

When Recorded Mail to:

City of Goodyear  
City Clerk / KLS  
1900 N. Civic Square  
Goodyear, Arizona 85395  
QS-25C

EXEMPT UNDER A.R.S. § 11-1134(A)(2)

## **PARTIAL TERMINATION AND RELEASE OF DRAINAGE EASEMENTS**

THIS PARTIAL TERMINATION AND RELEASE OF DRAINAGE EASEMENTS (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 perpetual drainage easements dedicated to the City by that certain document titled Replat of Palm Valley Phase VI Perimeter West Final Plat recorded in the official records of Maricopa County on October 25, 2011, as Instrument Number 2011-0882287 (the “Existing Drainage Easements”).

B. The Existing Drainage Easements are located within the property legally described and depicted on Exhibit “A” attached hereto (the “Property”).

C. A portion of the Existing Drainage Easements are located on Property that is being developed and replacement drainage facilities are to be installed and new drainage easements for the replacement drainage facilities are to be provided to the City.

D. The owner of the Property has requested that the Existing Drainage Easements over the portion of the Property legally described in Exhibit “B” attached hereto and by reference made a part hereof (the “Easement Termination Area”) be terminated.

E. The City has determined that upon the City’s receipt of new drainage easements for the replacement drainage facilities that are to be installed the Existing Drainage Easements over the Easement Termination Area is no longer needed.

F. 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

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 rights, title, interests, and benefits in and to the Drainage Easements recorded in the official records of the Maricopa County on October 25, 2011, as Instrument Number 2011-0882287

over the property legally described and depicted on Exhibit "B" attached hereto and incorporated herein by this reference (the "Easement Termination Area"). The Drainage Easements recorded in the official records of Maricopa County on October 25, 2011, as Instrument Number 2011-0882287 remain in full force and effect as to all property described therein except for that portion of the property described in Exhibit B (i.e. the Easement Termination Area).

This Partial Termination and Release of Drainage Easements 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 Easements being released and terminated herein.

CITY OF GOODYEAR,  
an Arizona municipal corporation

By: \_\_\_\_\_  
Wynette Reed  
Its: City Manager

STATE OF ARIZONA            )  
                                          ) ss.  
County of Maricopa         )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023 by Wynette Reed, the City Manager of the CITY OF GOODYEAR, an Arizona municipal corporation, for and on behalf thereof.

\_\_\_\_\_  
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 NO. 1:

TRACT C, OF A REPLAT OF PALM VALLEY PHASE VI PERIMETER WEST FINAL PLAT, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 1098 OF MAPS, PAGE 26 AND AFFIDAVIT OF CORRECTION RECORDED AS DOCUMENT NO. 2014-0129537, OF OFFICIAL RECORDS.

APN: 501-02-370

PARCEL NO. 2:

LOT 5, OF A REPLAT OF PALM VALLEY PHASE VI PERIMETER WEST, LOTS 5, 6, 7 AND 8, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 1165 OF MAPS, PAGE 32.

APN: 501-02-467

**EXHIBIT “B”**  
**LEGAL DESCRIPTION**  
**Terminated Area**

# EXHIBIT "B"

## LEGAL DESCRIPTION

### DRAINAGE EASEMENT TERMINATION

A PORTION OF THE DRAINAGE EASEMENT AS SHOWN ON "A REPLAT OF PALM VALLEY PHASE VI PERIMETER WEST FINAL PLAT" AS RECORDED IN BOOK 1098, PAGE 26 OF MARICOPA COUNTY, ARIZONA BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 24, MARKED BY A FOUND CITY OF GOODYEAR BRASS CAP FLUSH, THENCE SOUTH 00°13'17" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER SAID SECTION 24, A DISTANCE OF 2603.40 FEET TO THE CALCULATED POSITION OF THE SOUTHWEST CORNER OF SAID SECTION 24;

THENCE SOUTH 89°21'56" EAST, (BASIS OF BEARING) ALONG INDIAN SCHOOL ROAD, A DISTANCE OF 1049.44 FEET;

