

When recorded Mail to:

City of Goodyear
City Clerk/lrb
190 N. Litchfield Road
P.O. Box 5100
Goodyear, Arizona 85338

EXEMPT UNDER A.R.S. § 11-1134(A)(2)

TERMINATION AND RELEASE OF EASEMENT

THIS TERMINATION AND RELEASE OF EASEMENT (the “Release”) is executed this ____ day of _____, 2022 by the CITY OF GOODYEAR, an Arizona municipal corporation (the “City”).

RECITALS

- A. WHEREAS, on or about September 24, 2001 the City accepted a Water Line Easement from SUNCHASE ESTRELLA LIMITED PARTNERSHIP, a Delaware limited partnership (“SunChase”) which was recorded in the official records of Maricopa County on October 1, 2001 as Instrument Number 2001-0908605 (“Water Line Easement”); and,
- B. WHEREAS, the Water Line Easement was accepted by the City in order to facilitate the delivery of remediated water from the Goodyear Tire and Rubber (“PGA-S”) remediation well to the City’s Well Site #11 to incorporate the remediated water into the City’s domestic water system; and
- C. WHEREAS, CIP 18 CRE City Center Airpark Owner LLC, a Delaware limited liability company is in the process of preparing a Final Plat for Airpark Logistics Center (“Final Plat”) on the property which includes the Water Line Easement; and,
- D. WHEREAS, the water line between the PGA-S’ remediation well and the City’s well was never constructed, and the City has no current or future plans to construct the water line; and,
- E. WHEREAS, Pursuant to A.R.S. § 9-402, the City Council of the City of Goodyear is vested with the power to dispose of easements owned by the City that are no longer needed; and
- F. WHEREAS, the City has determined that the Water Line Easement is no longer needed.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City hereby terminates and releases its interest in the Water Line Easement recorded in the official records of Maricopa County on October 1, 2001 as Instrument Number 2001-0908605.

This Release is not intended to, nor does it, release any interest that the City may have in the property subject to the Water Line Easement described in Exhibit A arising by virtue of any other instrument recorded with the Maricopa County Recorder.

Dated this ____ day of _____ 2022.

CITY OF GOODYEAR, ARIZONA

By: _____

Its: _____

State of Arizona)
)ss.
County of Maricopa)

On this ____ day of _____, 2022, personally appeared before me _____, as _____ of the CITY OF GOODYEAR, ARIZONA, an Arizona municipal corporation, on behalf of said corporation.

Notary Public

Attest:

Darcie McCracken, City Clerk

Approved as to Form:

Roric Massey, City Attorney

Exhibits on Following Pages