

When recorded Mail to:

City of Goodyear
City Clerk / LRB
190 N. Litchfield Road
P.O. Box 5100
Goodyear, Arizona 85338
QS-86

EXEMPT UNDER A.R.S. § 11-1134(A)(3)

**TEMPORARY TURNAROUND EASEMENT
(W. Kendall Street)**

GRANTOR:

TBD-XXXX

GRANTEE:

**CITY OF GOODYEAR, an Arizona
Municipal Corporation**

RECITALS

On October 26, 2020, the Goodyear City Council adopted Ordinance 2020-1480, re-zoning approximately 153.6 acres to the Final Planned Area Development (PAD) District for the development of what is to be known as Avion at Ballpark Village.

Portions of Avion at Ballpark Village are in the process of being subdivided and the Goodyear City Council has been asked to approve a final plat titled “Final Plat of Avion at Ballpark Village — Phase 1A” (the “Avion Phase 1A Plat.”)

The Avion Phase 1A Plat includes a section of W. Kendall Street that ends at the western boundary of the Avion Phase 1A Plat.

In order to meet fire safety requirements, the Avion Phase 1A Plat cannot be recorded until either West Kendall Street is extended and improved from the western boundary of the Avion Phase 1A Plat to South 157th Lane and South 157th Lane has been improved between West Kendall Street and W. Ballpark Village Blvd or until this easement allowing for the construction of cul-de-sac road improvements has been recorded.

EASEMENT TERMS

For the consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **TBD-XXXX** (“Grantor”) does hereby grant and convey to the **CITY OF GOODYEAR, an Arizona municipal corporation**, its successors, and

assigns and (“Grantee”), a Temporary Turnaround Easement (“TTE”) upon, over, under, across, above, and through the real property described in Exhibit “A” attached hereto and incorporated herein by this reference (the “Easement Area”). The TTE shall be a temporary easement for the following purposes: (i) constructing, altering, extending, maintaining, operating, replacing, and/or repairing and/or public street improvements, including but not limited to: pavement, curbs, sidewalks and other appurtenances thereto; by Grantee and its permittees (ii) vehicular and pedestrian travel by the public; and (iii) for providing access for the purposed set forth herein.

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.

The Temporary Turnaround Easement shall be terminated after all of the following have occurred: (i) Kendall Street has been extended and improved from the western boundary of the property included within the Avion Phase 1A Plat to South 157th Lane (“Kendall Road Extension Improvements”); (ii) South 157th Lane between W. Kendall Street and W. Ballpark Village Blvd has been fully improved (the 157th Lane Extension Improvements); and (ii) the right-of-way required for the Kendall Road Extension Improvements and the 157th Lane Extension Improvements have been conveyed to the City in fee. The Kendall Road Extension Improvements and the 157th Lane Extension Improvements shall be improved in compliance with the requirements for Local Streets as set forth in the City of Goodyear Engineering Design Standards and Policies.

Grantor and its respective successors and assigns shall have no responsibility or liability for the construction, operation, maintenance, or repair of any facilities constructed pursuant to the rights granted by this Temporary Turn Around Easement unless installed by them.

This TTE constitutes a covenant running with the land for the benefit of the Grantee and is binding upon Grantor and its successors and assigns in interest or title to all or part of the Easement Area.

IN WITNESS WHEREOF, this instrument is executed this _____ day of _____, 20____.

Signatures, Acknowledgements and Exhibits on Following Pages

GRANTOR:
TBD-XXXX

By: _____

Its; _____

State of _____)
)ss.
County of _____)

The foregoing Temporary Turnaround Easement (W. Kendall Street) was acknowledged before me this _____ day of _____, 20__ by _____, as _____ of **TBS-XXXX** on behalf of said entity.

Notary Public

Signatures, Acknowledgements and Exhibits on Following Pages

GRANTEE:
CITY OF GOODYEAR

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 Temporary Turnaround Easement (W. Kendall Street) was acknowledged
before me this _____ day of _____, 20____ by _____,
as _____ of the CITY OF GOODYEAR, an Arizona municipal
corporation, on behalf of said corporation.

