GARY A. LOPEZ SR. IRA
	Development/Project	ROYAL SHADOWS DRAINAGE PROJECT
	Location	9104 North 66 <sup>th</sup> Drive
	Purpose	Drainage Easement
	Conveyance Document	Drainage Easement
3	Grantor Name	GLENDALE 51 <sup>ST</sup> AVENUE OWNER LLC
	Development/Project	SPARROW APARTMENTS
	Location	51 <sup>ST</sup> Avenue North of Bell Road
	Purpose	Waterline Easement
	Conveyance Document	Conveyance of Easement

**ATTACHMENT 1**

When recorded, mail to:  
City Clerk, City of Glendale  
5850 West Glendale Avenue  
Glendale, Arizona 85301

## SPECIAL WARRANTY DEED

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For Ten Dollars and other valuable consideration, **GV ECHO OWNER, LLC**, a Delaware limited liability company (“**Grantor**”), does hereby convey to the **CITY OF GLENDALE**, an Arizona municipal corporation (“**Grantee**”), all right, title and interest to and in that certain parcel of Real Property situated in Maricopa County, and described as follows:

**See Attached Description, “Exhibit A”**

Subject to current taxes and assessments, all reservations in patent, easements, encroachments, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, liabilities, and other matters of record or which reference is made in the public record.

It is the intention of the parties to cause the real property on said Exhibit “A” to be dedicated as **public right of way for roadway purposes**, and to vest title in fee simple in the City of Glendale in Trust, for all the uses contemplated in public street dedication.

Grantor warrants to Grantee that Grantor will defend the title against the acts of Grantor and none other, subject to those matters of record set forth above

Dated this 7<sup>th</sup> day of July, 2022.

By: **GV ECHO DEVELOPMENT, LLC**,  
a Delaware limited liability company,  
its sole member

By: Grandview Glendale, LLC,  
a Delaware limited liability company,  
Managing Member

By:   
Name: JEFF LEAS  
Title: MANAGING PARTNER

and

By: **ECHO PARK 303 PARTNERS, LLC**,  
a Delaware limited liability company  
Operating Member

By:   
Name: Chad M. Firsell  
Its: Manager

State of ILLINOIS )  
 ) ss.  
County of COOK )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of July, 2022, by Jeff VgAS, the Manager/Member of Grandview Glendale, LLC, a Delaware limited liability company, the Managing Member of GV Echo Development, LLC, a Delaware limited liability company, who acknowledged that he executed this instrument for the purposes therein contained.

My commission expires: 7/25/22

[Signature]  
Notary Public



State of Illinois )  
 ) ss.  
County of Cook )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of July, 2022, by Chad M. Firsell, the Manager of Echo Park 303 Partners, LLC, a Delaware limited liability company, the Operating Member of GV Echo Development, LLC, a Delaware limited liability company, who acknowledged that he executed this instrument for the purposes therein contained.

My commission expires: 7/25/22

[Signature]  
Notary Public

**Exempt Pursuant to A.R.S. §11-1134 (A)(3)**



NEC 151<sup>st</sup> Avenue & Hatcher Road  
Ord \_\_\_\_\_

Resolution # R 22-61

**ECHO PROPERTY  
RIGHT OF WAY  
LEGAL DESCRIPTION**

A portion of land being situated within the Southeast Quarter of Section 29, Township 3 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

**COMMENCING** at a found 3 inch Maricopa County brass cap in hand hole accepted as the Southeast corner of said Section 29 from which a found 2 inch aluminum cap accepted as the East quarter corner thereof bears North 00°02'30" West, 2634.10 feet;

Thence North 00°02'30" West, 1357.13 feet, along the east line of said Southeast quarter to the **POINT OF BEGINNING**;

Thence leaving said east line, South 89°57'30" West, 1304.53 feet to the easterly Right of Way Line of 151<sup>st</sup> Avenue as described in Document No. 2021-0479481, Records of Maricopa County, Arizona;

Thence North 00°03'08" West, 100.17 feet, along said easterly Right of Way line;

