

RESOLUTION NO. 2021-2186

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING EXCLUSIVE UTILITY EASEMENTS, PROVIDING DIRECTION REGARDING THE RECORDATION OF THE RESOLUTION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the power vested in the City of Goodyear ("City") by its Charter and pursuant to A.R.S. § 9-499.01, the Mayor and Council of the City of Goodyear have the power to administer and establish utility easements; and

WHEREAS, the City owns several parcels of land which were acquired as part of the city's Bullard Wash storm water system and future linear park alignment between Van Buren Street and MC-85 ("City Property"); and

WHEREAS, the City is currently in the final design phase for a new city well being drilled (Well 26) and the associated water line which will transport the water from the new Well 26 to the existing city water treatment facility located on Bullard Avenue south of Yuma Road; and

WHEREAS, the City has previously placed a sanitary sewer line within a portion of the City Property; and

WHEREAS, the new water line will be constructed adjacent to the existing sanitary sewer line in areas where both the water and sanitary sewer lines are running parallel and in these locations they will both be within the areas to be declared as utility easements; and

WHEREAS, the City has determined it is in our best interest to declare exclusive utility easements for city utilities in the locations described and depicted on the attached Exhibit "A" to provide a record of the utility easements on the City Property in the Maricopa County recorder's office for future reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. The Mayor and Council of the City of Goodyear find and determine that it is in the interest of the public health, safety, and welfare of the city to establish, for the benefit and exclusive use by the city of Goodyear, exclusive utility easements in the locations described and depicted in Exhibit "A."

SECTION 2. The Mayor and Council of the city of Goodyear hereby declare the establishment of exclusive utility easements to and for the benefit of the City of Goodyear, on, over, under, across, above and through the real property described in Exhibit "A", attached hereto and incorporated herein by this reference (the "Easement Areas"), for use by the City of Goodyear, its representatives, agents, and contractors, including sub-contractors, for the following purposes: entering upon, operating, inspecting, constructing, maintaining, repairing, replacing utility facilities owned and operated by the City of Goodyear including water, sewer lines, telemetering and communications equipment, and appurtenances thereto, together with the right of access to the Easement Areas for the purposes stated herein. No merger of title, estate or interest shall be deemed effected by the City of Goodyear's current fee ownership in the property described in Exhibit "A",

and it is the express intent of the City of Goodyear that these easements not be extinguished by, merged into, modified, or otherwise deemed affected by any other interest or estate in the property described in Exhibit "A" now or hereafter held by the City of Goodyear or its successors or assigns.

SECTION 3. The Mayor and Council of the City of Goodyear hereby direct the City Manager or his/her designee to record or cause to be recorded this Resolution declaring exclusive utility easements for the benefit of the City of Goodyear.

SECTION 4. The utility easements established herein shall become effective upon the recordation of this Resolution in the official records of the Maricopa County Recorder.

SECTION 5. This Resolution shall become effective upon its adoption by the Mayor and Council of the City of Goodyear.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20____.

Georgia Lord, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

EXHIBIT 'A'

Exclusive Utility Line Easement

[On the Following Pages]

NEW UTILITY EASEMENT "A" DESCRIPTION:

A PORTION OF TRACT "B", THE FINAL PLAT OF COMPASS DATACENTERS-PHX I, AS RECORDED IN BOOK 1476, PAGE 49, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN THE EAST HALF OF SECTION 8, TOWNSHIP 01 NORTH, RANGE 01 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 8;

THENCE NORTH 89 DEGREES 26 MINUTES 27 SECONDS WEST (BASIS OF BEARING) ALONG THE NORTH LINE OF SAID SECTION 8 A DISTANCE OF 2605.01 FEET TO THE NORTH QUARTER OF SAID SECTION 8;

THENCE SOUTH 00 DEGREES 38 MINUTES 06 SECONDS WEST A DISTANCE OF 2968.48 FEET TO THE SOUTHWEST CORNER OF TRACT "B" OF SAID FINAL PLAT OF COMPASS DATACENTERS-PHX I;

