

When recorded Mail to:
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. The City is the beneficiary of that certain Exclusive Sewer Line Easement granted pursuant to that document recorded in the official records of the Maricopa County Recorder as Document No. 2019-0935302 on November 20, 2019 (the "Sewer Line Easement") authorizing the construction, operation and maintenance of sewer lines within the easement area conveyed to the City (the "Sewer Line Easement Area").
- B. The Sewer Line Easement encumbers the property legally described and depicted on Exhibit "A" attached hereto.
- C. A sewer line was constructed within the Sewer Line Easement Area and conveyed to the City.
- D. The existing sewer line conflicts with the location of a new building to be constructed for Potato Barn.
- E. The developer of the Potato Barn site has agreed to construct a new sewer line and the owner of the property where there sewer line will be constructed will provide the City with a replacement wastewater/sewer line easement.
- F. 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
- G. WHEREAS, the City has determined that the Sewer Line Easement will not be required once the existing sewer line has been removed or abandoned in place and a replacement sewer line has been constructed in accordance with construction plans approved by the City Engineer or his designee, once the City Engineer or his designee has accepted, subject to the completion of the two-year warranty period, the replacement sewer line, and once the City has received a wastewater/sewer line easement for the replacement sewer line.

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 instrument recorded in the official records of Maricopa County on November 20, 2019 as Instrument Number 2019-0935302.

This Termination and Release of Easement is not intended to, nor does it, release any interest that the City may have in the Sewer Line Easement Area arising by virtue of any dedication or conveyance instrument recorded in the Official Records of the Maricopa County Recorder, other than the Sewer Line Easement recorded in the official records of the Maricopa County Recorder as Document No. 2019-0935302.

Dated this ____ day of _____ 2022.

CITY OF GOODYEAR, ARIZONA

By: _____

Its: _____

Name: _____

State of Arizona)
)ss.
County of Maricopa)

On this day, 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

A portion of land as described in the Special Warranty Deed recorded in Document No. 2005-1047332, Maricopa County Records, being situated within the Northeast Quarter of Section 6, Township 1 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found City of Goodyear brass cap flush accepted as the Northeast corner of said Section 6 from which a found City of Goodyear brass cap flush accepted as the Northwest corner thereof bears North 89°21'40" West, 5201.92 feet;

Thence North 89°21'40" West, 1755.90 feet along the north line of the Northeast Quarter of said Section 6;

Thence leaving said north line, South 00°37'19" West, 494.13 feet to the east line of Grayson Place Apartments Minor Land Division as filed in Book 1474, Page 35 Maricopa County Records, being the **POINT OF BEGINNING**;

Thence leaving said east line, South 89°23'10" East, 15.00 feet;

Thence South 00°37'19" West, 141.51 feet;

Thence South 88°48'54" East, 428.77 feet;

Thence South 00°21'41" West, 118.52 feet;

Thence South 88°12'04" East, 8.00 feet to the east line of said Special Warranty Deed;

Thence South 00°21'41" West, 20.01 feet along said east line;

Thence leaving said east line, North 88°12'13" West, 28.01 feet;

Thence North 00°21'41" East, 118.31 feet;

Thence North 88°48'54" West, 428.86 feet;

Thence North 00°37'19" East, 141.31 feet to the last mentioned east line of said Minor Land Division;

Thence the following two (2) courses along said east line of the Minor Land Division;

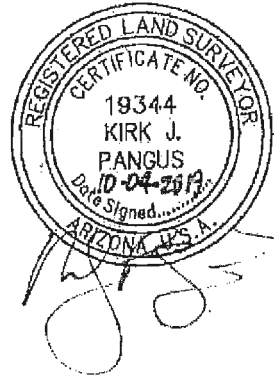
Thence South 89°23'10" East, 5.00 feet;