THENCE NORTH 00°38'04" EAST, A DISTANCE OF 84.90 FEET TO THE MOST SOUTHERLY SOUTHWEST CORNER OF LOT 5 OF SAID REPLAT, MARKED BY A FOUND IRON BAR;

THENCE NORTH 44°35'25" WEST ALONG THE EAST LINE OF NORTH 169TH DRIVE, A DISTANCE OF 42.64 FEET;

THENCE SOUTH 89°18'29" EAST, A DISTANCE OF 268.32 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 78°56'32" EAST, A DISTANCE OF 26.62 FEET;

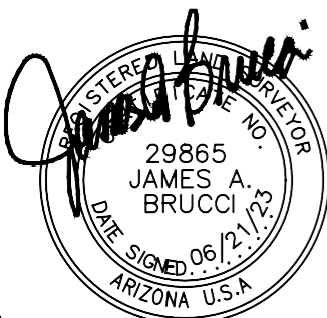
THENCE NORTH 88°33'14" EAST, A DISTANCE OF 277.80 FEET TO A POINT ALONG THE WEST LINE OF RIGHT OF WAY LINE OF STATE ROUTE 303;

THENCE SOUTH 11°06'18" WEST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE 16.05 FEET;

THENCE NORTH 89°18'29" WEST, A DISTANCE OF 300.77 FEET TO THE POINT OF BEGINNING;

TOTAL AREA: 0.069 AC. ±, 3,006 SQ.FT.±

SEE ATTACHED EXHIBIT "B" DRAWING BY REFERENCE MADE APART HERETO.



PAGE 1 OF 3

TITLE: XB05  
DATE: 06/21/23  
DESC: STORM DRAIN  
TERMINATION

**HUNTER**  
ENGINEERING

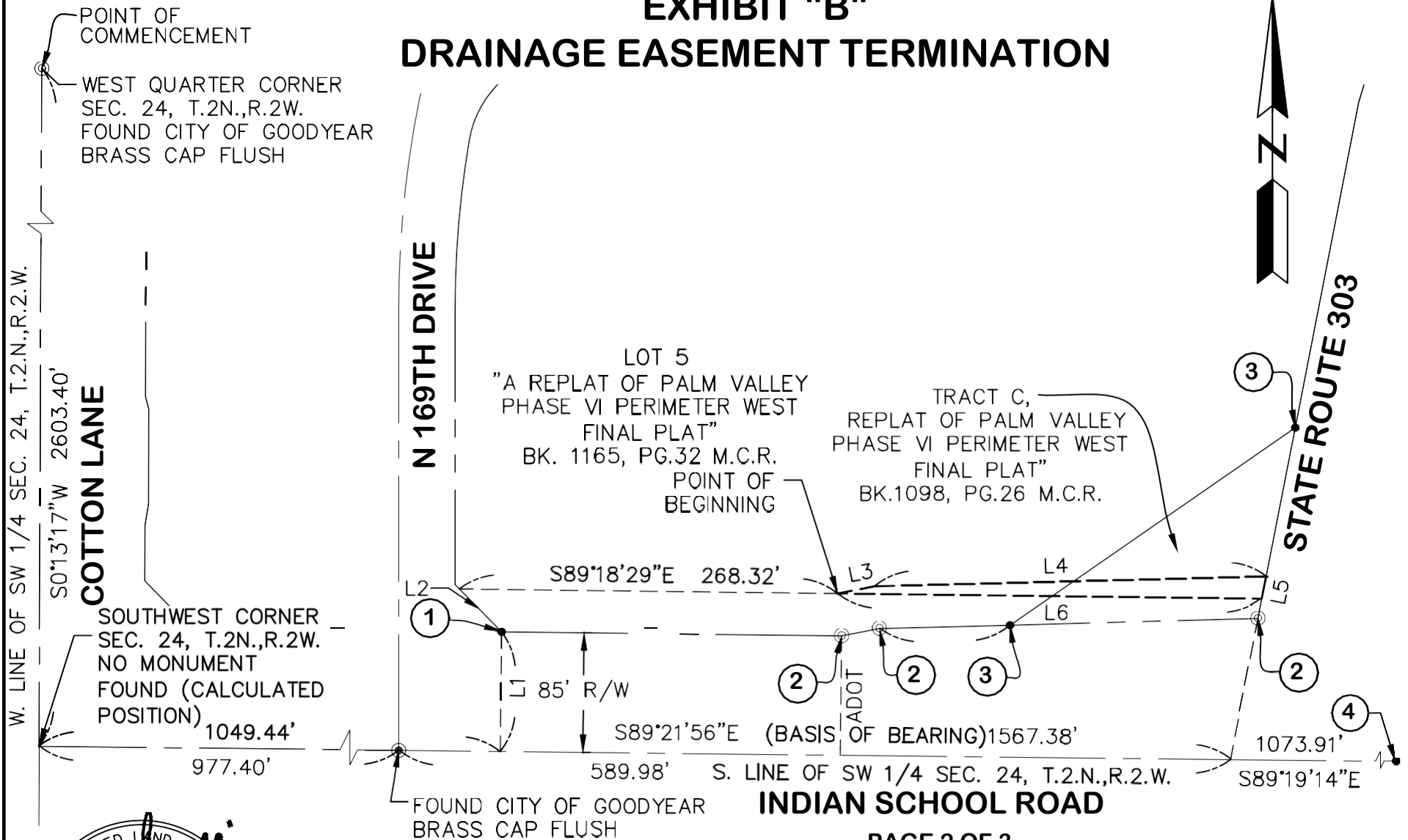
10450 N. 74TH ST., SUITE 200  
SCOTTSDALE, AZ 85258  
T 480 991 3985  
F 480 991 3986