THENCE SOUTH 89 DEGREES 26 MINUTES 35 SECONDS EAST, ALONG THE SOUTH LINE OF SAID TRACT "B", A DISTANCE OF 361.49 FEET TO THE SOUTHEAST CORNER OF SAID TRACT "B";

THENCE NORTH 04 DEGREES 41 MINUTES 10 SECONDS WEST A DISTANCE OF 30.13 TO A POINT ON THE NORTH LINE OF A 30.0 FOOT SANITARY SEWER EASEMENT PER DOCUMENT 2003-1323315, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, AND THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 26 MINUTES 35 SECONDS WEST, ALONG THE NORTH LINE OF SAID SANITARY SEWER EASEMENT A DISTANCE OF 207.53 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, DEPARTING THE NORTH LINE OF SAID SANITARY SEWER EASEMENT, A DISTANCE OF 112.85 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 20.00 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 93.04 FEET;

THENCE SOUTH 89 DEGREES 26 MINUTES 35 SECONDS EAST A DISTANCE OF 185.69 FEET TO A POINT ON THE EAST LINE OF SAID TRACT "B" AND THE START OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 850.00 FEET, WHOSE CENTER BEARS SOUTH 84 DEGREES 05 MINUTES 42 SECONDS WEST;

THENCE CONTINUING SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01 DEGREES 13 MINUTES 08 SECONDS, A DISTANCE OF 18.08 FEET;

THENCE SOUTH 04 DEGREES 41 MINUTES 10 SECONDS EAST A DISTANCE OF 2.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.14 ACRES

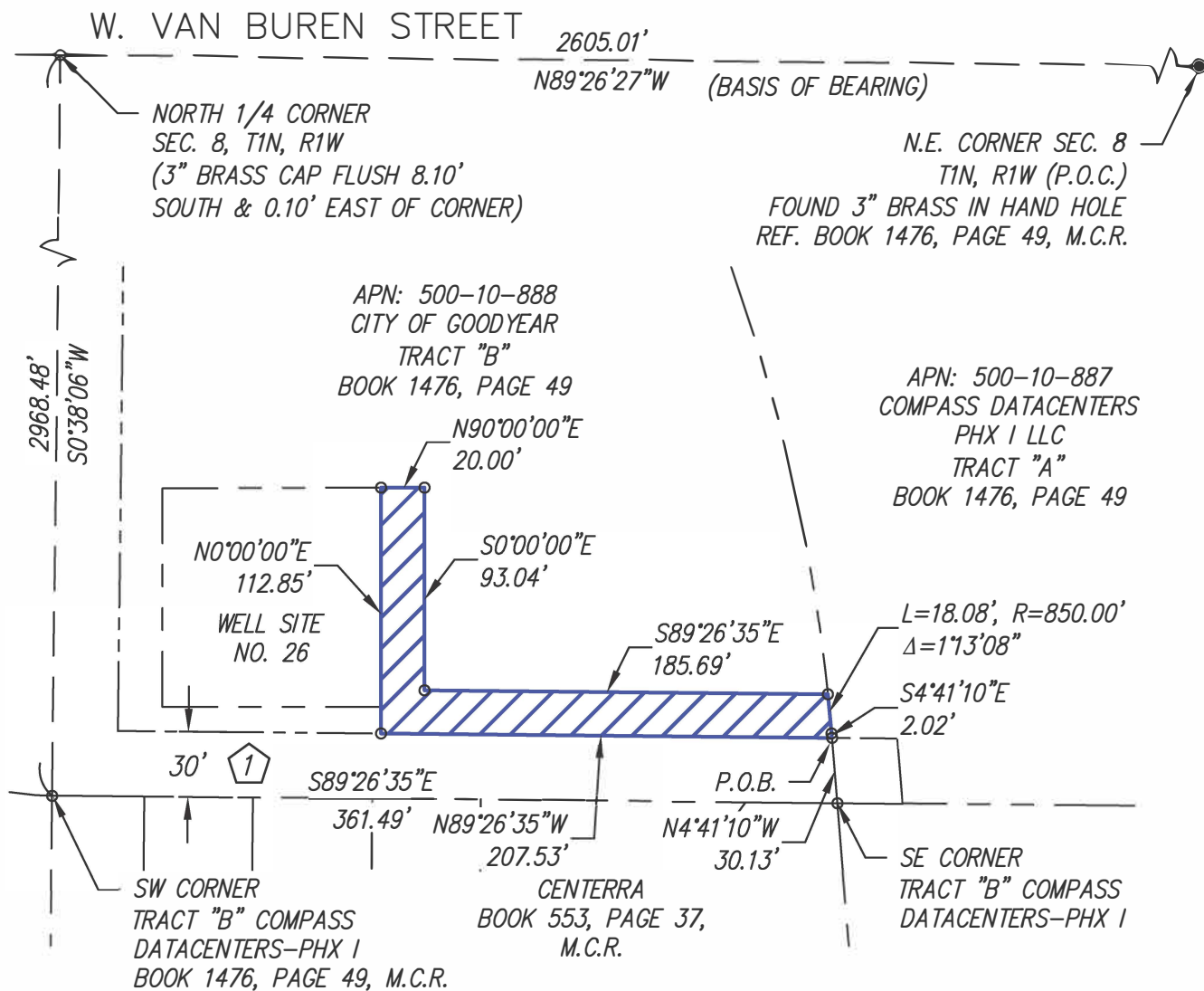
SEE ATTACHED EXHIBIT DRAWING BY REFERENCE MADE A PART HERETO.