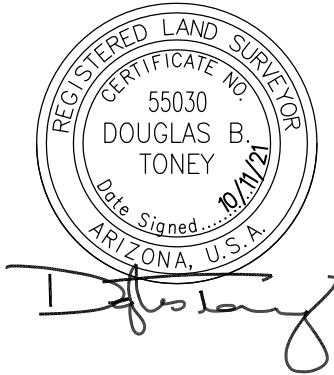
Notary Public

Exhibit(s) on Following Page(s)

EXHIBIT “A”

LEGAL DESCRIPTION

October 11, 2021
Project # 090568-01-001



**LEGAL DESCRIPTION
TEMPORARY TURNAROUND EASEMENT**

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 1 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 19, BEING MARKED BY A BRASS CAP IN HAND HOLE, FROM WHICH POINT THE NORTH QUARTER CORNER OF SAID SECTION 19, BEING MARKED BY AN ALUMINUM CAP, BEARS SOUTH 89°57'14" WEST (BASIS OF BEARINGS), A DISTANCE OF 2598.60 FEET;

THENCE SOUTH 89°57'14" WEST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1426.50 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°02'46" EAST, A DISTANCE OF 168.47 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 03°26'01" WEST, A DISTANCE OF 36.73 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE EASTERLY AND HAVING A RADIUS POINT WHICH BEARS SOUTH 34°27'26" EAST, A RADIAL DISTANCE OF 20.00 FEET;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 49°18'53", AN ARC DISTANCE OF 17.21 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE TO THE RIGHT, CONCAVE EASTERLY AND HAVING A RADIUS OF 46.00 FEET;

THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 263°46'19", AN ARC DISTANCE OF 211.77 FEET TO A POINT OF TANGENCY;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 56.49 FEET TO THE **POINT OF BEGINNING**.

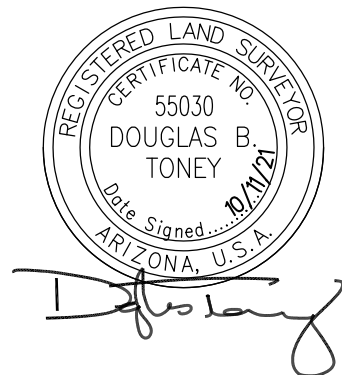
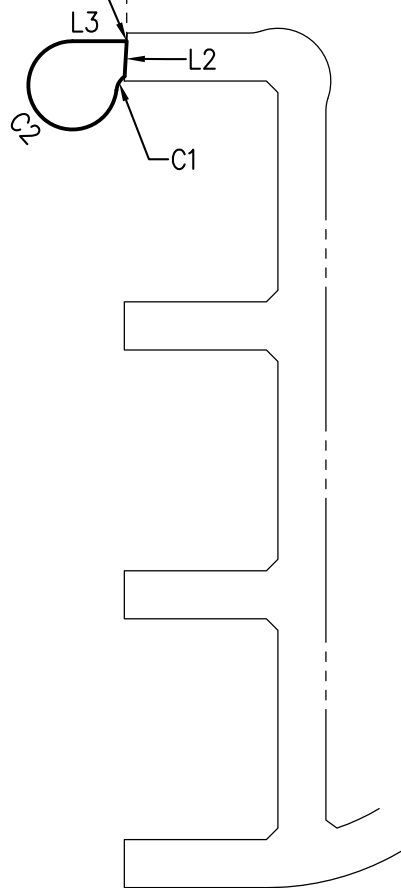
CONTAINING 7,484 SQ.FT. OR 0.1718 ACRES, MORE OR LESS.

NORTH QUARTER CORNER
SECTION 19, T1N, R1W
FOUND A.C.F.

POINT OF COMMENCEMENT
NORTHEAST CORNER
SECTION 19, T1N, R1W
FOUND B.C.H.H.

(BASIS OF BEARINGS)
S89°57'14"W 2598.60'
1426.50'

POINT OF
BEGINNING



SHEET 1 OF 2	EXHIBIT			
	TEMPORARY TURNAROUND EASEMENT			
	DATE:	BY: DT	CHK:	QC:
	10/11/21			
BCG PROJECT NO: 090568-01 TASK: 001				
CLIENT REF NO:				

Bowman
CONSULTING

1600 N Desert Drive, #210
Tempe, AZ 85281
Phone: (480) 629-8830
Fax: (480) 629-8841
www.bowman.com

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	168.47'	S00°02'46"E
L2	36.73'	S03°26'01"W
L3	56.49'	N90°00'00"E

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	17.21'	20.00'	049°18'53"
C2	211.77'	46.00'	263°46'19"