Thence leaving said easterly Right of Way line, South 45°01'16" East, 42.49 feet;

Thence North 89°57'45" East, 109.94 feet;

Thence South 80°56'47" East, 304.30 feet;

Thence North 89°57'30" East, 864.10 feet to the east line of said Southeast quarter;

Thence South 00°02'30" East, 22.00 feet, along said east line, to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 43,112 sq. ft. (0.9897 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

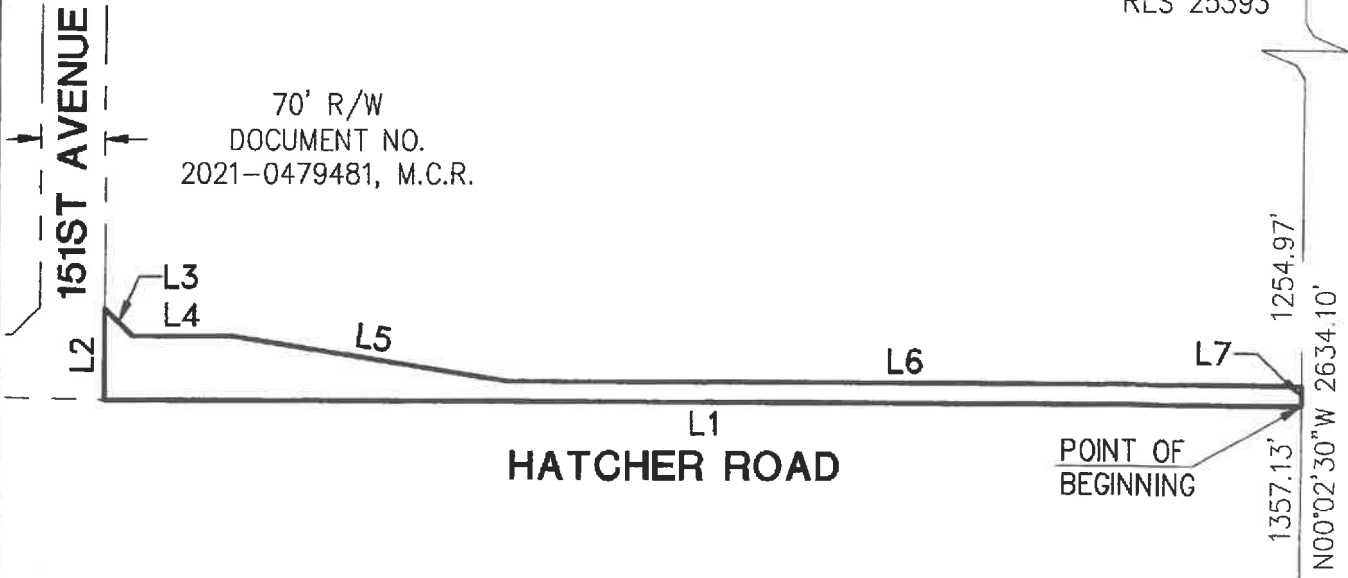
The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HILGARTWILSON, LLC  
2141 E. Highland Avenue, Suite 250  
Phoenix, AZ 85016  
Project No. 1033  
Date: June 2022



EAST QUARTER CORNER  
SECTION 29, T3N, R1W  
FOUND 2" ALUMINUM CAP,  
RLS 25393

70' R/W  
DOCUMENT NO.  
2021-0479481, M.C.R.



LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L1	S89°57'30"W	1304.53'
L2	N00°03'08"W	100.17'
L3	S45°01'16"E	42.49'
L4	N89°57'45"E	109.94'
L5	S80°56'47"E	304.30'
L6	N89°57'30"E	864.10'
L7	S00°02'30"E	22.00'

SOUTHEAST CORNER  
SECTION 29, T3N, R1W  
FOUND 3" MARICOPA CO.  
BRASS CAP IN HAND HOLE,  
RLS 36563, 2003  
POINT OF COMMENCEMENT