EXHIBIT "A"
NEW UTILITY EASEMENT 1

DRAWN:	KOS	JOB NO:	20133
SURVEYOR:	KOS	DATE:	08/10/2020
SCALE:	NTS	PAGE	1 OF 2

Prepared By:
82 BRAVO, LLC
579 W Wickenburg Way
Suite #2
Wickenburg, Arizona 85390
928-684-5046 Info@82Bravo.com
www.82Bravo.com



LEGEND

NEW EASEMENT LINE

ADJACENT BOUNDARY LINE

EXISTING EASEMENT LINE

SECTION LINE

- MONUMENT AS DESCRIBED
- ANGLE POINT
- 1 30' SANITARY SEWER EASEMENT PER DOC. 2003-1323315 AND DOC. 2001-0064653 M.C.R. (FINAL PLAT)

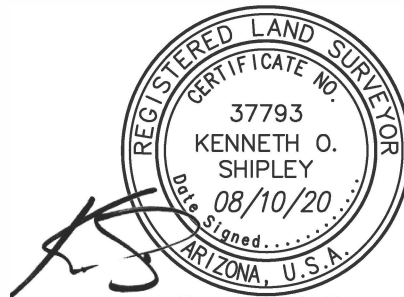
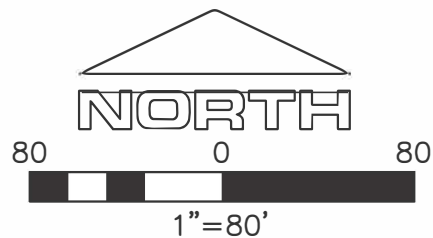


EXHIBIT "A" NEW UTILITY EASEMENT 1

DRAWN:	KOS	JOB NO:	20133
SURVEYOR:	KOS	DATE:	08/10/2020
SCALE:	1"=80'	PAGE	2 OF 2

Prepared By:
82 BRAVO, LLC
579 W Wickenburg Way
Suite #2
Wickenburg, Arizona 85390
928-684-5046 Info@82Bravo.com
www.82Bravo.com

NEW UTILITY EASEMENT "C" DESCRIPTION:

THE WEST 30.00 FEET OF TRACT "E", FINAL PLAT OF "CENTERRA" PER BOOK 553, PAGE 37, OFFICIAL RECORDS OF MARICOPA COUNTY, LOCATED IN THE EAST HALF OF SECTION 8, TOWNSHIP 01 NORTH, RANGE 01 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA, FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 8;

THENCE NORTH 89 DEGREES 26 MINUTES 36 SECONDS WEST (BASIS OF BEARING) ALONG THE SOUTH LINE OF SAID SECTION 8 A DISTANCE OF 1987.57 FEET;

