

ORDINANCE NO. 024-02

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ABANDONMENT OF CERTAIN RIGHTS-OF-WAY IN THE CITY OF GLENDALE AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

WHEREAS, the Glendale City Council previously accepted rights-of-way for water, sewer and drainage purposes on private property located at four locations within the City on the dates specified in Exhibit 1; and

WHEREAS, the City has determined that portions of these rights-of-way are no longer needed for the operation or expansion of city facilities; and

WHEREAS, the private property owners are requesting the City abandon the portions of the rights-of-way and that they be returned to their ownership; and

WHEREAS, the City has determined it is in the public interest to abandon the portions of the rights-of-way as listed on Exhibit 1 because they are no longer needed for the health, welfare and safety of its citizens.

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

SECTION 1. That the real property interests identified on the attached Exhibit 1, Abandonments Table, shall be abandoned.

SECTION 2. Upon execution of the Deeds attached to this Ordinance as Attachments 1-4, the City hereby abandons any interest it may have in this real property. Title to said property shall vest in the underlying landowners, as provided by law.

SECTION 3. That the City has determined that it no longer needs an interest in these real properties to protect the health, welfare and safety of its citizens, as provided in A.R.S. §9-402(E). Because the City no longer needs such portions of these rights-of-way, the abandoned property is being reconveyed without receiving payment.

SECTION 4. That the Council hereby authorizes and instructs the City Manager to execute the Deeds provided in Attachments 1 - 4, and any other documents necessary to reconvey title to the property owners identified in Exhibit 1.

SECTION 5. That the City Clerk is accordingly instructed and authorized to forward a certified copy of this ordinance and its attachments for recording to the Maricopa County Recorder's Office.

SECTION 6. That the provisions of this ordinance shall become effective thirty (30) days after passage of this ordinance by the Glendale City Council.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 23<sup>rd</sup> day of January, 2024.

\_\_\_\_\_  
Mayor Jerry P. Weiers

ATTEST:

\_\_\_\_\_  
Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael D. Bailey, City Attorney

REVIEWED BY:

\_\_\_\_\_  
Kevin R. Phelps, City Manager

## EXHIBIT 1

### ABANDONMENTS TABLE FOR ORDINANCE NO. \_\_\_\_\_

ATTACHMENT NO.		
1	Grantee Name	YAM WESTGATE LLC
	Development/Project	VILLAGE SHOPS AT WESTGATE
	Location	9161 W. Glendale Avenue
	Purpose	Drainage Easement Abandonment
	Conveyance Document	Quit Claim Deed
	Originating Document	Final Plat of M. C. R. #2005-0570049, Book 745 Page 14, 05/02/2005
2	Grantee Name	YAM WESTGATE LLC
	Development/Project	VILLAGE SHOPS AT WESTGATE
	Location	9245 W. Glendale Avenue
	Purpose	Water & Sewer Easement Abandonment
	Conveyance Document	Quit Claim Deed
	Originating Document	M.C.R. #2021-0694395, 06/24/2021
3	Grantee Name	DREAMFOAM BEDDING
	Development/Project	BROOKLYN BEDDING PHASE 2
	Location	5301 West Bethany Home Road
	Purpose	Waterline Easement Abandonment
	Conveyance Document	Quit Claim Deed
	Originating Document	M.C.R. #2021-0958653, Book 1615, Page 27, 09/03/2021
4	Grantee Name	LEX REEMS & OLIVE, LLC
	Development/Project	143 <sup>RD</sup> CHANNEL
	Location	143 <sup>rd</sup> Avenue, North of Northern Parkway
	Purpose	Drainage Right-of-way Abandonment
	Conveyance Document	Special Warranty Deed
	Originating Document	Annexation, AN-202, December 2017, Ordinance O17-60

# ATTACHMENT 1

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

## QUIT CLAIM DEED

For the consideration of Ten Dollars, and other valuable considerations, the **City of Glendale, an Arizona municipal corporation**, (Grantor) does hereby abandon, release and extinguish any interest it has in the easement and quitclaims the same to **YAM WESTGATE LLC, an Arizona limited liability company** (Grantee) for that certain parcel of Real Property situated in Maricopa County and described as follows:

**See Attached Description, "Exhibit A & B"**

Dated this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Kevin R. Phelps  
City Manager

ATTEST:

\_\_\_\_\_  
Julie K. Bower, City Clerk (Seal)

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael D. Bailey, City Attorney

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

STATE OF ARIZONA        )  
  ) ss.  
County of Maricopa        )

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by Kevin R. Phelps, City Manager for the City of Glendale, who acknowledged that he executed this instrument for the purposes therein contained.

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

My commission expires:

9161 W Glendale Ave  
Ord \_\_\_\_\_

"EXHIBIT A"

**LEGAL DESCRIPTION  
ABANDONMENT OF A PORTION OF  
A DRAINAGE EASEMENT  
WESTGATE VILLAGE SHOPS  
LOT 5D1**

October 26, 2023  
Job No. P5717  
Page 1 of 1

ABANDONMENT OF A PORTION OF AN EXISTING DRAINAGE EASEMENT RECORDED IN BOOK 745 OF MAPS, PAGE 14, ACCORDING TO THE MAP OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, LOCATED WITHIN, WESTGATE LOT 5D1, ACCORDING TO THE MAP OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 1666 OF MAPS, PAGE 21, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF SAID LOT 5D1;

THENCE SOUTH 01 DEGREES 47 MINUTES 39 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 5D1, A DISTANCE OF 30.00 FEET;

THENCE NORTH 88 DEGREES 12 MINUTES 21 SECONDS EAST, A DISTANCE OF 20.58 FEET TO A POINT ON THE WEST LINE OF SAID EXISTING DRAINAGE EASEMENT AND **THE POINT OF BEGINNING**;

THENCE CONTINUING NORTH 88 DEGREES 12 MINUTES 21 SECONDS EAST, A DISTANCE OF 322.19 FEET TO A POINT ON THE EAST LINE OF SAID EXISTING DRAINAGE EASEMENT;

THENCE SOUTH 01 DEGREES 47 MINUTES 39 SECONDS EAST, ALONG THE EAST LINE OF SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 17.00 FEET;

THENCE SOUTH 88 DEGREES 12 MINUTES 21 SECONDS WEST, ALONG THE SOUTH LINE OF SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 322.19 FEET;

THENCE NORTH 01 DEGREES 47 MINUTES 39 SECONDS WEST, ALONG THE WEST LINE OF SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 17.00 TO THE **POINT OF BEGINNING**.

