

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 VEHICLE NON-ACCESS EASEMENT**

THIS PARTIAL TERMINATION AND RELEASE OF VEHICLE NON-ACCESS 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 a perpetual vehicular non-access easement 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 VNA Easement”).

B. The Existing VNA Easement is located within the property legally described and depicted on Exhibit “A” attached hereto (the “Property”).

C. A portion of the Existing VNA Easement is located on Property that is being developed and a replacement vehicular non-access easement is to be provided if requested by the City.

D. The owner of the Property has requested that the Existing VNA Easement 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 a new vehicular non-access easement, the Existing VNA Easement over the Easement Termination Area is no longer needed.

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

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 Vehicular Non-Access Easement 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 Vehicular Non-Access Easement recorded in the official records of Maricopa County on October 25, 2011, as Instrument Number 2011-0882287 remains 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 Termination and Release of Easement 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.

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

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

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EXHIBIT “B”
LEGAL DESCRIPTION
Terminated Area

EXHIBIT "B"

LEGAL DESCRIPTION

VEHICULAR NON-ACCESS EASEMENT TERMINATION

A PORTION OF THE VEHICULAR NON-ACCESS EASEMENT (VNAE) 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 SOUTH 89°18'29" EAST ALONG THE NORTH LINE OF INDIAN SCHOOL ROAD, A DISTANCE OF 241.11 FEET, MARKED BY A FOUND ADOT ALUMINUM CAP;

THENCE NORTH 78°56'32" EAST ALONG THE NORTH LINE OF ADOT RIGHT RIGHT OF WAY, A DISTANCE OF 27.18 FEET, MARKED BY A FOUND ADOT ALUMINUM CAP;

THENCE NORTH 88°33'14" EAST ALONG THE NORTH LINE OF ADOT RIGHT RIGHT OF WAY, A DISTANCE OF 92.50 FEET;

THENCE NORTH 01°26'48" WEST, A DISTANCE OF 1.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 55°18'18" EAST, A DISTANCE OF 245.44 FEET;

THENCE SOUTH 11°06'18" WEST, A DISTANCE OF 1.43 FEET;

THENCE SOUTH 55°18'18" WEST, A DISTANCE OF 242.88 FEET;

THENCE SOUTH 88°26'27" WEST, A DISTANCE OF 1.83 FEET TO THE POINT OF BEGINNING.

TOTAL AREA: 0.006 AC. ±, 261 SQ.FT. ±

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



PAGE 1 OF 3

TITLE: XB02
DATE: 06/21/23
DESC: VNAE
TERMINATION

HUNTER
ENGINEERING

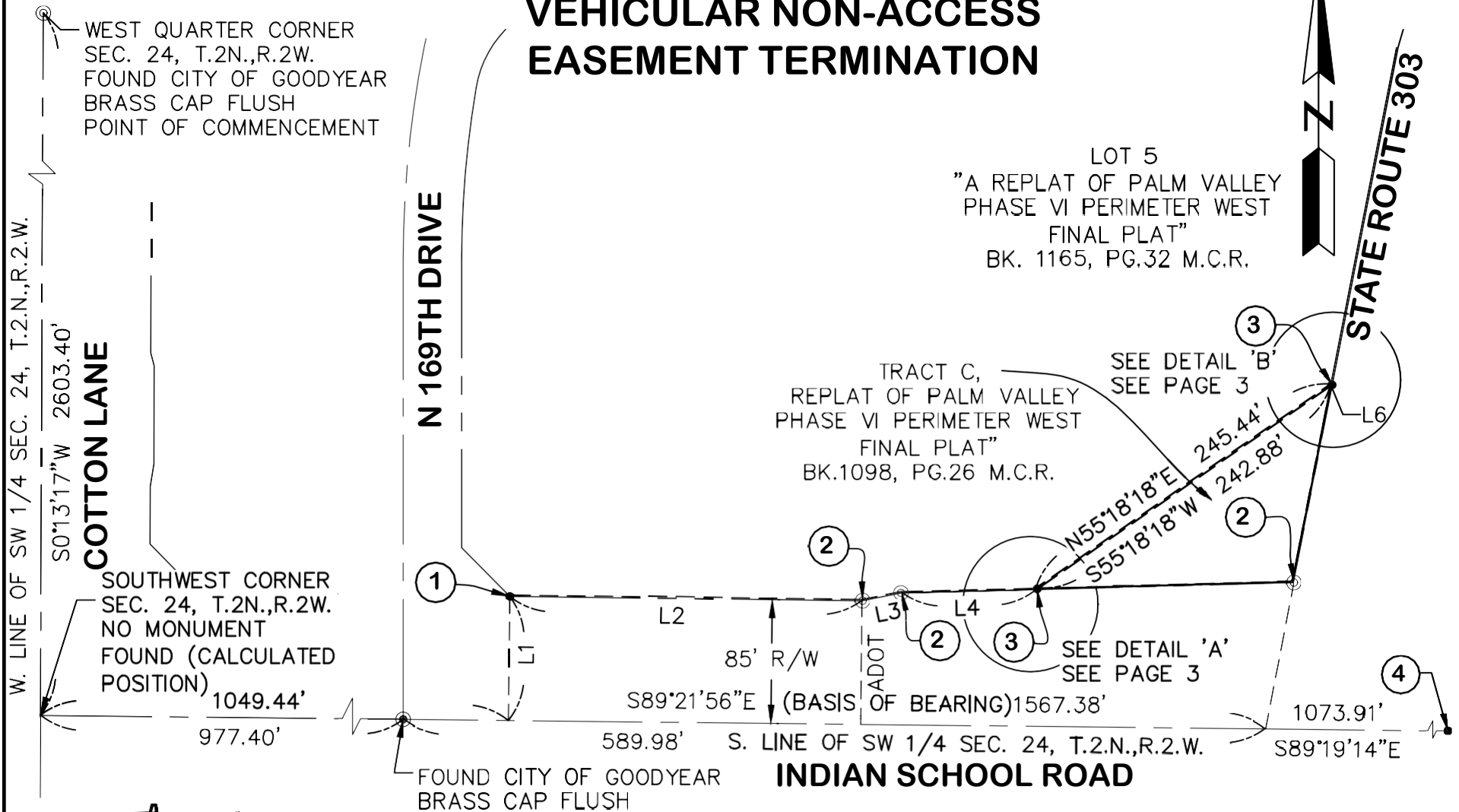
10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