PROJ. NO.:	1033
DATE:	JUNE 2022
SCALE:	N.T.S.
DRAWN BY:	LC
CHECKED BY:	JTR

**ECHO PROPERTY**  
RIGHT OF WAY  
GLENDALE, ARIZONA

**EXHIBIT**

**HILGARTWILSON**  
2141 E. HIGHLAND AVE., STE. 250  
PHOENIX, AZ 85016  
P: 602.490.0535 / F: 602.368.2436

**ATTACHMENT 2**

When recorded, mail to:  
City Clerk, City of Glendale  
5850 West Glendale Avenue  
Glendale, Arizona 85301

**DRAINAGE EASEMENT**

For Ten Dollars and other valuable consideration, the EQUITY TRUST COMPANY FBO GARY A. LOPEZ SR. IRA, (“Grantor”), does hereby convey to CITY OF GLENDALE, an Arizona municipal corporation (“Grantee”), an easement to install, repair, operate, maintain and remove a retention basin and storm drain and appurtenances (“facilities”) upon, over and under the surface of the following described property:

**See Attached Description, “Exhibit A”**

Together with the right of ingress and egress to, from, across and along the Grantor's Property, and with the right to use lands adjacent to said easement during temporary periods of construction; the right to operate, repair, replace, maintain, and remove facilities and appurtenances from said premises; to add to or alter said facilities at any reasonable time; and to trim or remove any trees or shrubs that in the judgment of the City may interfere with the construction, operation or maintenance of said facilities.

By accepting this easement, the City of Glendale agrees to exercise reasonable care to avoid any damage to said real property above described.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2022.

EQUITY TRUST COMPANY FBO  
GARY A. LOPEZ SR. IRA

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

**Exempt Pursuant to A.R.S.§11-1134(A)(2),  
11-1134(A)(3)**

STATE OF ARIZONA    )  
                                  ) ss.  
County of Maricopa    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2021  
by \_\_\_\_\_, \_\_\_\_\_, who acknowledged that she executed this instrument  
for the purposes therein contained.

\_\_\_\_\_  
Notary Public

My commission expires:



Exhibit "A"



Strand Associates, Inc.®  
5029 East Sunrise Drive, Suite 100  
Phoenix, AZ 85044  
(P) 602.437 3733

DESCRIPTION OF A  
VARIABLE WIDTH DRAINAGE EASEMENT  
(PAGE 1 OF 2)

That portion of Lot 136 as platted in Royal Shadows, Book 138 of Maps, Page 40, Records of Maricopa County, Arizona and being situated in the Southwest quarter of Section 30, Township 3 North, Range 2 East, Gila and Salt River Meridian, Maricopa County, Arizona, being further described as follows:

COMMENCING at the Southwest corner of said section being monumented by a found Maricopa County brass cap in handhole, from which the West quarter corner of said section bears North 00°30'35 seconds East, 2645.93 feet; THENCE along the West line of said section, North 00°30'35" East, 355.93 feet to a point of intersection of the said West line and the prolongation of the South line of Royal Shadows; THENCE along said line, North 88°43'26" East, 55.03 feet to the Southwest corner of said Royal Shadows, being on the East right-of-way line of 67th Avenue; THENCE along said East line, North 00°30'35" East, 12.48 feet to the Southernmost corner of Lot 136; THENCE along a South line of said lot, North 35°41'02" East, 25.24 feet; THENCE North 54°18'58" West, 8.00 feet to the North line of an existing 16-foot Utility and Drainage Easement, being the TRUE POINT OF BEGINNING;

THENCE along the East line of an existing 8-foot Utility Easement, North 00°30'35" East, 15.34 feet; THENCE along the prolongation of a North line of said 16-foot easement, North 54°14'37" East, 27.77 feet; THENCE along said North line, South 35°41'02" West, 38.86 feet to the TRUE POINT OF BEGINNING.

Containing 172 square feet, more or less, and being subject to all easements and rights-of-way, whether of record or not.

See page two for drawing of easement.