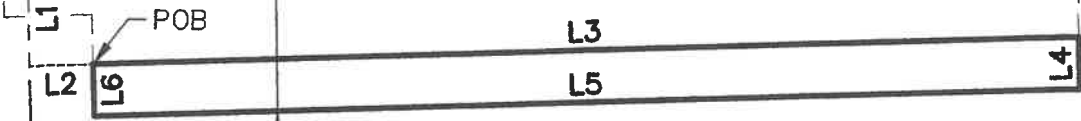
SAID EASEMENT ABANDONMENT CONTAINS 5,477 SQUARE FEET OR 0.126 ACRES, MORE OR LESS



# GLENDALE AVENUE

POC  
N.W. CORNER OF LOT 5D1  
BK 1666, PG 21, MCR

75'  
R/W



47' DRAINAGE EASEMENT  
BK 745, PG 14, MCR

## LOT 5D1

BK 1666, PG 21, MCR

LINE TABLE

LINE	DIRECTION	LENGTH
L1	S1°47'39"E	30.00'
L2	N88°12'21"E	20.58'
L3	N88°12'21"E	322.19'
L4	S1°47'39"E	17.00'
L5	S88°12'21"W	322.19'
L6	N1°47'39"W	17.00'



**RICK**  
ENGINEERING COMPANY

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### PORTION OF DRAINAGE EASEMENT ABANDONMENT WESTGATE VILLAGE SHOPS GLENDALE, ARIZONA

DRAWING: DE ABANDON 1.DWG

JOB# P5717 SCALE: 1"=60' SHT: 1 OF 1

DRAFTER: DSR CHK: JH DATE: 10/26/23

"EXHIBIT B"

**LEGAL DESCRIPTION  
ABANDONMENT OF A PORTION  
OF A DRAINAGE EASEMENT  
WESTGATE VILLAGE SHOPS  
LOT 5D1**

October 26, 2023  
Job No. P5717  
Page 1 of 1

ABANDONMENT OF A PORTION OF AN EXISTING DRAINAGE EASEMENT RECORDED IN BOOK 745 OF MAPS, PAGE 14, ACCORDING TO THE MAP OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, LOCATED WITHIN, WESTGATE LOT 5D1, ACCORDING TO THE MAP OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 1666 OF MAPS, PAGE 21, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF SAID LOT 5D1;

THENCE SOUTH 00 DEGREES 12 MINUTES 50 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 5D1, A DISTANCE OF 52.00 FEET TO A POINT ON SAID EXISTING DRAINAGE EASEMENT;

THENCE SOUTH 89 DEGREES 47 MINUTES 10 SECONDS WEST, ALONG THE NORTH LINE OF SAID EXISTING DRAINAGE EASEMENT A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 00 DEGREES 12 MINUTES 50 SECONDS EAST, A DISTANCE OF 113.03 FEET;

THENCE SOUTH 09 DEGREES 14 MINUTES 55 SECONDS WEST, A DISTANCE OF 30.41 FEET TO A POINT ON LINE OF SAID EXISTING DRAINAGE EASEMENT;

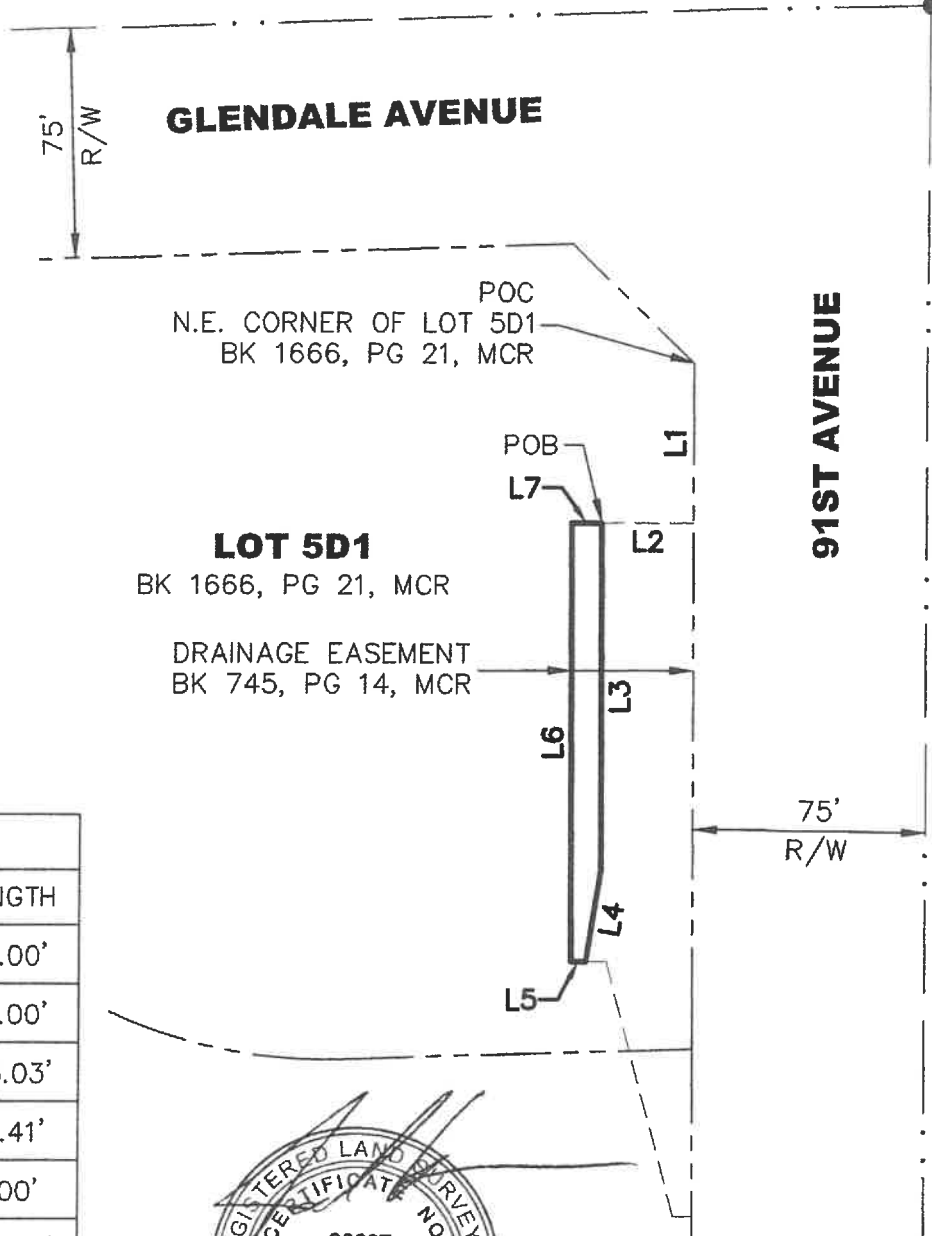
THENCE SOUTH 89 DEGREES 47 MINUTES 10 SECONDS WEST, ALONG THE LINE OF SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 5.00 FEET;

THENCE NORTH 00 DEGREES 12 MINUTES 50 SECONDS WEST, ALONG THE WEST LINE OF SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 143.03 FEET;

THENCE NORTH 89 DEGREES 47 MINUTES 10 SECONDS EAST, ALONG THE NORTH LINE OF SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 10.00 TO THE **POINT OF BEGINNING**.