THENCE NORTH 00 DEGREES 33 MINUTES 24 SECONDS EAST, DEPARTING THE SOUTH LINE OF SAID SECTION 8, A DISTANCE OF 75.00 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT "E" AND THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 26 MINUTES 36 SECONDS WEST A DISTANCE OF 30.13 FEET TO THE SOUTHWEST CORNER OF SAID TRACT "E";

THENCE NORTH 04 DEGREES 41 MINUTES 04 SECONDS WEST A DISTANCE OF 2242.53 FEET (2242.61 FEET RECORD) TO THE NORTHWEST CORNER OF SAID TRACT "E";

THENCE SOUTH 89 DEGREES 26 MINUTES 29 SECONDS EAST, ALONG THE NORTH LINE OF SAID TRACT "E", A DISTANCE OF 30.13 FEET;

THENCE SOUTH 04 DEGREES 41 MINUTES 04 SECONDS EAST, DEPARTING SAID NORTH LINE OF SAID TRACT "E" A DISTANCE OF 2242.53 FEET (2242.62 FEET RECORD) TO THE POINT OF BEGINNING.

CONTAINING 1.54 ACRES

SEE ATTACHED EXHIBIT DRAWING BY REFERENCE MADE A PART HERETO.



EXHIBIT "A"
NEW UTILITY EASEMENT 2

DRAWN:	KOS	JOB NO:	20133
SURVEYOR:	KOS	DATE:	08/03/2020
SCALE:	NTS	PAGE	1 OF 2

Prepared By:
82 BRAVO, LLC
579 W Wickenburg Way
Suite #2
Wickenburg, Arizona 85390
928-684-5046 Info@82Bravo.com
www.82Bravo.com

APN: 500-10-888
CITY OF GOODYEAR
TRACT "B"
BOOK 1476, PAGE 49

APN: 500-10-887
COMPASS DATACENTERS
PHX I LLC
TRACT "A"
BOOK 1476, PAGE 49

WELL SITE
NO. 26

CENTERRA
BOOK 553, PAGE 37, M.C.R.

NW CORNER
TRACT "E"

S89°26'29"E
30.13'

NORTH LINE
"TRACT E"

NORTH

80 0 80

1"=80'



CENTERRA
TRACT D REPLAT
BOOK 854, PAGE 2, M.C.R.

APN: 500-04-904
CITY OF GOODYEAR
TRACT "E" CENTERRA
BOOK 553, PAGE 37, M.C.R.

N4°41'04"W

2242.53'

N4°41'04"W

2242.53'

2242.53'

2242.53'

2242.53'

2242.53'

2242.53'

2242.53'

2242.53'

2242.53'

2242.53'

2242.53'

2242.53'

2242.53'

2242.53'

2242.53'

2242.53'

2242.53'

S. 1/4 CORNER
SEC. 8, T1N, R1W

SW CORNER TRACT "E"

LEGEND

NEW EASEMENT LINE

ADJACENT BOUNDARY LINE

EXISTING EASEMENT LINE

SECTION LINE

W. YUMA ROAD

N89°26'36"W
30.13'

S.E. COR. SEC. 8
T1N, R1W (P.O.C.)

S89°26'36"E
(BASIS OF BEARING)

1987.57'

● FOUND 3" BRASS CAP FLUSH REF. BOOK 1476, PAGE 49, M.C.R.

○ ANGLE POINT



30' SANITARY SEWER EASEMENT
PER DOC. 2003-1323315, M.C.R.

EXHIBIT "A"
NEW UTILITY EASEMENT 2

DRAWN:	KOS	JOB NO:	20133
SURVEYOR:	KOS	DATE:	08/03/2020
SCALE:	1"=80'	PAGE	2 OF 2

Prepared By:
82 BRAVO, LLC
579 W Wickenburg Way
Suite #2
Wickenburg, Arizona 85390
928-684-5046 Info@82Bravo.com
www.82Bravo.com

NEW UTILITY EASEMENT "D" DESCRIPTION:

A PORTION OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 01 NORTH, RANGE 01 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA, FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 17;