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File: S:\PHO\3400-3499\3434\011\Survey\Survey Drawings\3434-011 Eamt Exhibit.dwg Time: Dec 16, 2021 - 11:03am

**67TH AVENUE**

(BASIS OF BEARINGS)  
N 00°30'35" E 2645.93'

W. 1/4 COR. SEC. 30  
T3N, R2E, FOUND  
BRASS CAP, FLUSH

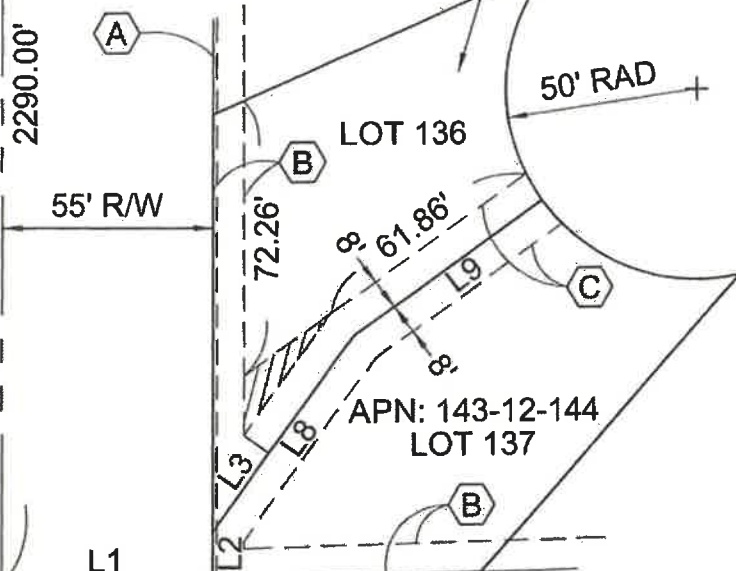
VAR. WIDTH DRAINAGE  
EASEMENT  
172 SQ.FT. (HATCH AREA)

APN: 143-12-143  
EQUITY TRUST COMPANY  
DOC. 20160397886



DETAIL  
(NO SCALE)

T.P.O.B.



- EX. EASEMENTS**
- EX. 1' NON-ACCESS ESMT. BK. 138, PG. 40
  - EX. 8' UTILITY ESMT. BK. 138, PG. 40
  - EX. 16' UTILITY & DRAINAGE ESMT. BK. 138, PG. 40

LINE	BEARING	DISTANCE
L1	N 88°43'26" E	55.03'
L2	N 00°30'35" E	12.48'
L3	N 35°41'02" E	25.24'
L4	N 54°18'58" W	8.00'
L5	N 00°30'35" E	15.34'
L6	N 54°14'37" E	27.77'
L7	S 35°41'02" W	38.86'
L8	N 35°41'02" E	62.80'
L9	N 54°14'37" E	59.82'

SW COR. OF  
ROYAL SHADOWS  
BK. 138, PG. 40

P.O.C.  
SW COR. SEC. 30  
T3N, R2E, FOUND  
BRASS CAP IN  
HANDHOLE

S. 1/4 COR. SEC. 30  
T3N, R2E, FOUND  
BRASS CAP IN  
HANDHOLE

**OLIVE AVENUE**  
N 88°42'25" E 2435.74'

**VARIABLE WIDTH DRAINAGE EASEMENT  
LOT 136, ROYAL SHADOWS BOOK 138 OF MAPS, PAGE 40**

**EQUITY TRUST COMPANY  
9104 NORTH 66TH DRIVE  
GLENDALE, AZ 85302**

**SW QUARTER SECTION 30, T3N, R2E, MARICOPA COUNTY**



## ATTACHMENT 3

When recorded, mail to:  
City Clerk, City of Glendale  
5850 West Glendale Avenue  
Glendale, Arizona 85301

## CONVEYANCE OF EASEMENT

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For Ten Dollars and other valuable consideration, We, **GLENDALE 51<sup>ST</sup> AVENUE OWNER LLC**, a Delaware limited liability company (“Grantor”), does hereby convey to the City of Glendale, an Arizona municipal corporation (“Grantee”), an easement to install, repair, operate, maintain and remove a water line and appurtenances (“facilities”) upon, over and under the surface of the following described property:

**See Attached Description, “Exhibit A”**

Together with the right of ingress and egress to, from, across and along the Grantor's Property, and with the right to use lands adjacent to said easement during temporary periods of construction; the right to operate, repair, replace, maintain, and remove facilities and appurtenances from said premises; to add to or alter said facilities at any reasonable time; and to trim or remove any trees or shrubs that in the judgment of the City may interfere with the construction, operation or maintenance of said facilities.

