

When Recorded Mail to:

City of Goodyear
City Clerk / KGR
1900 N. Civic Square
Goodyear, Arizona 85395
QS-26A

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 _____, 2023 by the CITY OF GOODYEAR, an Arizona municipal corporation (the “City”).

RECITALS

A. The City is the beneficiary of an exclusive and perpetual drainage easement dedicated to the City by that certain document titled Easement recorded in the official records of Maricopa County on May 5, 2005, as Instrument Number 2005-0591745 (the “Existing Drainage Easement”).

B. The City has been asked to terminate the section of the Existing Drainage Easement located over the property legally described and depicted on Exhibit “A” attached hereto.

C. The property over which the Existing Drainage Easement is located is being developed and alternative drainage facilities are being provided.

D. 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

E. WHEREAS, the City has determined that a portion of the Existing Drainage Easement described in Exhibit “B” attached hereto and by reference made a part hereof, is no longer needed.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City hereby releases and terminates any and all of its right’s, title, interests and benefits in and to the Easement recorded in the official records of the Maricopa County on May 5, 2005 as Instrument Number 2005-0591745 over the property legally described and depicted on Exhibit “B” attached hereto and incorporated herein by this reference (the “Easement Termination Area”). The Existing Drainage Easements in full force

and effect as to all property described therein except for that portion of the property described in the Exhibit B (i.e. the Easement Termination Area).

This Partial Termination and Release of Easment is not intended to, nor does it, release any interest the City may have in the property described in Exhibit A, attached hereto and incorporated herein by this reference, including any interest the City may have in the Easement Termination Area, that arises by virtue of any other dedication or conveyance instrument recorded in the Official Records of the Maricopa County Recorder other than the portion of the Existing Drainage Easement being released and terminated herein.

Dated this ____ day of _____ 2023.

CITY OF GOODYEAR

By: _____
Joe Pizzillo

Its: _____ Mayor

State of Arizona)
)ss.
County of Maricopa)

On this day, personally appeared before me Joe Pizzillo, as Mayor of the CITY OF GOODYEAR, 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
Owner Property

PARCEL 1:

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND, SITUATED IN A PORTION OF SECTION 19 AND 20, TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND BEING MORE COMPLETELY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 19 BEARS NORTH 89 DEGREES 58 MINUTES 24 SECONDS EAST (BASIS OF BEARINGS) - 2596.67 FEET;

THENCE NORTH 89 DEGREES 58 MINUTES 24 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19, A DISTANCE OF 65.00 FEET;

THENCE SOUTH 00 DEGREES 12 MINUTES 43 SECONDS WEST DEPARTING SAID NORTH LINE AND BEING 65.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST CORNER OF SAID SECTION 19, A DISTANCE OF 40.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 58 MINUTES 24 SECONDS EAST BEING 40.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19, A DISTANCE OF 2531.44 FEET;

THENCE SOUTH 89 DEGREES 56 MINUTES 39 SECONDS EAST BEING 40.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 2640.74 FEET;

THENCE SOUTH 89 DEGREES 43 MINUTES 04 SECONDS EAST BEING 40.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 999.85 FEET TO A WEST TERMINUS LINE OF CAMELBACK ROAD RIGHT-OF-WAY AS SHOWN IN THE MAP OF DEDICATION OF PALM VALLEY PHASE V RECORDED IN BOOK 720 OF MAPS, PAGE 27, MCR;

THENCE SOUTH 00 DEGREES 16 MINUTES 56 SECONDS WEST ALONG SAID WEST TERMINUS LINE AND THE WEST LINES OF TRACTS G AND H AS SHOWN IN THE FINAL PLAT OF PALM VALLEY PHASE V PARCEL 6 RECORDED IN BOOK 715 OF MAPS, PAGE 40, MCR, A DISTANCE OF 360.91 FEET;

THENCE SOUTH 17 DEGREES 34 MINUTES 42 SECONDS EAST ALONG THE WEST LINE OF SAID TRACT G, A DISTANCE OF 746.31 FEET TO THE NORTHEAST CORNER OF TRACT A AS SHOWN IN SAID FINAL PLAT OF PALM VALLEY PHASE V PARCEL 6;

