

When recorded Mail to:

City of Goodyear
City Clerk / LRB
190 N. Litchfield Road
P.O. Box 5100
Goodyear, Arizona 85338
QS-64

EXEMPT UNDER A.R.S. § 11-1134(A)(3)

**WATER METER AND WATER LINE EASEMENT
(WLE-1)**

For the consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **DT BTR CTS LLC, a Delaware limited liability company**, its successors and assigns (collectively "GRANTOR") does hereby grant and convey to the **CITY OF GOODYEAR, an Arizona Municipal Corporation**, its successors and assigns (collectively "GRANTEE") a perpetual Water Meter and Water Line 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 Meter and Water Line 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 a water meter, appurtenances and underground water line(s) (the "Water Meter Facilities") within, on, across, over, and under the Easement Area.

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 Meter 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 Meter and Water Line Easement, do not interfere with or endanger any of GRANTEE's Water Meter Facilities constructed within the Easement Area, and do not interfere with GRANTEE's access to such Water Meter Facilities.

This Water Meter and Water Line 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.

Signatures, Acknowledgements and Exhibits Continued on Following Pages

IN WITNESS WHEREOF, this instrument is executed this 16th day of December, 20 21.

GRANTOR:

DT BTR CTS LLC,
a Delaware limited liability company

By: DT BTR Communities LLC,
a Delaware limited liability company
Its Sole Member

By: TLC BTR LLC,
a Delaware limited liability company
Its Administrator

By: [Signature]
STEVEN C. LA TERRA
Its: CEO

By: [Signature]
DONALD S. GRANT
Its: SVP

State of _____)
)ss.
County of _____)

The foregoing Water Meter and Water Line Easement (WLE-1) was acknowledged before me this _____ day of _____, 2021 by STEVEN C. LA TERRA, as _____ of TLC BTR Communities LLC, a Delaware limited liability company as Administrator of DR BTR Communities LLC, a Delaware limited liability company as the Sole Member of **DT BTR CTS LLC, a Delaware limited liability company.**

Notary Public

State of _____)
)ss.
County of _____)

The foregoing Water Meter and Water Line Easement (WLE-1) was acknowledged before me this _____ day of _____, 20 _____ by _____, as _____ of TLC BTR Communities LLC, a Delaware limited liability company as Administrator of DR BTR Communities LLC, a Delaware limited liability company as the Sole Member of **DT BTR CTS LLC, a Delaware limited liability company.**

Notary Public

Signatures, Acknowledgements and Exhibits Continued on Following Pages

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

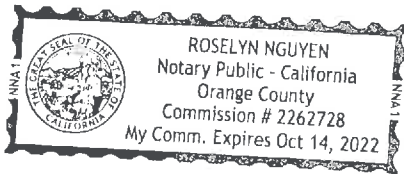
State of California

County of Orange }

On December 16, 2021 before me, Roselyn Nguyen, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Steven C. LaTerra and Donald S. Grant
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Watermeter and Water line Easement (WLE-1)

Document Date: 12/16/2021 Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

- ☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

GRANTEE:

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

By: _____

Its: _____

State of Arizona)
)ss.
County of Maricopa)

The foregoing Water Meter and Water Line Easement (WLE-1) was acknowledged before me this ____ day of _____, 20____ 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

August 23, 2021
Project # 050605-01-014

**LEGAL DESCRIPTION
WATERLINE EASEMENT**

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 11, BEING MARKED BY A MAG NAIL WITH WASHER STAMPED RLS 31610, FROM WHICH POINT THE CENTER QUARTER CORNER OF SAID SECTION 11, BEING MARKED BY A MAG NAIL, BEARS NORTH 89°41'16" WEST, A DISTANCE OF 2638.94 FEET;

THENCE NORTH 89°41'16" WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1690.92 FEET;

THENCE DEPARTING SAID SOUTH LINE, NORTH 00°18'44" EAST, A DISTANCE OF 1573.57 FEET TO THE EAST RIGHT OF WAY LINE OF 173RD AVENUE AND THE **POINT OF BEGINNING**;

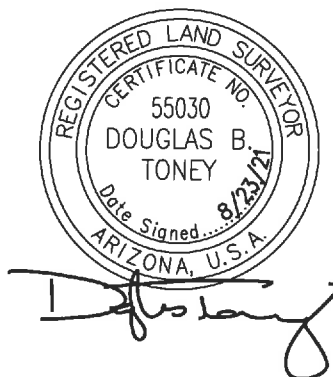
THENCE NORTH 28°45'24" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 20.00 FEET;

THENCE SOUTH 61°14'36" EAST, A DISTANCE OF 77.00 FEET;

THENCE SOUTH 28°45'24" WEST, A DISTANCE OF 20.00 FEET;

THENCE NORTH 61°14'36" WEST, A DISTANCE OF 77.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,540 SQ.FT. OR 0.0354 ACRES, MORE OR LESS.



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	1573.57'	N00°18'44"E
L2	20.00'	N28°45'24"E
L3	77.00'	S61°14'36"E
L4	20.00'	S28°45'24"W
L5	77.00'	N61°14'36"W