By accepting this easement, the City of Glendale agrees to exercise reasonable care to avoid any damage to said real property above described.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2022.

**GLENDALE 51<sup>ST</sup> AVENUE OWNER  
LLC**, a Delaware limited liability company

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

**Exempt Pursuant to A.R.S. §11-1134(A)(2),  
11-1134(A)(3)**

STATE OF ARIZONA    )  
                                  ) ss.  
County of Maricopa    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2022  
by \_\_\_\_\_, \_\_\_\_\_, who acknowledged that she executed this instrument  
for the purposes therein contained.

\_\_\_\_\_  
Notary Public

My commission expires:

51<sup>st</sup> Ave & N. of Bell Rd  
Ord \_\_\_\_\_

**LEGAL DESCRIPTION FOR WATER EASEMENT DEDICATION  
BEING A PORTION OF LOT 7**

A PORTION OF LOT 7 OF 51 CAMPANA, ACCORDING TO BOOK 1328 OF MAPS, PAGE 19, RECORDS OF MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A FOUND NAIL STAMPED LS 35833 MARKING THE SOUTHEAST CORNER OF SAID LOT 7;

THENCE ALONG THE SOUTH LINE OF SAID LOT 7, SOUTH 89 DEGREES 51 MINUTES 57 SECONDS WEST, A DISTANCE OF 41.49 FEET;

THENCE DEPARTING SAID SOUTH LINE, NORTH 00 DEGREES 08 MINUTES 03 SECONDS WEST, A DISTANCE OF 21.49 FEET TO A POINT ON THE NORTH LINE OF A 8' PUBLIC UTILITY EASEMENT AS SHOWN ON SAID PLAT ALSO BEING THE POINT OF BEGINNING;

THENCE ALONG THE NORTH LINE OF SAID EASEMENT, SOUTH 89 DEGREES 51 MINUTES 57 SECONDS WEST, A DISTANCE OF 10.00 FEET;

THENCE DEPARTING SAID EASEMENT LINE, NORTH 00 DEGREES 08 MINUTES 03 SECONDS WEST, A DISTANCE OF 12.00 FEET;

THENCE NORTH 89 DEGREES 51 MINUTES 57 SECONDS EAST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 00 DEGREES 08 MINUTES 03 SECONDS EAST, A DISTANCE OF 12.00 FEET TO A POINT ON THE NORTH LINE OF SAID PUBLIC UTILITY EASEMENT ALSO BEING THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 120 SQUARE FEET OR 0.003 ACRES, MORE OR LESS.



