

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)

PARTIAL TERMINATION AND RELEASE OF EASEMENT

THIS PARTIAL 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 August, 20, 2018 the City approved the Final Plat for Pebble Creek Marketplace which was recorded in the official records of Maricopa County on March 15, 2019 in Book 1447, Page 1 ("Final Plat"); and,
- B. WHEREAS, the Final Plat included a dedication of a Water Easement, a portion of which is located on Lot 4 of the Final Plat ("Water Line Easement"); and
- C. WHEREAS, SunWest Federal Credit Union is in the process of developing Lot 4 of the Final Plat, and the driveway location requires the termination of the portion Water Line Easement located in Lot 4 of the Final Plat, as described in the attached Exhibit "A" and depicted in the attached Exhibit "B," both of which are attached hereto and made a part hereof ("Release Area").
- D. WHEREAS, no water infrastructure improvements have been constructed within the Release Area.
- 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 portion of the Water Line Easement within the Release Area 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 solely in the portion of Water Line Easement located within the Release Area as described in Exhibit A. The Water Line Easement conveyed to the City in the Final Plat remains in full force and

effect and the City retains all rights, title and interests in the Water Line Easement except as to the Release Area.

This Release is not intended to, nor does it, release any interest that the City may have in the Release Area arising by virtue of any dedication or conveyance instrument recorded in the Official Records of the Maricopa County Recorder other than the Water Line Easement.

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

Exhibit A
Legal Description of the Easement Abandonment

EXHIBIT "A"

LEGAL DESCRIPTION FOR
APN 500-10-865
EASEMENT ABANDONMENT ON LOT 4
PER BOOK 1447, PAGE 1, M.C.R.

A PORTION OF THE WATER AND SEWER EASEMENT AS SHOWN ON LOT 4 OF THE FINAL PLAT FOR "PEBBLE CREEK MARKETPLACE", AS RECORDED IN BOOK 1447, PAGE 1, MARICOPA COUNTY RECORDER'S OFFICE (M.C.R.), SITUATE IN A PORTION OF G.L.O. LOT 1, SECTION 6, TOWNSHIP 1 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST PROPERTY CORNER OF SAID LOT 4;

THENCE NORTHERLY ALONG THE EAST PROPERTY LINE OF SAID LOT 4, NORTH 0°26'23" EAST, A DISTANCE OF 13.33 FEET, TO A POINT ON THE EAST PROPERTY LINE;

THENCE DEPARTING SAID LINE, NORTH 88°12'13" WEST ALONG THE EXISTING WATER AND SEWER EASEMENT LINE, A DISTANCE OF 122.44 FEET, TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID LINE, NORTH 88°12'13" WEST, A DISTANCE OF 10.00 FEET;

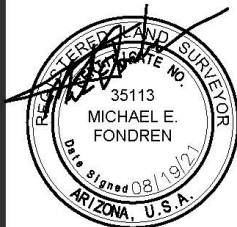
THENCE DEPARTING SAID LINE, NORTH 01°47'47" EAST, A DISTANCE OF 6.75 FEET;

THENCE SOUTH 88°12'13" EAST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 01°47'47" WEST, A DISTANCE OF 6.75 FEET, TO THE **POINT OF BEGINNING**.

CONTAINING 68 SQUARE FEET OR 0.002 ACRES, MORE OR LESS.

SUBJECT TO EXISTING RIGHTS-OF-WAY AND EASEMENTS.



Title: LEGAL DESCRIPTION

Project #: 09003110

Date: 08/19/2021

Scale: N / A

Page: 1 OF 4



Exhibit B

Legal Description of the Easement Abandonment (Depiction and Line Table)

EXHIBIT "B"

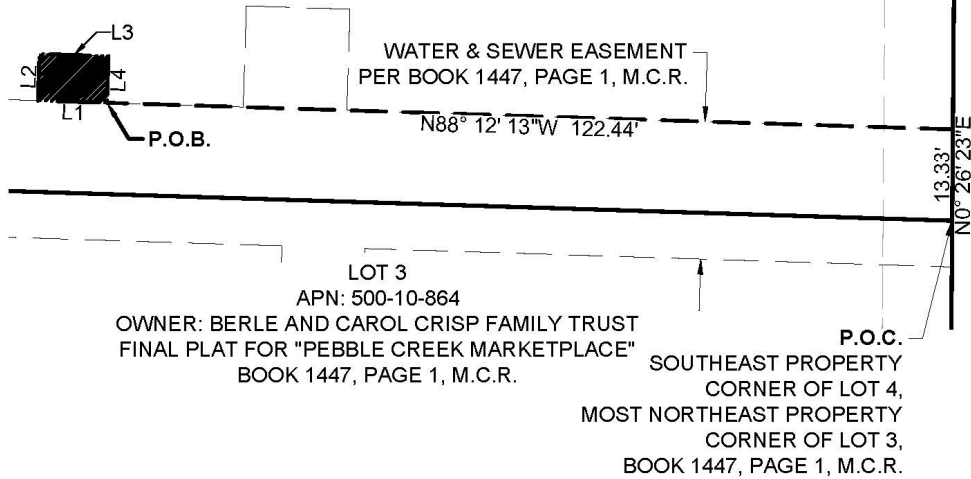
LEGAL EXHIBIT FOR
APN 500-10-865
EASEMENT ABANDONMENT ON LOT 4
PER BOOK 1447, PAGE 1, M.C.R.



1" = 20'

LOT 4

APN: 500-10-865
OWNER: SUNWEST FEDERAL CREDIT UNION
FINAL PLAT FOR "PEBBLE CREEK MARKETPLACE"
BOOK 1447, PAGE 1, M.C.R.



Title: EXHIBIT

Project #: 09003110

Date: 08/19/2021

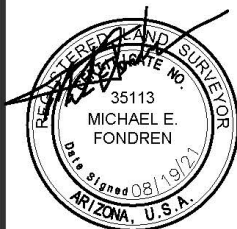
Scale: 1" = 20'

Page: 2 OF 4



EXHIBIT "B"
LEGAL EXHIBIT FOR
APN 500-10-865
EASEMENT ABANDONMENT ON LOT 4
PER BOOK 1447, PAGE 1, M.C.R.

LINE TABLE		
LINE	LENGTH	BEARING
L1	10.00	N88° 12' 13"W
L2	6.75	N1° 47' 47"E
L3	10.00	S88° 12' 13"E
L4	6.75	S1° 47' 47"W



Title: EXHIBIT
Project #: 09003110
Date: 08/19/2021
Scale: N / A
Page: 3 OF 4



Exhibit C

Legal Description of the Easement Abandonment (Closure Report)

EXHIBIT "C"

CLOSURE REPORT FOR
APN 500-10-865
EASEMENT ABANDONMENT ON LOT 4
PER BOOK 1447, PAGE 1, M.C.R.

CLOSURE

N88°12'13" W 10.00

N01°47'47" E 6.75

S88°12'13" E 10.00

S01°47'47" W 6.75

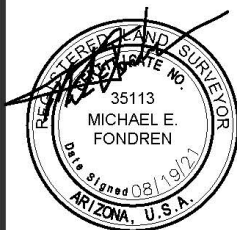
AREA = 68 0.002 AC

CLOSING COURSE: 00°00'00" 0.000000

PRECISION: 1/INFINITY

NORTH ERROR: 0.000000

EAST ERROR: 0.000000



Title: CLOSURE REPORT

Project #: 09003110

Date: 08/19/2021

Scale: N / A

Page: 4 OF 4