THENCE SOUTH 72 DEGREES 25 MINUTES 18 SECONDS WEST ALONG THE NORTH LINE OF SAID TRACT A, A DISTANCE OF 660.79 FEET TO THE NORTHWEST CORNER OF SAME AND BEING IN THE EAST RIGHT-OF-WAY LINE OF NORTH FALCON DRIVE AS SHOWN IN SAID MAP OF DEDICATION OF PALM VALLEY PHASE V;

THENCE NORTH 36 DEGREES 47 MINUTES 10 SECONDS WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 239.47 FEET TO THE INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE AND THE NORTH RIGHT-OF-WAY LINE OF CHARLES BOULEVARD AS SHOWN IN SAID MAP OF DEDICATION OF PALM VALLEY PHASE V;

THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID CHARLES BOULEVARD THE FOLLOWING FOUR (4) COURSES;

SOUTH 53 DEGREES 12 MINUTES 38 SECONDS WEST, A DISTANCE OF 93.97 FEET;

SOUTH 08 DEGREES 34 MINUTES 58 SECONDS WEST, A DISTANCE OF 29.66 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 1958.00

FEET, A CENTRAL ANGLE OF 15 DEGREES 49 MINUTES 05 SECONDS, AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 62 DEGREES 10 MINUTES 37 SECONDS WEST - 538.84 FEET;

CONTINUE IN A SOUTHWESTERLY DIRECTION ALONG SAID CURVE TO THE RIGHT, A DISTANCE OF 540.56 FEET TO A POINT OF CURVATURE OF A REVERSE CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 13334.00 FEET, A CENTRAL ANGLE OF 3 DEGREES 12 MINUTES 08 SECONDS, AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 68 DEGREES 29 MINUTES 06 SECONDS WEST - 745.11 FEET;

CONTINUE IN A SOUTHWESTERLY DIRECTION ALONG SAID CURVE TO THE LEFT, A DISTANCE OF 745.21 FEET TO THE SOUTHEAST CORNER OF LITCHFIELD PARK SERVICE COMPANY RECORDED IN DOCUMENT NO. 2008-0829175, MCR;

THENCE NORTH 23 DEGREES 00 MINUTES 02 SECONDS WEST NON-TANGENT TO SAID CURVE, DEPARTING SAID NORTH RIGHT-OF-WAY LINE AND CONTINUE ALONG THE EAST LINE OF SAID LITCHFIELD PARK SERVICE COMPANY TRACT, A DISTANCE OF 302.00 FEET TO THE NORTHEAST CORNER OF SAME;

THENCE SOUTH 66 DEGREES 29 MINUTES 37 SECONDS WEST ALONG THE NORTH LINE OF SAID LITCHFIELD PARK SERVICE COMPANY TRACT, A DISTANCE OF 180.01 FEET TO THE NORTHWEST CORNER OF SAME;

THENCE SOUTH 23 DEGREES 00 MINUTES 02 SECONDS EAST ALONG THE WEST LINE OF SAID LITCHFIELD PARK SERVICE COMPANY TRACT, A DISTANCE OF 301.99 FEET TO THE SOUTHWEST CORNER OF SAME AND BEING IN THE NORTH RIGHT-OF-WAY LINE OF SAID CHARLES BOULEVARD, SAID POINT BEING A POINT OF CURVATURE OF A NON-TANGENT CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 13334.00 FEET, A CENTRAL ANGLE OF 3 DEGREES 33 MINUTES 02 SECONDS, AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 64 DEGREES 20 MINUTES 06 SECONDS WEST - 826.18 FEET;

THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES;

CONTINUE IN A SOUTHWESTERLY DIRECTION ALONG SAID CURVE TO THE LEFT, A DISTANCE OF 826.31 FEET;