SAID EASEMENT ABANDONMENT CONTAINS 1,355 SQUARE FEET OR 0.031 ACRES, MORE OR LESS





**GLENDALE AVENUE**

**91ST AVENUE**

POC  
N.E. CORNER OF LOT 5D1  
BK 1666, PG 21, MCR

**LOT 5D1**  
BK 1666, PG 21, MCR

DRAINAGE EASEMENT  
BK 745, PG 14, MCR

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S0°12'50"E	52.00'
L2	S89°47'10"W	30.00'
L3	S0°12'50"E	113.03'
L4	S9°14'55"W	30.41'
L5	S89°47'10"W	5.00'
L6	N0°12'50"W	143.03'
L7	N89°47'10"E	10.00'



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**PORTION OF DRAINAGE EASEMENT  
ABANDONMENT  
WESTGATE VILLAGE SHOPS  
GLENDALE, ARIZONA**

DRAWING:	DE ABANDON 2.DWG
JOB#	P5717
SCALE:	1"=60'
SHT:	1 OF 1
DRAFTER:	DSR
CHK:	JH
DATE:	10/26/23

CC

## ATTACHMENT 2

CC

CC

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

## QUIT CLAIM DEED

For the consideration of Ten Dollars, and other valuable considerations, the **City of Glendale, an Arizona municipal corporation**, (Grantor) does hereby quitclaim **YAM WESTGATE, LLC** an Arizona limited liability company (Grantee) any and 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"**

Dated this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Kevin R. Phelps  
City Manager

ATTEST:

\_\_\_\_\_  
Julie K. Bower, City Clerk (Seal)

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael D. Bailey, City Attorney

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

STATE OF ARIZONA        )  
  ) ss.  
County of Maricopa        )

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by Kevin R. Phelps, City Manager for the City of Glendale, who acknowledged that he executed this instrument for the purposes therein contained.

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

My commission expires:

9245 W Glendale Ave  
Ord \_\_\_\_\_



**LEGAL DESCRIPTION  
ABANDONMENT OF A PORTION OF  
A WATER & SEWER EASEMENT  
WESTGATE VILLAGE SHOPS  
LOT 5D1**

April 19, 2023  
Job No. P5717  
Page 1 of 2

ABANDONMENT OF A PORTION OF AN EXISTING WATER & SEWER EASEMENT RECORDED IN DOCUMENT NUMBER 2021-0694395, ACCORDING TO THE MAP OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, LOCATED WITHIN, WESTGATE LOT 5D1, ACCORDING TO THE MAP OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 1666 OF MAPS, PAGE 21, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 5D1;**

THENCE NORTH 01 DEGREES 47 MINUTES 39 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 5D1, A DISTANCE OF 32.00 FEET TO A POINT ON THE NORTH LINE OF SAID EXISTING WATER & SEWER EASEMENT;

THENCE NORTH 88 DEGREES 12 MINUTES 21 SECONDS EAST, ALONG THE NORTH LINE OF SAID EXISTING WATER & SEWER EASEMENT, A DISTANCE OF 45.14 FEET TO **THE POINT OF BEGINNING;**

THENCE NORTH 01 DEGREES 47 MINUTES 39 SECONDS WEST, A DISTANCE OF 15.74 FEET;

THENCE NORTH 88 DEGREES 12 MINUTES 21 SECONDS EAST, A DISTANCE OF 6.00 FEET;

THENCE SOUTH 01 DEGREES 47 MINUTES 39 SECONDS EAST, A DISTANCE OF 15.74 FEET TO A **POINT "A";**

THENCE SOUTH 88 DEGREES 12 MINUTES 21 SECONDS WEST, A DISTANCE OF 6.00 TO **THE POINT OF BEGINNING.**

TOGETHER WITH AN ABANDONMENT OF A PORTION OF AN EXISTING WATER & SEWER EASEMENT RECORDED IN DOCUMENT NUMBER 2021-0694395, ACCORDING TO THE MAP OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, LOCATED WITHIN, WESTGATE LOT 5D1, ACCORDING TO THE MAP OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 1666 OF MAPS, PAGE 21, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT SAID POINT "A";**

THENCE NORTH 88 DEGREES 12 MINUTES 21 SECONDS EAST, ALONG THE NORTH LINE OF SAID EXISTING WATER & SEWER EASEMENT, A DISTANCE OF 147.89 FEET TO **THE POINT OF BEGINNING;**

THENCE NORTH 01 DEGREES 47 MINUTES 39 SECONDS WEST, A DISTANCE OF 15.74 FEET;

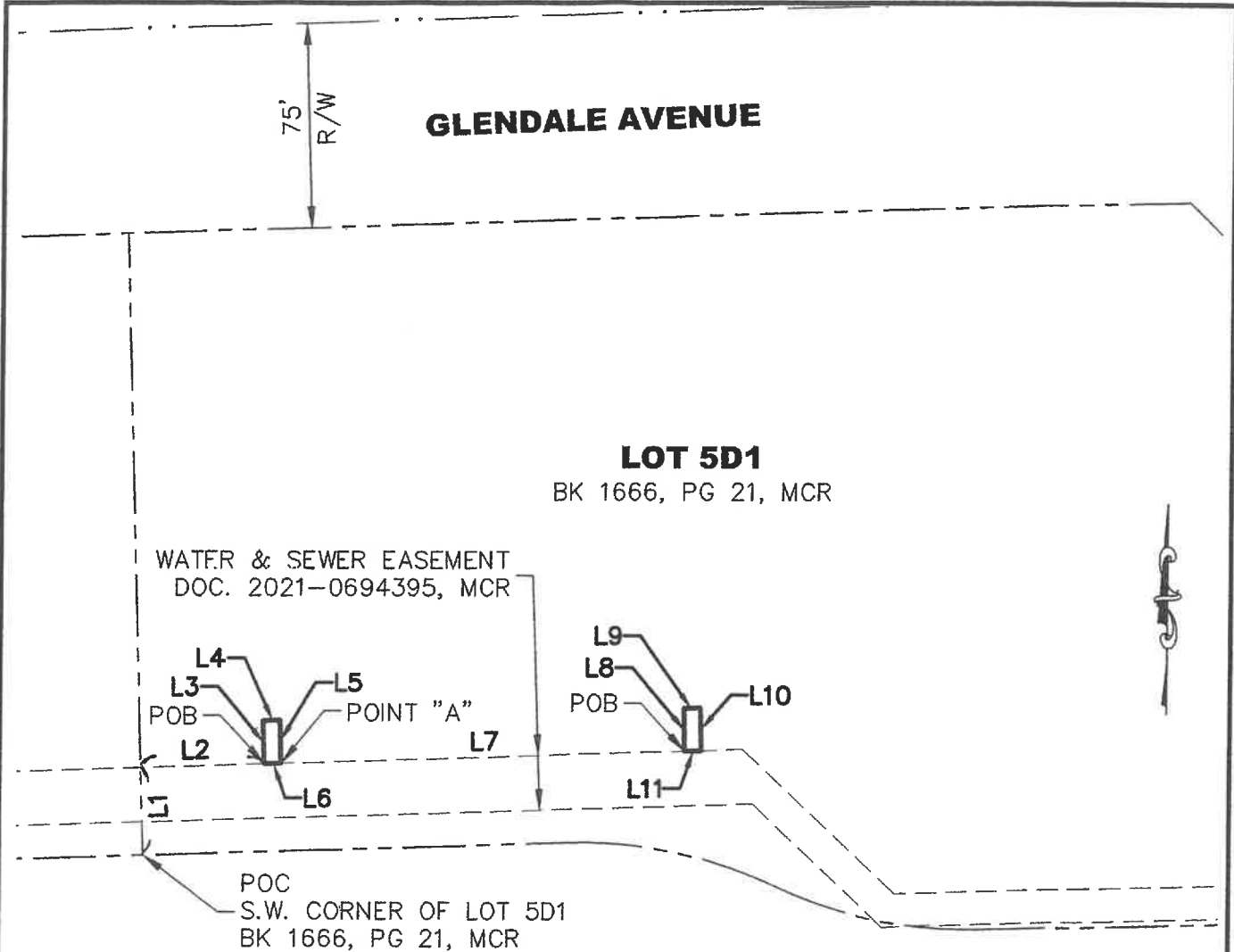
THENCE NORTH 88 DEGREES 12 MINUTES 21 SECONDS EAST, A DISTANCE OF 6.00 FEET;