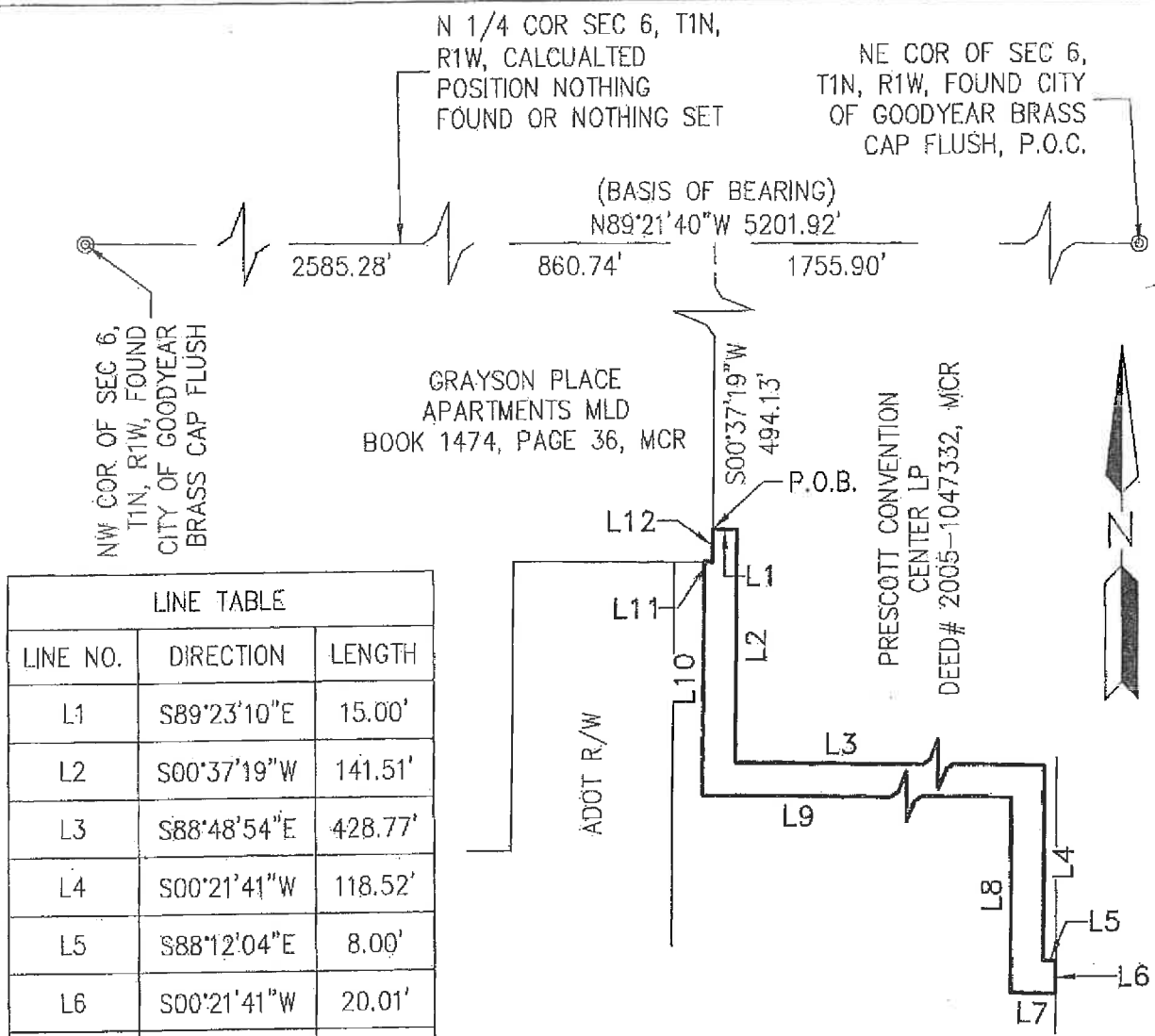
Thence North 00°37'19" East, 20.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 14,233 sq. ft.
(0.3267 acres) more or less and being subject to any easements, restrictions,
rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision
regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No.: 1958
Date: October 2019





P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCING



PROJ. NO.: 1958	GRAYSON PLACE APARTMENTS SEWER EASEMENT #2 GOODYEAR, ARIZONA	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: OCT 2019		
SCALE: N.T.S.		
DRAWN BY: GS	EXHIBIT	
CHECKED BY: KJP		