SOUTH 67 DEGREES 03 MINUTES 08 SECONDS WEST NON-TANGENT TO SAID CURVE, A DISTANCE OF 120.73 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 13344.00 FEET, A CENTRAL ANGLE OF 0 DEGREES 40 MINUTES 25 SECONDS, AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 61 DEGREES 42 MINUTES 22 SECONDS WEST - 156.89 FEET;

CONTINUE IN A SOUTHWESTERLY DIRECTION ALONG SAID CURVE TO THE LEFT, A DISTANCE OF 156.90 FEET;

NORTH 77 DEGREES 48 MINUTES 00 SECONDS WEST NON-TANGENT TO SAID CURVE, A DISTANCE OF 31.69 FEET;

SOUTH 54 DEGREES 58 MINUTES 18 SECONDS WEST, A DISTANCE OF 94.04 FEET;

SOUTH 12 DEGREES 01 MINUTES 12 SECONDS WEST, A DISTANCE OF 27.58 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 13334.00 FEET, A CENTRAL ANGLE OF 5 DEGREES 57 MINUTES 48 SECONDS, AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 57 DEGREES 48 MINUTES 21 SECONDS WEST - 1387.20 FEET;

CONTINUE IN A SOUTHWESTERLY DIRECTION ALONG SAID CURVE TO THE LEFT, A DISTANCE OF 1387.83 FEET;

SOUTH 59 DEGREES 18 MINUTES 32 SECONDS WEST NON-TANGENT TO SAID CURVE, A DISTANCE OF 120.92 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 13344.00 FEET,

A CENTRAL ANGLE OF 0 DEGREES 38 MINUTES 40 SECONDS, AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 53 DEGREES 59 MINUTES 03 SECONDS WEST - 150.10 FEET;

CONTINUE IN A SOUTHWESTERLY DIRECTION ALONG SAID CURVE TO THE LEFT, A DISTANCE OF 150.10 FEET;

NORTH 81 DEGREES 35 MINUTES 16 SECONDS WEST NON-TANGENT TO SAID CURVE, A DISTANCE OF 29.80 FEET TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE AND THE EAST RIGHT-OF-WAY LINE OF NORTH PEBBLECREEK PARKWAY AS SHOWN IN THE FINAL PLAT OF PV303 EAST - PHASE A RECORDED IN BOOK 1260 OF MAPS, PAGE 15, MCR;

THENCE IN A NORTHERLY DIRECTION ALONG THE EAST RIGHT-OF-WAY LINE OF SAID PEBBLECREEK PARKWAY THE FOLLOWING FIVE (5) COURSES;

NORTH 36 DEGREES 55 MINUTES 24 SECONDS WEST, A DISTANCE OF 917.09 FEET;
NORTH 36 DEGREES 07 MINUTES 53 SECONDS WEST, A DISTANCE OF 199.92 FEET;

NORTH 36 DEGREES 47 MINUTES 09 SECONDS WEST, A DISTANCE OF 1333.76 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 1035.00 FEET, A CENTRAL ANGLE OF 36 DEGREES 59 MINUTES 52 SECONDS, AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 18 DEGREES 17 MINUTES 13 SECONDS WEST - 656.78 FEET;

CONTINUE IN A NORTHWESTERLY DIRECTION ALONG SAID CURVE TO THE RIGHT, A DISTANCE OF 668.33 FEET;

NORTH 00 DEGREES 12 MINUTES 43 SECONDS EAST TANGENT TO SAID CURVE AND BEING 65.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19, A DISTANCE OF 622.78 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 2:

TRACTS G AND H OF PALM VALLEY PHASE V - PARCEL 6, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 715 OF MAPS, PAGE 40 AND AFFIDAVIT OF CORRECTION RECORDED MAY 27, 2005 AS 2005-708654 OF OFFICIAL RECORDS, SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXHIBIT "B"

DRAINAGE EASEMENT ABANDONMENT

LEGAL DESCRIPTION

A PORTION OF THAT DRAINAGE EASEMENT AS DEFINED IN DOCUMENT NO. 2005-0591745, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, BEING A PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN HANDHOLE MARKING THE NORTHWEST CORNER OF SAID SECTION 19, FROM WHICH A BRASS CAP IN HANDHOLE MARKING THE NORTH QUARTER CORNER OF SAID SECTION 19 BEARS SOUTH 89°58'27" EAST, A DISTANCE OF 2596.61 FEET;