A RICK ENGINEERING COMPANY

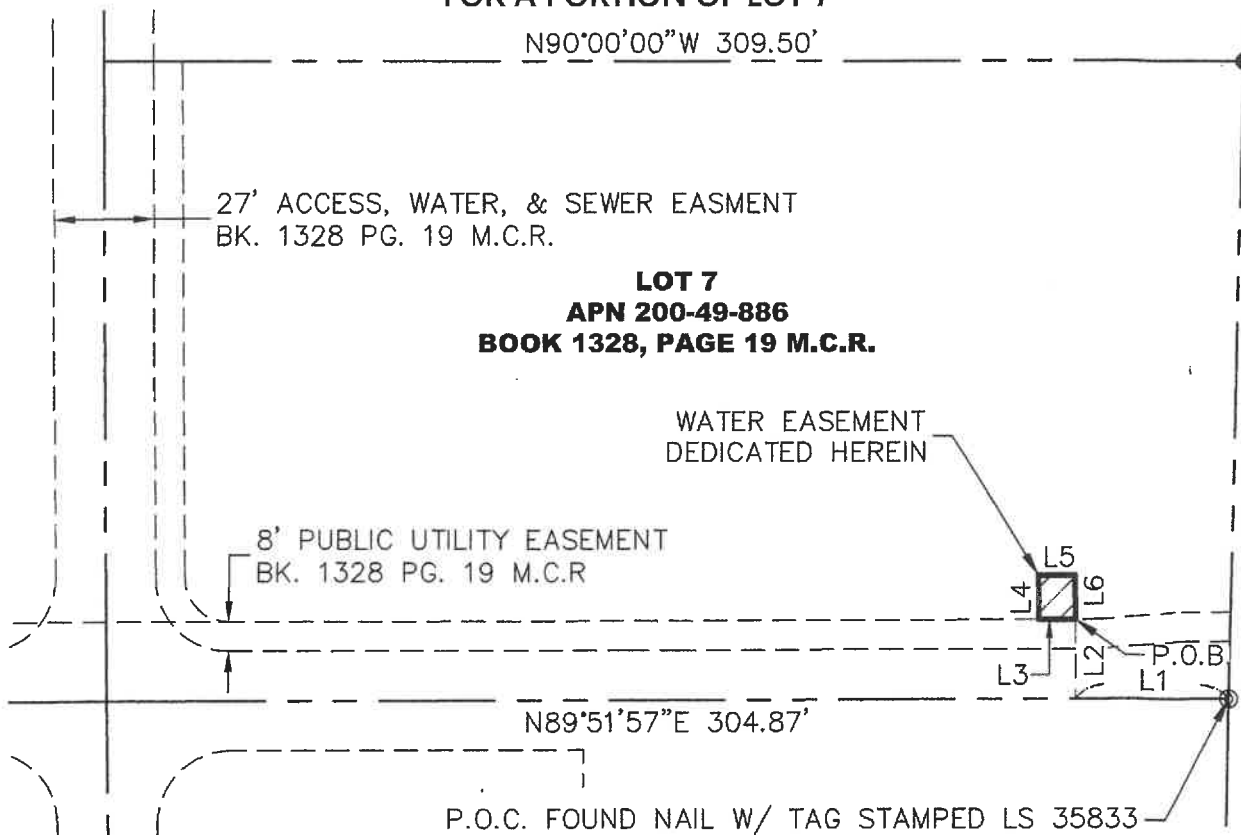
**SURVEY INNOVATION  
GROUP, INC.**

*Land Survey Services*  
22425 N 16TH STREET SUITE #1  
PHOENIX, AZ 85024

**LEGAL DESCRIPTION FOR  
WATER EASEMENT  
DEDICATION  
GLENDALE, ARIZONA**

DRAWING: 5916_WE-DED. LOT 7			
JOB#	5916	SCALE:	NTS
		SHT:	1 OF 2
DRAFTER:	ABM	CHK:	JH
		DATE:	10/25/21

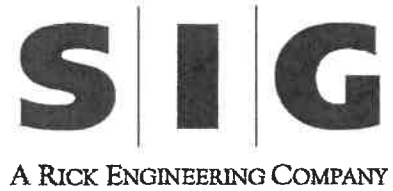
**EXHIBIT FOR WATER EASEMENT DEDICATION  
FOR A PORTION OF LOT 7**



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S89°51'57\"W	41.49'
L2	N0°08'03\"W	21.49'
L3	S89°51'57\"W	10.00'
L4	N0°08'03\"W	12.00'
L5	N89°51'57\"E	10.00'
L6	S0°08'03\"E	12.00'



SCALE 1" = 50'



**SURVEY INNOVATION  
GROUP, INC.**  
*Land Survey Services*  
22425 N 16TH STREET SUITE #1  
PHOENIX, AZ 85024

**EXHIBIT FOR  
WATER EASEMENT  
DEDICATION  
GLENDALE, ARIZONA**

DRAWING:	5916_WE-DED. LOT 7
JOB#	5916
SCALE:	1" = 50'
SHT:	2 OF 2
DRAFTER:	ABM
CHK:	JH
DATE:	10/25/21