THENCE NORTH 89 DEGREES 26 MINUTES 36 SECONDS WEST (BASIS OF BEARING) ALONG THE NORTH LINE OF SAID SECTION 17 A DISTANCE OF 1685.81 FEET;

THENCE SOUTH 00 DEGREES 33 MINUTES 24 SECONDS WEST, DEPARTING THE NORTH LINE OF SAID SECTION 17, A DISTANCE OF 274.93 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN DOCUMENT NO. 2014-0567662, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 26 MINUTES 36 SECONDS WEST, ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 28.61 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 45 MINUTES 31 SECONDS EAST A DISTANCE OF 1156.01 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 809.41 FEET;

THENCE CONTINUING SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 30 DEGREES 23 MINUTES 14 SECONDS, A DISTANCE OF 429.28 FEET;

THENCE SOUTH 55 DEGREES 50 MINUTES 47 SECONDS EAST A DISTANCE OF 37.89 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF BULLARD AVENUE AS DEPICTED ON THE GOODYEAR RIGHT OF WAY MAP OF DEDICATION RECORDED IN BOOK 963 OF MAPS, PAGE 22, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 38 DEGREES 00 MINUTES 35 SECONDS WEST, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 20.05 FEET;

THENCE NORTH 55 DEGREES 50 MINUTES 51 SECONDS WEST, DEPARTING SAID RIGHT-OF-WAY, A DISTANCE OF 55.24 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 789.41 FEET, WHOSE CENTER BEARS NORTH 59 DEGREES 01 MINUTES 52 SECONDS WEST;

THENCE CONTINUING NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 31 DEGREES 43 MINUTES 39 SECONDS, A DISTANCE OF 437.14 FEET;

THENCE NORTH 00 DEGREES 45 MINUTES 31 SECONDS WEST A DISTANCE OF 1156.47 FEET TO A POINT ON THE NORTH LINE OF SAID LANDS DESCRIBED IN DOCUMENT NO. 2014-0567662;

THENCE SOUTH 89 DEGREES 26 MINUTES 36 SECONDS EAST A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.75 ACRES

SEE ATTACHED EXHIBIT DRAWING BY REFERENCE MADE A PART HERETO.



EXHIBIT "A"
NEW UTILITY EASEMENT 3

DRAWN:	KOS	JOB NO:	20133
SURVEYOR:	KOS	DATE:	06/09/2020
SCALE:	NTS	PAGE	1 OF 2

Prepared By:
82 BRAVO, LLC
579 W Wickenburg Way
Suite #2
Wickenburg, Arizona 85390
928-684-5046 Info@82Bravo.com
www.82Bravo.com

N. 1/4 COR. SEC. 8
T1N, R1W

S89°26'36"E
(BASIS OF BEARING) 901.44'

1685.81'

N.E. COR. SEC. 17
T1N, R1W (P.O.C.)



100 0 100
1"=100'

LEGEND

NEW EASEMENT LINE

ADJACENT BOUNDARY LINE

EXISTING EASEMENT LINE

SECTION LINE

- FOUND 3" BRASS CAP FLUSH
REF. BOOK 1476, PAGE 49, M.C.R.
- ANGLE POINT

APN: 500-07-007F
CITY OF GOODYEAR
DOC. 2014-0567662, M.C.R.

N89°26'36"W
28.61'
S89°26'36"E
20.01'

274.93'
S0°33'24"W

NE CORNER
DOC. 2014-0567662

P.O.B.

N0°45'31"W
1156.47'

S0°45'31"E
1156.01'

L=437.14', R=789.41'
Δ=31°43'39"

L=429.28', R=809.41'
Δ=30°23'14"

65.0'
S. BULLARD AVE

N55°50'51"W
55.24'

S55°50'47"E
37.89'

S38°00'35"W
20.05'



EXHIBIT "A"
NEW UTILITY EASEMENT 3

DRAWN:	KOS	JOB NO:	20133
SURVEYOR:	KOS	DATE:	06/09/2020
SCALE:	NTS	PAGE	2 OF 2

Prepared By:
82 BRAVO, LLC
579 W Wickenburg Way
Suite #2
Wickenburg, Arizona 85390
928-684-5046 Info@82Bravo.com
www.82Bravo.com