THENCE SOUTH 00°12'40" WEST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89°58'27" EAST, A DISTANCE OF 2596.72 FEET;

THENCE SOUTH 00°03'09" WEST, A DISTANCE OF 314.86 FEET;

THENCE NORTH 89°58'41" WEST, A DISTANCE OF 45.18 FEET;

THENCE NORTH 57°19'49" WEST, A DISTANCE OF 333.66 FEET;

THENCE NORTH 89°58'41" WEST, A DISTANCE OF 2270.88 FEET;

THENCE NORTH 00°12'40" EAST, A DISTANCE OF 135.04 FEET TO THE POINT OF BEGINNING.



PAGE 1 OF 3

TITLE: XB01
DATE: 11/10/22
DESC: DRAINAGE
EASEMENT
ABANDONMENT

HUNTER
ENGINEERING

10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

CIVIL AND SURVEY

DWG.NO. BELT017-XB01
PROJ.NO BELT017-S

EXHIBIT "B"

DRAINAGE EASEMENT ABANDONMENT

CAMELBACK ROAD

NORTHWEST CORNER OF
SECTION 19, T.2N., R.1W.
FND CITY OF PHOENIX
BRASS CAP IN HANDHOLE

POINT OF
BEGINNING

S0°12'40"W
40.00'

N0°12'40"E
135.04'

SARIVAL AVENUE

S0°12'40"W 662.57'

S0°12'40"W 583.78'

488.13'

40' R/W

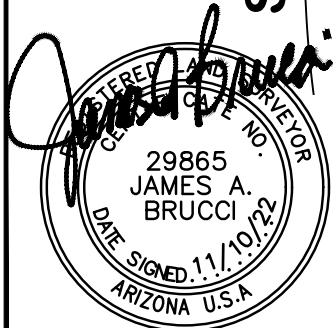
S89°58'27"E 2596.61'
S89°58'27"E 2596.72'

N89°58'41"W 2270.88'

DRAINAGE EASEMENT
PER DOC NO. 2005-0591745
M.C.R.

PROPOSED
LOT 1

SEE PAGE 3 OF 3



TITLE: XB01
SCALE: 1"=200'
DATE: 11/10/22
DESC: DRAINAGE
EASEMENT
ABANDONMENT

HUNTER

ENGINEERING

10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

CIVIL AND SURVEY

DWG.NO. BELT017-XB01
PROJ.NO BELT017-S

SEE PAGE 2 OF 3

— NORTH QUARTER CORNER
OF SECTION 19
FND CITY OF PHOENIX
BRASS CAP FLUSH
DOWN 0.4'

S89°58'27"E 2596.72'

40' R/W

N89°58'41"W 2270.88'

DRAINAGE EASEMENT
PER DOC NO. 2005-0591745
M.C.R.

PROPOSED
LOT 3

N57°19'49"W

314.86'
0°03'09"W

S0°03'09"W

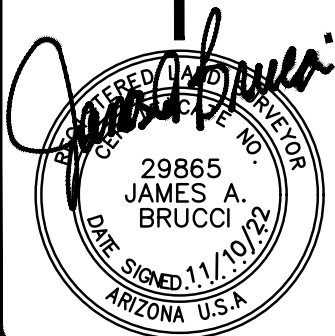
N89°58'41"W 45.18'

1115.39'

1115.39'

DRAINAGE EASEMENT
—PER DOC NO. 2005-0591745
M.C.R.

APN 501-61-026T
SUNBELT LAND HOLDINGS LP
DEED: 180387920 M.C.R.



TITLE: **XB01**
SCALE: 1"=200'
DATE: 11/10/22
DESC: DRAINAGE
EASEMENT
ABANDONMENT

HUNTER

ENGINEERING

CIVIL AND SURVEY

10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

DWG.NO. BELT017-XB01
PROJ.NO BELT017-S