CIVIL AND SURVEY

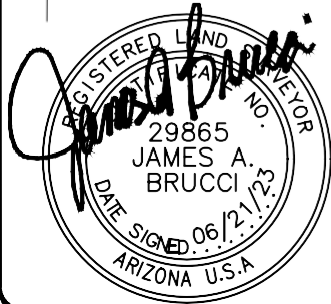
MERTO32-XB05.DWG  
PROJ.NO.MERTO32

# EXHIBIT "B"

## DRAINAGE EASEMENT TERMINATION



PAGE 2 OF 3



TITLE: XB05  
SCALE: 1"=100'  
DATE: 06/21/23  
DESC: STORM DRAIN TERMINATION

**HUNTER**  
ENGINEERING

10450 N. 74TH ST., SUITE 200  
SCOTTSDALE, AZ 85258  
T 480 991 3985  
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CIVIL AND SURVEY

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PROJ.NO.MERTO32

# EXHIBIT "B"

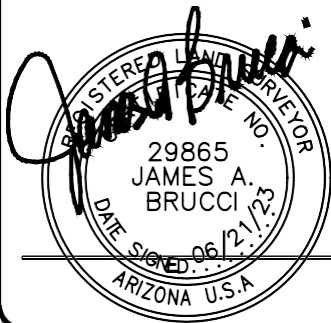
## DRAINAGE EASEMENT TERMINATION

| TABLE |             |         |
|-------|-------------|---------|
|       | BEARING     | STANCE  |
|       | .           | 84.90'  |
| L2    | N44°35'25"W | 42.64'  |
| L3    | N78°56'32"E | 26.62'  |
| L4    | N88°33'14"E | 277.80' |
| L5    | S11°06'18"W | 6.05'   |
|       | 89°18'29"W  | 300.77' |

### MONUMENT DESCRIPTIONS:

- ① ● FOUND IRON BAR  
POINT OF BEGINNING
- ② ◎ FOUND ADOT ALUMINUM CAP
- ③ ● FOUND IRON BAR WITH CAP STAMPED  
"RLS 10846"
- ④ ● SOUTH QUARTER CORNER  
SECTION 24, T.2N.,R.2W.  
FOUND IRON PIPE BENT

PAGE 3 OF 3



TITLE: XB05  
SCALE: S.  
DATE: 06/21/23  
DESC: STORM DRAIN  
TERMINATION

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ENGINEERING

10450 N. 74TH ST., SUITE 200  
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