THENCE SOUTH 01 DEGREES 47 MINUTES 39 SECONDS EAST, A DISTANCE OF 15.74 FEET ;

THENCE SOUTH 88 DEGREES 12 MINUTES 21 SECONDS WEST, A DISTANCE OF 6.00 TO THE **POINT OF BEGINNING**.

SAID COMBINED EASEMENT ABANDONMENT CONTAINS 189 SQUARE FEET OR 0.004 ACRES, MORE OR LESS





LINE TABLE

LINE	DIRECTION	LENGTH
L1	N1°47'39"W	32.00'
L2	N88°12'21"E	45.14'
L3	N1°47'39"W	15.74'
L4	N88°12'21"E	6.00'
L5	S1°47'39"E	15.74'
L6	S88°12'21"W	6.00'

LINE TABLE

LINE	DIRECTION	LENGTH
L7	N88°12'21"E	147.89'
L8	N1°47'39"W	15.74'
L9	N88°12'21"E	6.00'
L10	S1°47'39"E	15.74'
L11	S88°12'21"W	6.00'



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**PORTION OF WATER & SEWER EASEMENT ABANDONMENT WESTGATE VILLAGE SHOPS GLENDALE, ARIZONA**

DRAWING:	W&S ABANDON.DWG
JOB#	P5717
SCALE:	1"=60'
SHT:	1 OF 1
DRAFTER:	DSR
CHK:	JH
DATE:	4/19/23

**ATTACHMENT 3**

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

## QUIT CLAIM DEED

For the consideration of Ten Dollars, and other valuable considerations, the **City of Glendale, an Arizona municipal corporation**, (Grantor) does hereby quitclaim to **DREAMFOAM BEDDING LLC** (Grantee) any and 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, B, C, D"**

Dated this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Kevin R. Phelps  
City Manager

ATTEST:

\_\_\_\_\_  
Julie K. Bower (Seal)

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

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

STATE OF ARIZONA        )  
  ) ss.  
County of Maricopa        )

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by Kevin R. Phelps, City Manager for the City of Glendale, who acknowledged that he executed this instrument for the purposes therein contained.

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

My commission expires:

5301 W Bethany Home Rd  
Ord \_\_\_\_\_

**EXHIBIT A**  
**BROOKLYN BEDDING**  
**EASEMENT #1 PARTIAL RELEASE**

A PARITAL RELEASE OF THE WATER EASEMENT AS RECORDED IN LOT 1 OF "BROOKLYN BEDDING", A SUBDIVISION RECORDED IN BOOK 1615 OF MAPS, PAGE 27, RECORDS OF MARICOPA COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1 FROM WHICH THE SOUTHEAST CORNER OF SAID LOT 1 BEARS SOUTH 89°26'36" EAST, 1364.21 FEET THEREOF;

THENCE NORTH 73°57'22" EAST (TIE), 206.51 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00°34'42" EAST, 20.00 FEET;

THENCE SOUTH 89°26'36" EAST, 422.19 FEET;

THENCE SOUTH 00°33'24" WEST, 20.00 FEET;

THENCE NORTH 89°26'36" WEST, 43.33 FEET;

THENCE SOUTH 00°33'24" WEST, 15.00 FEET;

THENCE NORTH 89°26'08" WEST, 20.00 FEET;

THENCE NORTH 00°33'24" EAST, 15.00 FEET;

THENCE NORTH 89°26'36" WEST, 309.42 FEET;

THENCE SOUTH 00°33'24" WEST, 15.00 FEET;

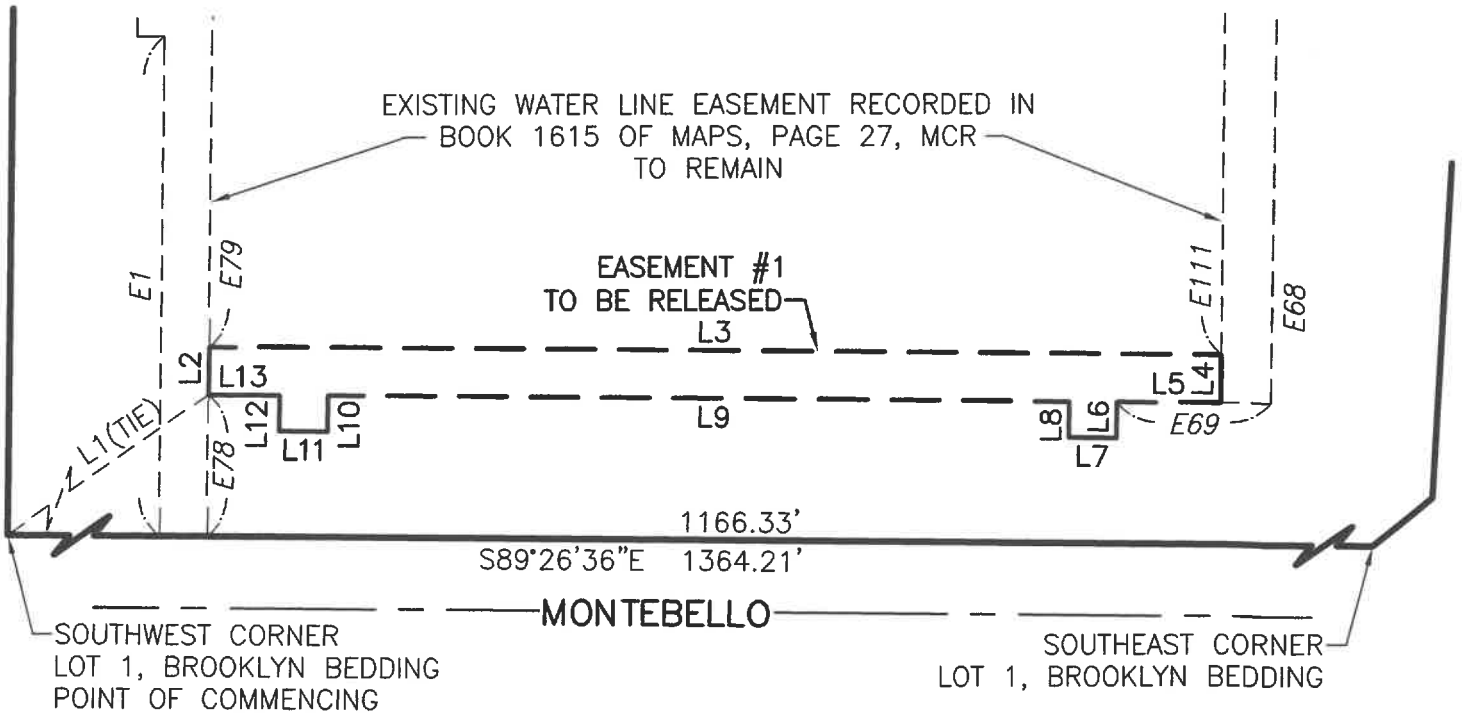
THENCE NORTH 89°26'08" WEST, 20.00 FEET;

