

When Recorded Mail to:

City of Goodyear  
City Clerk / KLS  
1900 N. Civic Square  
Goodyear, Arizona 85395  
QS-077B & 078A

EXEMPT UNDER A.R.S. § 11-1134(A)(2)

### **TERMINATION AND RELEASE OF TEMPORARY DRAINAGE EASEMENT**

THIS TERMINATION AND RELEASE OF TEMPORARY DRAINAGE 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 non-exclusive and temporary drainage easement dedicated to the City by that certain document titled Nonexclusive Easement To Construct and Maintain Drainage Facilities recorded in the official records of Maricopa County on April 16, 2009, as Instrument Number 2009-0339071 (the “Existing Drainage Easement”).

B. The property over which the Existing Drainage Easement is located is being developed and alternative drainage facilities are being provided and the City has been asked to terminate the Existing Drainage Easement.

C. 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

D. WHEREAS, the City has determined that the Existing Drainage Easement 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 rights, title, and interests in the property described and depicted on Exhibit “A” attached hereto and incorporated herein by this reference granted to the City in that certain Nonexclusive Easement to Construct and Maintain Drainage Facilities recorded in the official records of the Maricopa County on April 16, 2009 as Instrument Number 2009-0339071.

This Termination and Release of Temporary Drainage Easement is not intended to, nor does it, release any rights, title, and/or interest the City may have in the property described in Exhibit A, attached hereto and incorporated herein by this reference, that arises by virtue of any other dedication or conveyance instrument recorded in the Official Records of the Maricopa County Recorder.

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 on Following Pages*

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**Terminated Easement Area**

# DRAINAGE EASEMENT ABANDONMENT LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16, BEING A BRASS CAP FLUSH, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 16 BEING A BRASS CAP IN HANDHOLE, BEARS SOUTH 89° 21' 01" EAST, FOR A DISTANCE OF 2538.41 FEET;

THENCE SOUTH 00° 33' 31" WEST, ALONG THE CENTERLINE OF BULLARD AVENUE, FOR A DISTANCE OF 58.78 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1045.80 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE AND CENTERLINE, THROUGH A CENTRAL ANGLE OF 4°20'41", FOR AN ARC LENGTH OF 196.11 FEET, TO A NON-TANGENT POINT;

THENCE SOUTH 78°41'52" EAST, FOR A DISTANCE OF 65.00 FEET TO POINT ON THE EAST RIGHT OF WAY LINE OF SAID BULLARD AVEUNE AND THE POINT OF BEGINNING;

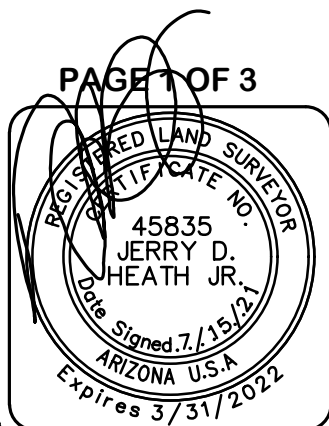
THENCE SOUTH 74°51'41" EAST, FOR A DISTANCE OF 87.10 FEET;

THENCE SOUTH 15°30'58" WEST, FOR A DISTANCE OF 84.00 FEET;

THENCE NORTH 74°58'42" WEST, FOR A DISTANCE OF 84.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SAID BULLARD AVENUE, SAID POINT BEING ON A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING RADIUS OF 1110.80 FEET AND A CHORD BEARING OF NORTH 13°28'29" EAST, FOR A CHORD DISTANCE OF 84.21 FEET;

THENCE NORTHEASTERLY, ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 4°20'41", FOR AN ARC LENGTH OF 84.23 FEET TO THE POINT OF BEGINNING.

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TITLE: **XB01**  
SCALE: 1"=100'  
DATE: 07/06/21  
DESC: DRAINAGE  
ABANDONMENT