CIVIL AND SURVEY

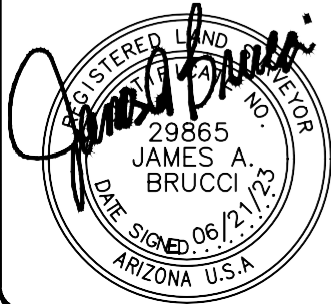
MERTO32-XB02.DWG
PROJ.NO.MERTO32

EXHIBIT "B"

VEHICULAR NON-ACCESS EASEMENT TERMINATION



PAGE 2 OF 3



TITLE: XB02
SCALE: 1"=100'
DATE: 06/21/23
DESC: VNAE
TERMINATION

HUNTER
ENGINEERING

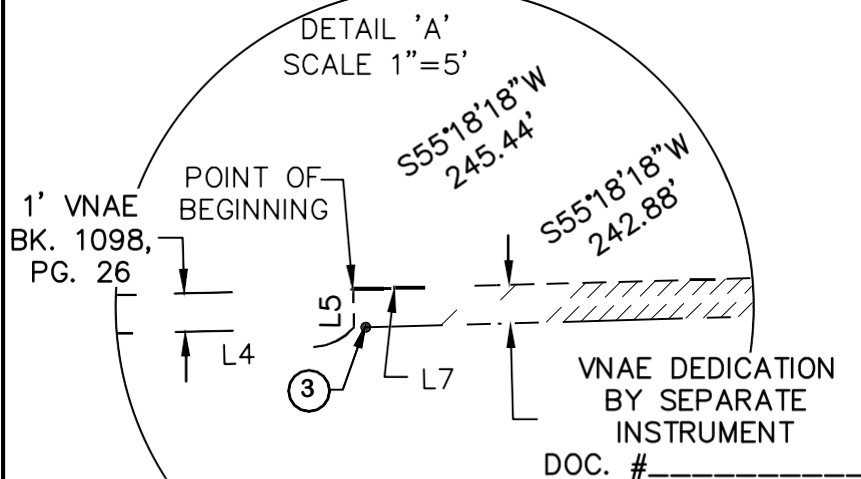
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EXHIBIT "B"

VEHICULAR NON-ACCESS EASEMENT TERMINATION

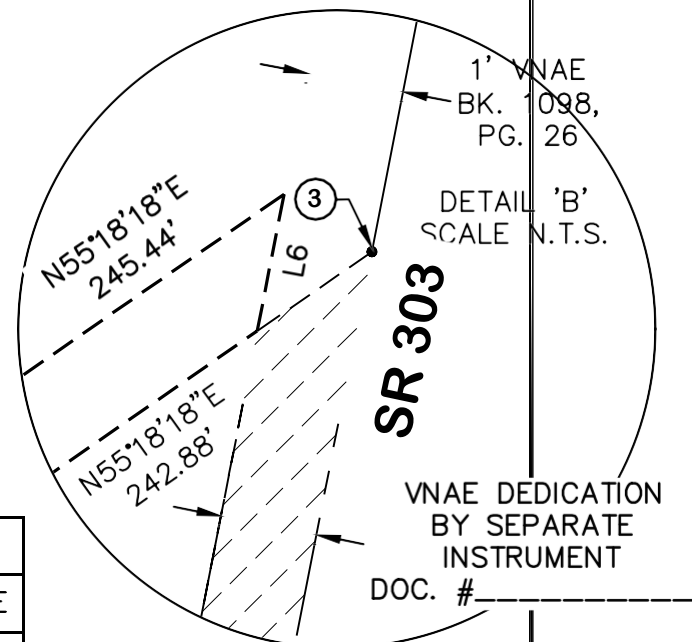


**INDIAN
SCHOOL RD.**

LEGEND:

VNAE- VEHICULAR NON-ACCESS EASEMENT

LINE TABLE		
LINE	BEARING	DISTANCE
	N00°38'04"E	84.90'
	S89°18'29"E	241.11'
L3	N78°56'32"E	27.18'
	N88°33'14"E	92.50'
L5	N01°26'46"W	1.00'
L6	S11°06'18"W	1.43'
	S88°26'27"W	83'



MONUMENT DESCRIPTIONS:

- ① ● FOUND IRON BAR
- 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: XB02

SCALE: S.

DATE: 06/21/23

DESC: AE

TERMINATION

HUNTER

ENGINEERING

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PROJ.NO.MERTO32