THENCE NORTH 00°33'24" EAST, 15.00 FEET;

THENCE NORTH 89°26'36" WEST, 29.45 FEET TO THE TRUE POINT OF BEGINNING.



**EXHIBIT A**  
**BROOKLYN BEDDING**  
**EASEMENT #1 PARTIAL RELEASE**



SOUTHWEST CORNER  
 LOT 1, BROOKLYN BEDDING  
 POINT OF COMMENCING

SOUTHEAST CORNER  
 LOT 1, BROOKLYN BEDDING

**LEGEND**

- PROPERTY LINE
- RELEASE EASEMENT
- EXISTING EASEMENT

T.P.O.B. TRUE POINT OF BEGINNING  
 E# RECORDED PLAT EASEMENT LABELS  
 SHOWN FOR CLARITY ONLY

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N73°57'22"E	206.51'
L2	N00°34'42"E	20.00'
L3	S89°26'36"E	422.19'
L4	S00°33'24"W	20.00'
L5	N89°26'36"W	43.33'
L6	S00°33'24"W	15.00'
L7	N89°26'08"W	20.00'
L8	N00°33'24"E	15.00'
L9	N89°26'36"W	309.42'
L10	S00°33'24"W	15.00'
L11	N89°26'08"W	20.00'
L12	N00°33'24"E	15.00'
L13	N89°26'36"W	29.45'

NOT TO SCALE





**EXHIBIT B**  
BROOKLYN BEDDING  
EASEMENT #2 PARTIAL RELEASE

A PARITAL RELEASE OF THE WATER EASEMENT AS RECORDED IN LOT 1 OF "BROOKLYN BEDDING", A SUBDIVISION RECORDED IN BOOK 1615 OF MAPS, PAGE 27, RECORDS OF MARICOPA COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1 FROM WHICH THE SOUTHEAST CORNER OF SAID LOT 1 BEARS SOUTH 89°26'36" EAST, 1364.21 FEET THEREOF;

THENCE NORTH 69°21'40" EAST (TIE), 688.94 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00°33'24" EAST, 20.00 FEET;

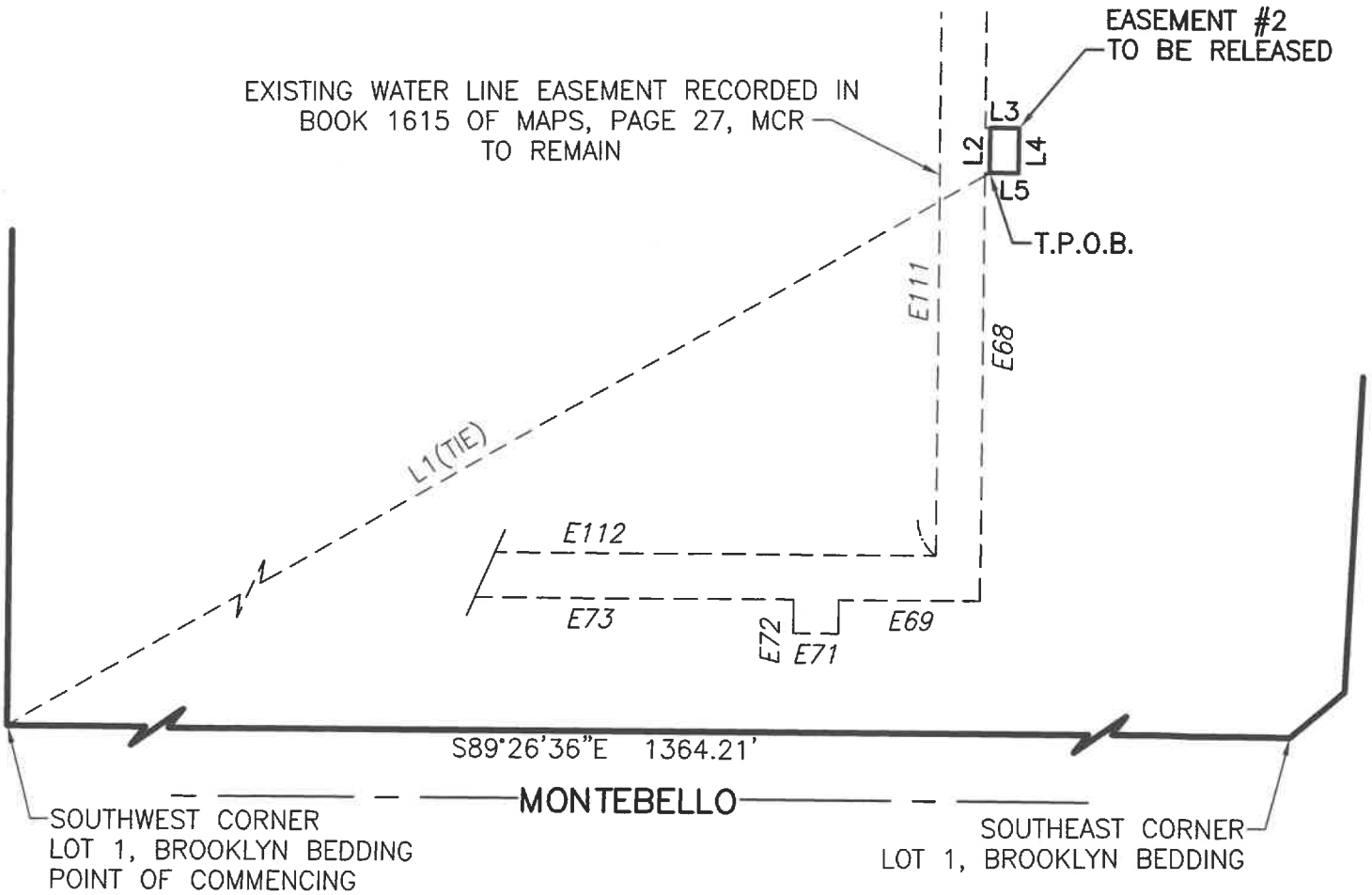
THENCE SOUTH 89°26'36" EAST, 12.76 FEET;

THENCE SOUTH 00°33'52" WEST, 20.00 FEET;

THENCE NORTH 89°26'36" WEST, 12.76 FEET TO THE TRUE POINT OF BEGINNING.



