

When recorded Mail to:
City of Goodyear
City Clerk / LRB
190 N. Litchfield Road
P.O. Box 5100
Goodyear, Arizona 85338
QS-87

EXEMPT UNDER A.R.S. § 11-1134(A)(3)

WATER LINE AND ACCESS FACILITIES EASEMENT

For the consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **OZB BG HARVARD, LP, an Arizona limited partnership** ("GRANTOR") does hereby grant and convey to the **CITY OF GOODYEAR, an Arizona Municipal Corporation**, and its successors and assigns, (collectively "GRANTEE") a perpetual Water Line and Access Facilities Easement within, on, across, over, and under the real property described in Exhibit "A" attached hereto and incorporated herein (the "Easement Area") for the purposes described herein. This Water Line and Access Facilities Easement shall be a permanent easement for use by the GRANTEE and its Permittees for entering upon the Easement Area and constructing, operating, maintaining, inspecting, modifying, repairing, removing and/or replacing: underground water lines, appurtenances to such water lines, and access facilities over the easement area that will support the heaviest service vehicles used by GRANTEE to service the underground water lines (the "Water Line and Access Facilities") within, on, across, over, and under the Easement Area.

The GRANTEE shall have all rights and privileges necessary or convenient for the full use and enjoyment of the easement, servitude and privileges herein granted for the purposes herein described.

Other than the Water Line and Access Facilities GRANTOR constructs as a Permittee of GRANTEE, GRANTOR shall not construct or allow to be constructed any underground improvements within the Easement Area except as may be needed for other underground utility lines to cross the Easement Area and only upon the consent of GRANTEE. GRANTOR shall not locate, erect, construct or permit to be located, erected or constructed, any building, structure or well within the Easement Area. GRANTOR reserves for itself the right to use the Easement Area for purposes that are not inconsistent with GRANTEE's rights under this Water Line and Access Facilities Easement, do not interfere with or endanger any of GRANTEE's Water Line and Access Facilities constructed within the Easement Area, and do not interfere with GRANTEE's access to such Water Line and Access Facilities.

This Water Line and Access Facilities Easement runs with the land and is binding upon GRANTOR and all successors and assigns in interest or title to the Easement Area for the benefit of GRANTEE.

IN WITNESS WHEREOF, this instrument is executed this 23rd day of June, 2021.

OZB BG HARVARD, LP, an Arizona limited partnership

By: OZB BG GP, LLC,
an Arizona limited liability company
Its: General Partner

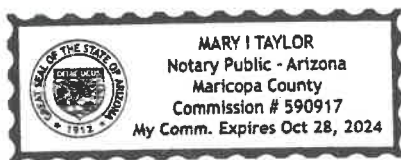
By: HARVARD INVESTMENTS, INC.,
a Nevada corporation
Its: Manager

By: [Signature]
Katherine L. Astrom
Its: Secretary Treasurer

By: [Signature]
Christopher J. Cacheris
Its: Sr. Vice President

State of Arizona)
)ss.
County of Maricopa)

The foregoing instrument (Water Line Easement) was acknowledged before me this 23rd day of June, 2021 by Katherine L. Astrom and Christopher J. Cacheris, whose identities were proven to me on the satisfactory evidence to the persons they claims to be, and acknowledged before me that they executed the same in their authorized capacity, and that by their signatures on this instrument the entities upon behalf of which they acted, executed the instrument.



[Signature]
Notary Public

Notary Public

Signatures, Acknowledgements and Exhibits on Following Pages

GRANTEE:

ACCEPTED by the CITY OF GOODYEAR, an Arizona Municipal Corporation, the _____ day of _____, 20____.

By: _____

Its: _____

State of Arizona)
)ss.
County of Maricopa)

The foregoing instrument (Water Line and Access Facilities Easement) was acknowledged before me this ____ day of _____, 2021 by _____, as _____ of the CITY OF GOODYEAR, an Arizona municipal corporation, on behalf of said corporation.

Notary Public

Exhibit(s) on Following Page(s)

EXHIBIT "A"

LEGAL DESCRIPTION

**Legal Description
For
Water Line Easement
REV at Ballpark Village**

Located in the Southwest Quarter of Section 17, Township 1 North, Range 1 West, Gila and Salt River Meridian, Maricopa County, Arizona.

Being a portion of Lot 32B1 of the Replat of Ballpark Village Lot 32B, recorded in Book 1581, Page 23, Maricopa County Records. Described as follows:

Commencing at the Southwest corner of said Section 17, from which the West Quarter corner of said Section 17 bears North 00°49'43" West, a distance of 2651.26 feet;

Thence North 89°38'07" East, a distance of 75.01 feet to the West line of said Lot 32B;

Thence North 00°49'43" West, along said West line, a distance of 9.30 feet to the Point of Beginning;

Thence continuing along said West line, North 00°49'43" West, a distance of 28.52 feet;

Thence departing said West line, South 45°21'51" East, a distance of 18.78 feet;

Thence North 89°56'47" East, a distance of 98.18 feet;

Thence North 22°00'35" East, a distance of 37.02 feet;

Thence South 67°59'25" East, a distance of 20.00 feet;

Thence South 22°00'35" West, a distance of 50.49 feet;

Thence South 89°56'47" West, a distance of 119.87 feet;

Thence North 45°21'51" West, a distance of 6.67 feet to the Point of Beginning.

Containing 3,310.15 square feet or 0.08 acres, more or less.

See attached exhibit drawing by reference made a part hereto.





N.T.S.

FOUND
BRASS CAP IN HAND HOLE
W. 1/4 COR. SEC. 17,
T.1N., R.1W.

BASIS OF BEARING
N0° 49' 43"W
2651.26'

S. ESTRELLA
PARKWAY

LOT 32B1
BK. 1581, PG. 23

S67° 59' 25"E
20.00'

N22° 00' 35"E
37.02'

N89° 56' 47"E
98.18'

S89° 56' 47"W
119.87'

S22° 00' 35"W
50.49'

POINT OF BEGINNING

W. LOWER
BUCKEYE RD.

FOUND
BRASS CAP IN HAND HOLE
S.W. COR. SEC. 17,
T.1N., R.1W.
POINT OF COMMENCEMENT

LOT 32B2
BK. 1581, PG. 23



SURVEY LEGEND



MONUMENT AS NOTED



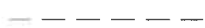
SECTION LINE



EASEMENT LINE



BOUNDARY LINE



BOUNDARY - TIES

Line Table

Line #	Direction	Length
L1	N89° 38' 07"E	75.01'
L2	N00° 49' 43"W	9.30'
L3	N00° 49' 43"W	28.52'
L4	S45° 21' 51"E	18.78'
L5	N45° 21' 51"W	6.67'



645 E. MISSOURI AVE., STE. 160
PHOENIX, ARIZONA 85012

P: 602.297.8732 • F: 602.230.8458

EXHIBIT "A"

WATER LINE EASEMENT

REV AT BALLPARK VILLAGE

CITY OF GOODYEAR

Project No. 0961

Date : 05/12/21

Sheet 1 of 1