**HUNTER**

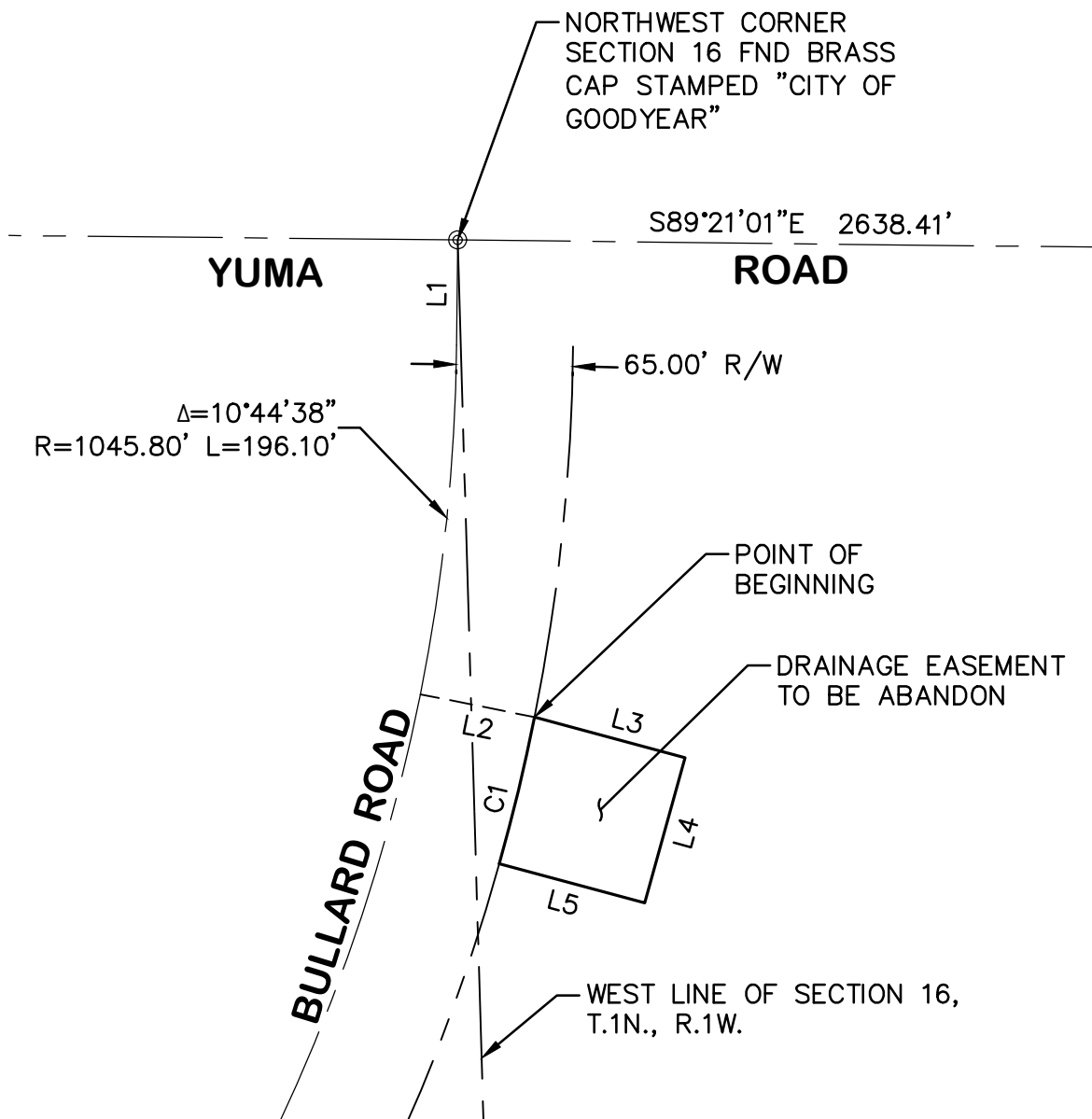
ENGINEERING

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

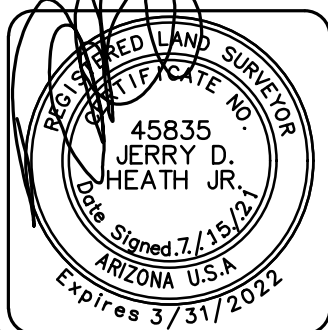
CIVIL AND SURVEY

PROJ. NO LGEC282  
XB01

# DRAINAGE EASEMENT ABANDONMENT EXHIBIT



PAGE 2 OF 3



TITLE: XB01  
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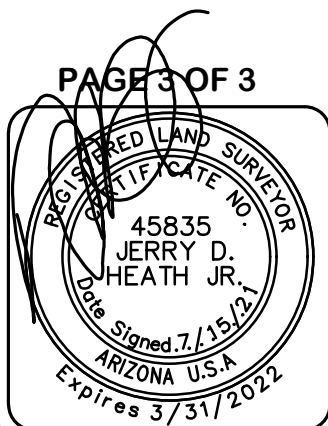
PROJ. NO LGEC282  
XB01

# DRAINAGE EASEMENT ABANDONMENT

| LINE TABLE |             |          |
|------------|-------------|----------|
| LINE       | BEARING     | DISTANCE |
| L1         | S00°33'31"W | 58.78'   |
| L2         | N78°41'52"W | 65.00'   |
| L3         | S74°51'41"E | 87.10'   |
| L4         | S15°30'58"W | 84.00'   |
| L5         | N74°58'42"W | 84.00'   |

| CURVE TABLE |                             |          |        |                 |              |
|-------------|-----------------------------|----------|--------|-----------------|--------------|
| CURVE       | DELTA                       | RADIUS   | LENGTH | CHORD DIRECTION | CHORD LENGTH |
| C1          | $\Delta = 4^{\circ}20'41''$ | 1110.80' | 84.23' | N13°28'29"E     | 84.21'       |

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