**EXHIBIT B**  
**BROOKLYN BEDDING**  
**EASEMENT #2 PARTIAL RELEASE**



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N69°21'40"E	688.94'
L2	N00°33'24"E	20.00'
L3	S89°26'36"E	12.76'
L4	S00°33'52"W	20.00'
L5	N89°26'36"W	12.76'

**LEGEND**

- PROPERTY LINE
- RELEASE EASEMENT
- EXISTING EASEMENT
- T.P.O.B. TRUE POINT OF BEGINNING
- E# RECORDED PLAT EASEMENT LABELS SHOWN FOR CLARITY ONLY

NOT TO SCALE



**EXHIBIT B**  
**BROOKLYN BEDDING**  
**EASEMENT #2 PARTIAL RELEASE**  
**CLOSURE REPORT**

Course: N 00-33-24 E	Distance: 20.00
Course: S 89-26-36 E	Distance: 12.76
Course: S 00-33-52 W	Distance: 20.00
Course: N 89-26-36 W	Distance: 12.76

Perimeter: 65.52

Area: 255.26 0.01 acres

Mapcheck Closure - (Uses listed courses & COGO Units)

Error of Closure: 0.003

Course: S 89-26-22 E

Precision 1: 24132.98



**EXHIBIT C**  
BROOKLYN BEDDING  
EASEMENT #3 PARTIAL RELEASE

A PARITAL RELEASE OF THE WATER EASEMENT AS RECORDED IN LOT 1 OF "BROOKLYN BEDDING", A SUBDIVISION RECORDED IN BOOK 1615 OF MAPS, PAGE 27, RECORDS OF MARICOPA COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1 FROM WHICH THE SOUTHEAST CORNER OF SAID LOT 1 BEARS SOUTH 89°26'36" EAST, 1364.21 FEET THEREOF;

THENCE NORTH 63°04'28" EAST (TIE), 919.65 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°26'08" EAST, 20.00 FEET;

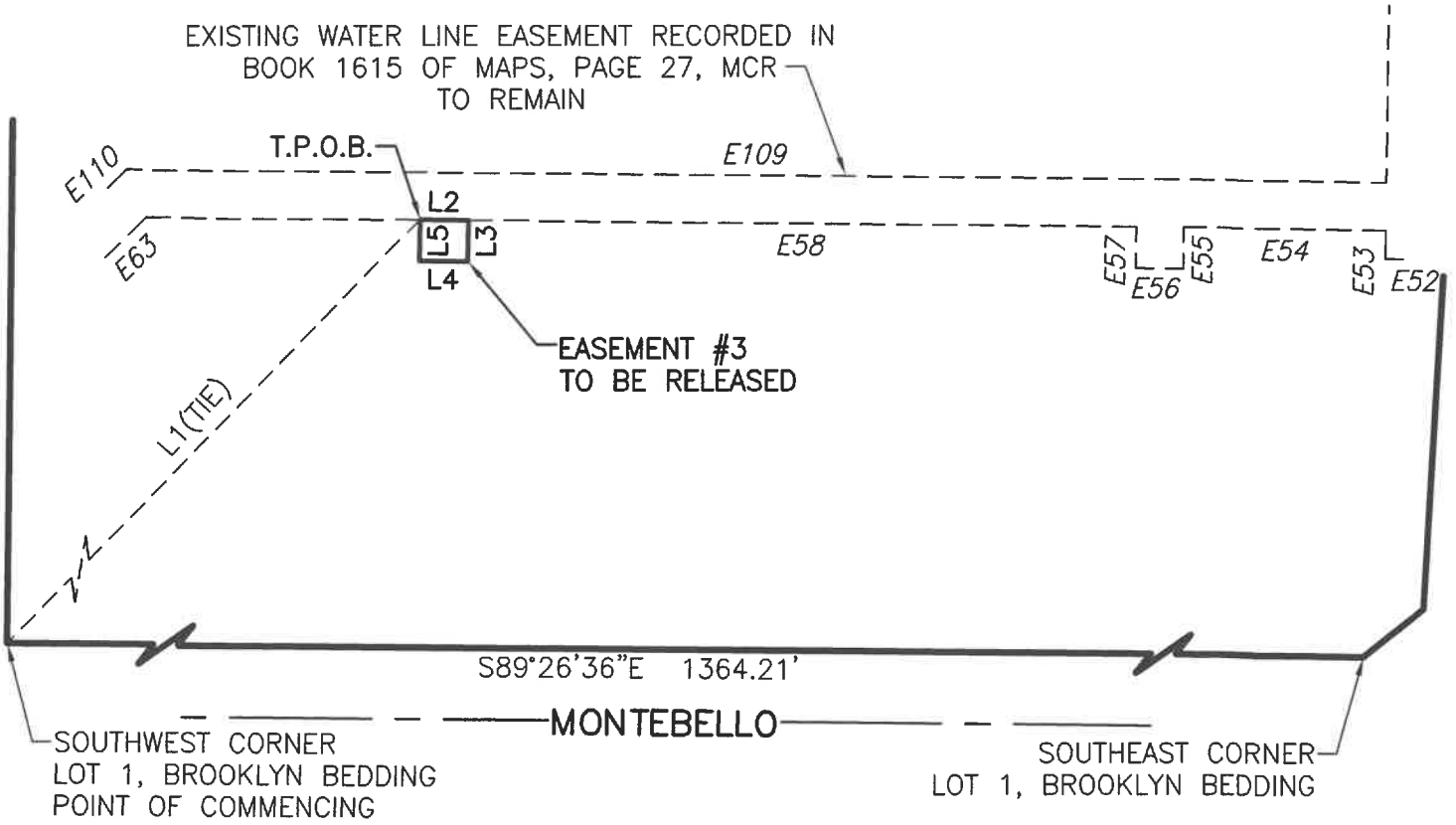
THENCE SOUTH 00°33'52" WEST, 17.37 FEET;

THENCE NORTH 89°26'36" WEST, 20.00 FEET;

THENCE NORTH 00°33'52" EAST, 17.38 FEET TO THE TRUE POINT OF BEGINNING.



**EXHIBIT C**  
**BROOKLYN BEDDING**  
**EASEMENT #3 PARTIAL RELEASE**



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N63°04'28"E	919.65'
L2	S89°26'08"E	20.00'
L3	S00°33'52"W	17.37'
L4	N89°26'36"W	20.00'
L5	N00°33'52"E	17.38'

**LEGEND**

- PROPERTY LINE
- RELEASE EASEMENT
- EXISTING EASEMENT
- T.P.O.B. TRUE POINT OF BEGINNING
- E# RECORDED PLAT EASEMENT LABELS SHOWN FOR CLARITY ONLY

NOT TO SCALE



**EXHIBIT C**  
**BROOKLYN BEDDING**  
**EASEMENT #3 PARTIAL RELEASE**  
**CLOSURE REPORT**

Course: S 89-26-08 E	Distance: 20.00
Course: S 00-33-52 W	Distance: 17.37
Course: N 89-26-36 W	Distance: 20.00
Course: N 00-33-52 E	Distance: 17.38

Perimeter: 74.75

Area: 347.50 0.01 acres

Mapcheck Closure - (Uses listed courses & COGO Units)

Error of Closure: 0.007

Course: S 00-33-57 W

Precision 1: 10260.75



**EXHIBIT D**  
**BROOKLYN BEDDING**  
**EASEMENT #4 PARTIAL RELEASE**

A PARITAL RELEASE OF THE WATER EASEMENT AS RECORDED IN LOT 1 OF "BROOKLYN BEDDING", A SUBDIVISION RECORDED IN BOOK 1615 OF MAPS, PAGE 27, RECORDS OF MARICOPA COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1 FROM WHICH THE SOUTHEAST CORNER OF SAID LOT 1 BEARS SOUTH 89°26'36" EAST, 1364.21 FEET THEREOF;

THENCE NORTH 69°44'08" EAST (TIE), 1193.84 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°26'08" EAST, 20.00 FEET;

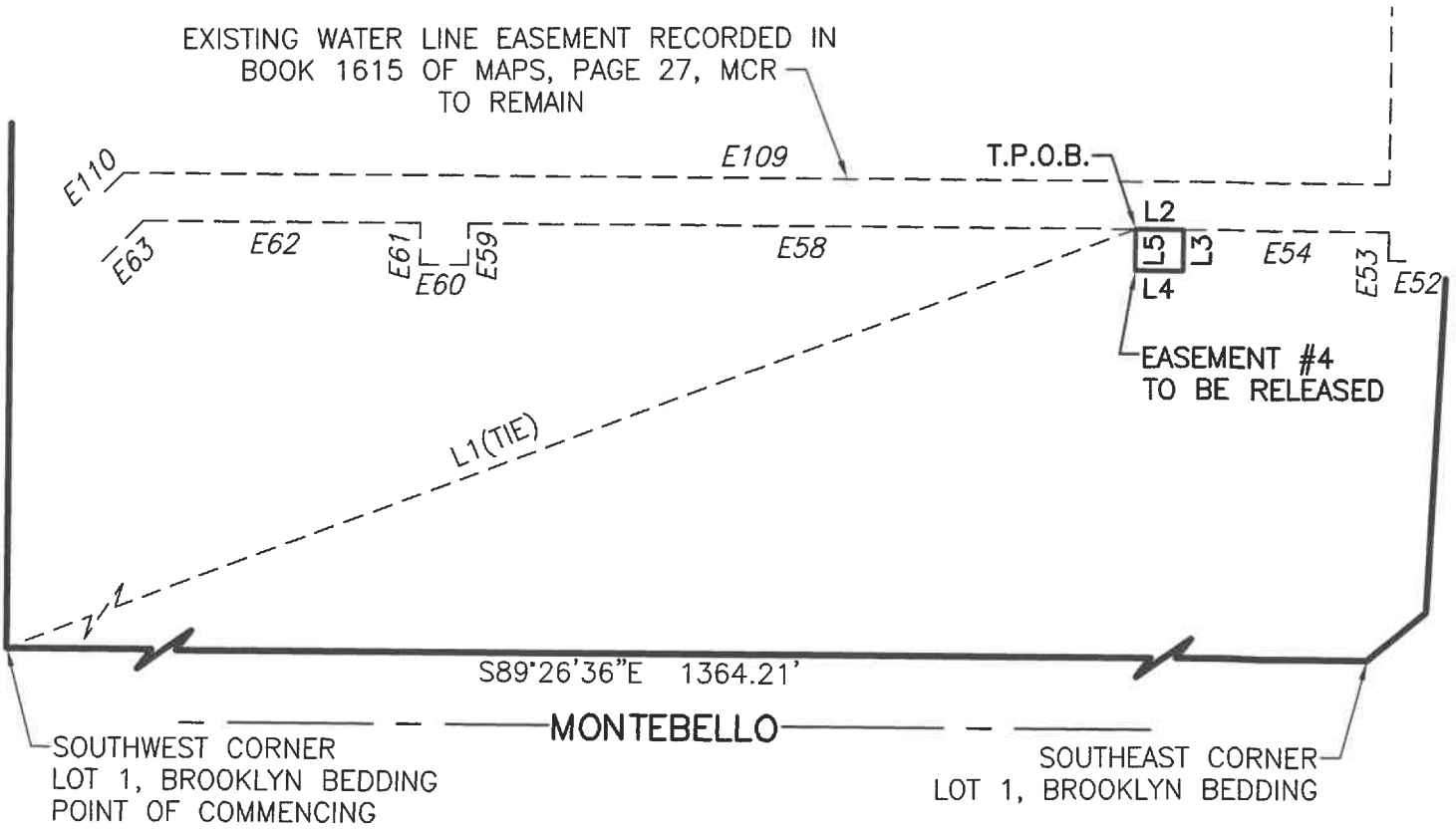
THENCE SOUTH 00°33'52" WEST, 17.35 FEET;

THENCE NORTH 89°26'36" WEST, 20.00 FEET;

THENCE NORTH 00°33'52" EAST, 17.35 FEET TO THE TRUE POINT OF BEGINNING.



**EXHIBIT D**  
**BROOKLYN BEDDING**  
**EASEMENT #4 PARTIAL RELEASE**



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N69°44'08"E	1193.84'
L2	S89°26'08"E	20.00'
L3	S00°33'52"W	17.35'
L4	N89°26'36"W	20.00'
L5	N00°33'52"E	17.35'

**LEGEND**

- PROPERTY LINE
- RELEASE EASEMENT
- EXISTING EASEMENT
- T.P.O.B. TRUE POINT OF BEGINNING
- E# RECORDED PLAT EASEMENT LABELS  
 SHOWN FOR CLARITY ONLY

NOT TO SCALE



**EXHIBIT D**  
**BROOKLYN BEDDING**  
**EASEMENT #4 PARTIAL RELEASE**  
**CLOSURE REPORT**

Course: S 89-26-08 E	Distance: 20.00
Course: S 00-33-52 W	Distance: 17.35
Course: N 89-26-36 W	Distance: 20.00
Course: N 00-33-52 E	Distance: 17.35

Perimeter: 74.70

Area: 346.95 0.01 acres

Mapcheck Closure - (Uses listed courses & COGO Units)

Error of Closure: 0.003

Course: N 00-33-38 E

Precision 1: 27514.25



**ATTACHMENT 4**

WHEN RECORDED MAIL TO:

Lex Reems & Olive, LLC  
c/o 2555 E. Camelback Road, Suite 180  
Phoenix, AZ 85016

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### **SPECIAL WARRANTY DEED**

**City of Glendale**, an Arizona municipal corporation (“Grantor”), for and in consideration of Ten Dollars (\$10.00), in hand paid to Grantor by **Lex Reems & Olive, LLC**, a Delaware limited liability company (“Grantee”), and other good and valuable consideration, the receipt and sufficiency of which consideration are hereby acknowledged, hereby assigns, conveys, grants, transfers and delivers to Grantee all that certain land situated in Maricopa County, Arizona, and described on Exhibit “A” attached hereto and made a part hereof for all purposes (the “Property”).

SUBJECT ONLY TO: current taxes, assessments, and those certain reservations in patents, liens, encumbrances, covenants, conditions, restrictions, rights of way, and easements of record, including, but not limited to the requirement to use the Property for drainage as stated in “Quit-Claim Deed” recorded in the Records of Maricopa County, Arizona on June 18, 1958 as Document No. 1958-0103800.

GRANTOR HEREBY binds itself and its successors and assigns to warrant and defend the title against all acts of the Grantor, and none other, subject to the matters above set forth.

[Signatures on the following page.]

EXECUTED as of the \_\_\_\_\_ day of \_\_\_\_\_, 2024

GRANTOR:

City of Glendale,  
an Arizona municipal corporation

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

Name: Kevin R. Phelps

Title: City Manager

ATTEST:

\_\_\_\_\_  
Julie K. Bower, City Clerk (Seal)

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael D. Bailey, City Attorney

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

STATE OF ARIZONA        )  
  ) ss.  
County of Maricopa        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024  
by \_\_\_\_\_, \_\_\_\_\_, who acknowledged that she executed this  
instrument for the purposes therein contained.

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

My commission expires:

143<sup>rd</sup> Ave, N of Northern Parkway  
Ord. \_\_\_\_\_

Exhibit "A"

LEXINGTON 420  
LEGAL DESCRIPTION

A portion of land being situated within Section 33, Township 3 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

**BEGINNING** at a found 3 inch MCDOT Brass cap in hand hole, stamped T3N, R1W, 28, 33, RLS 26411, Dated 2009, accepted as the North quarter corner of said Section 33 from which a found Brass cap in hand hole accepted at the South quarter Corner thereof bearing South 00° 10'50" West, 5252.78 feet;

Thence South 00° 10'50" West, 2601.02 feet along the North-South Midsection line of said Section 33 to a non-tangent curve, concave southwesterly, having a radius of 10750.00 feet, the center of which bears South 04° 40'49" West;

Thence northwesterly along said curve, through a central angle of 00° 16'02", an arc length of 50.15 feet to a non-tangent line parallel with and 50.00 feet west of said North-South Midsection line;

Thence along said parallel line, North 00° 10'50" East, 2597.65 feet to the north line of said Section 33;

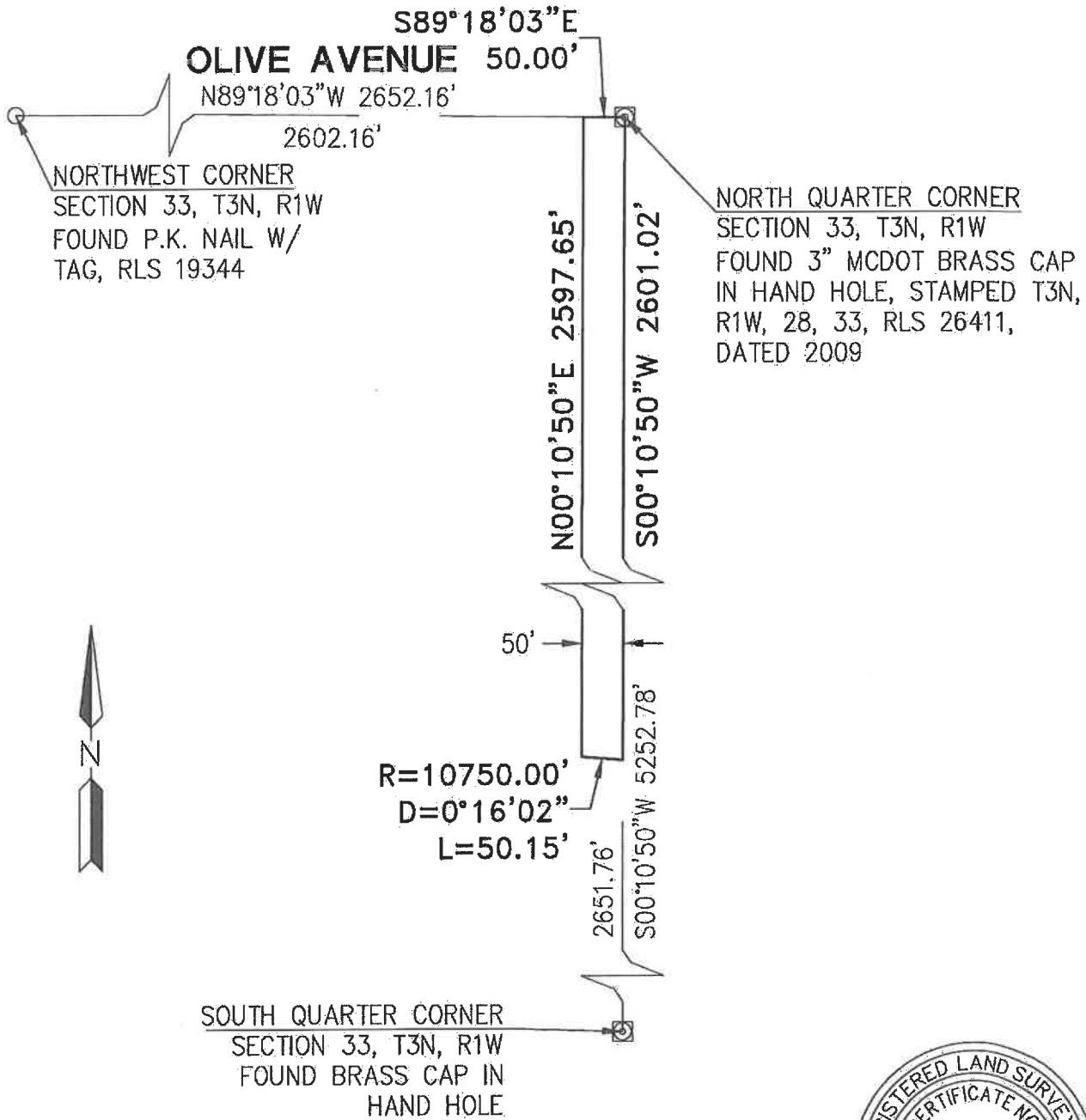
Thence leaving said parallel line and along said north line, South 89° 18'03" East, 50.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 129,966 sq. ft. (2.9836 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: January 2023





*Kirk J. Pangus*

PROJ. NO.:	1033	<b>LEXINGTON 420</b>  GLENDALE, ARIZONA  <b>EXHIBIT</b>	 <b>HILGARTWILSON</b> 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE:	JAN 2023		
SCALE:	N.T.S.		
DRAWN BY:	JK		
CHECKED BY:	KJP		