

When recorded return to:

City of Goodyear
City Clerk
1900 N. Civic Square
Goodyear, Arizona 85395

EXEMPT UNDER A.R.S. § 11-1134(A)(2)

PARTIAL TERMINATION AND RELEASE

THIS PARTIAL TERMINATION AND RELEASE (the "Release") is executed this ____ day of _____, 20 __ by the CITY OF GOODYEAR, an Arizona municipal corporation (the "City").

RECITALS

- A. WHEREAS, the City is the beneficiary of that certain Revocable License Agreement granted pursuant to that document recorded in the official records of the Maricopa County Recorder as Document No. 1992-747992 on December 31, 1992 (the "Easement") authorizing the construction, operation and maintenance of water line improvements within the licensed area (the "Easement Area"); and
- B. WHEREAS, a water line has been constructed within the Easement Area; and
- C. WHEREAS, the owner of the property burdened by the Easement has submitted plans for the development of its property; and
- D. WHEREAS, a portion of the existing water line located within the property legally described and depicted on Exhibit "A" attached hereto conflicts with the location of a new building owner plans to construct; and
- E. WHEREAS, the owner of the property has constructed a new water line within the City's existing right-of-way and has conveyed, subject to the completion of the two-year warranty period, such line to the City; and
- F. WHEREAS, the water line located within the property legally described and depicted on Exhibit "A" attached hereto has been removed or abandoned in place as directed by the City Engineer or his/her designee; and
- G. 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.

NOW, THEREFORE, the City does remise, release, and quitclaim, the right, title, interest, claim and demand which the City has in and to the portion of the Easement granted to the City in

the instrument recorded in the official records of the Maricopa County Recorder as Document No. 1992-747992 on December 31, 1992, legally described and depicted on Exhibit "A" attached hereto.

This Release is not intended to, nor does it, release any interest that the City may have in any portion of the property arising by virtue of any other instrument recorded with the Maricopa County Recorder, including without limitation, the portion of the Easement granted to the City in the instrument recorded in the official records of the Maricopa County Recorder as Document No. 1992-747992 on December 31, 1992, not included within Exhibit "A" attached hereto and any other fee conveyance or easement granted to the City, including, but not limited to, the fee conveyances and easements including in the FINAL PLAT FOR COTTON LANE COMMERCE PARK SWC ELWOOD STREET AND COTTON LANE recorded in the official records of the Maricopa County Recorder as Document No. 2023-0468068 on September 7, 2023, in BOOK 1756 PAGE 31.

Dated this ____ day of _____ 20__.

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

10' WATER EASEMENT ABANDONMENT LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 2 WEST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 2 WEST, BEING A FOUND BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION BEARS NORTH 89°37'53" WEST, A DISTANCE OF 2648.12 FEET;

THENCE NORTH 89°37'53" WEST ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 23, A DISTANCE OF 200.00 FEET;

THENCE NORTH 00°11'30" EAST, A DISTANCE OF 33.00 FEET, TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BROADWAY ROAD, SAID POINT BEING THE POINT OF BEGINNING;

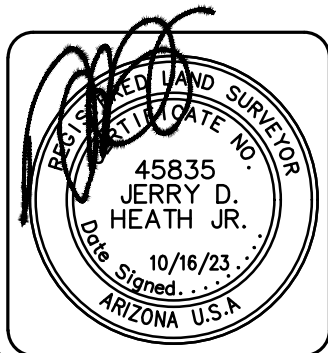
THENCE CONTINUING NORTH 00°11'30" EAST, A DISTANCE OF 2546.22 FEET, TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF ELWOOD STREET;

THENCE SOUTH 89°43'24" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 00°11'30" WEST, A DISTANCE OF 2546.23 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BROADWAY ROAD;

THENCE NORTH 89°37'53" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET, TO THE POINT OF BEGINNING.

SAID ABANDONMENT CONTAINS 25,462 SQUARE FEET, OR 0.585 ACRES, MORE OR LESS.



TITLE: **XB19**
SCALE: N.T.S.
DATE: 10/16/23
DESC: ABANDONMENT
LEGAL DESC.

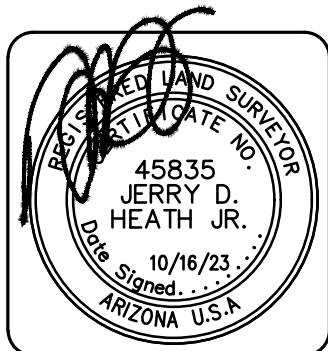
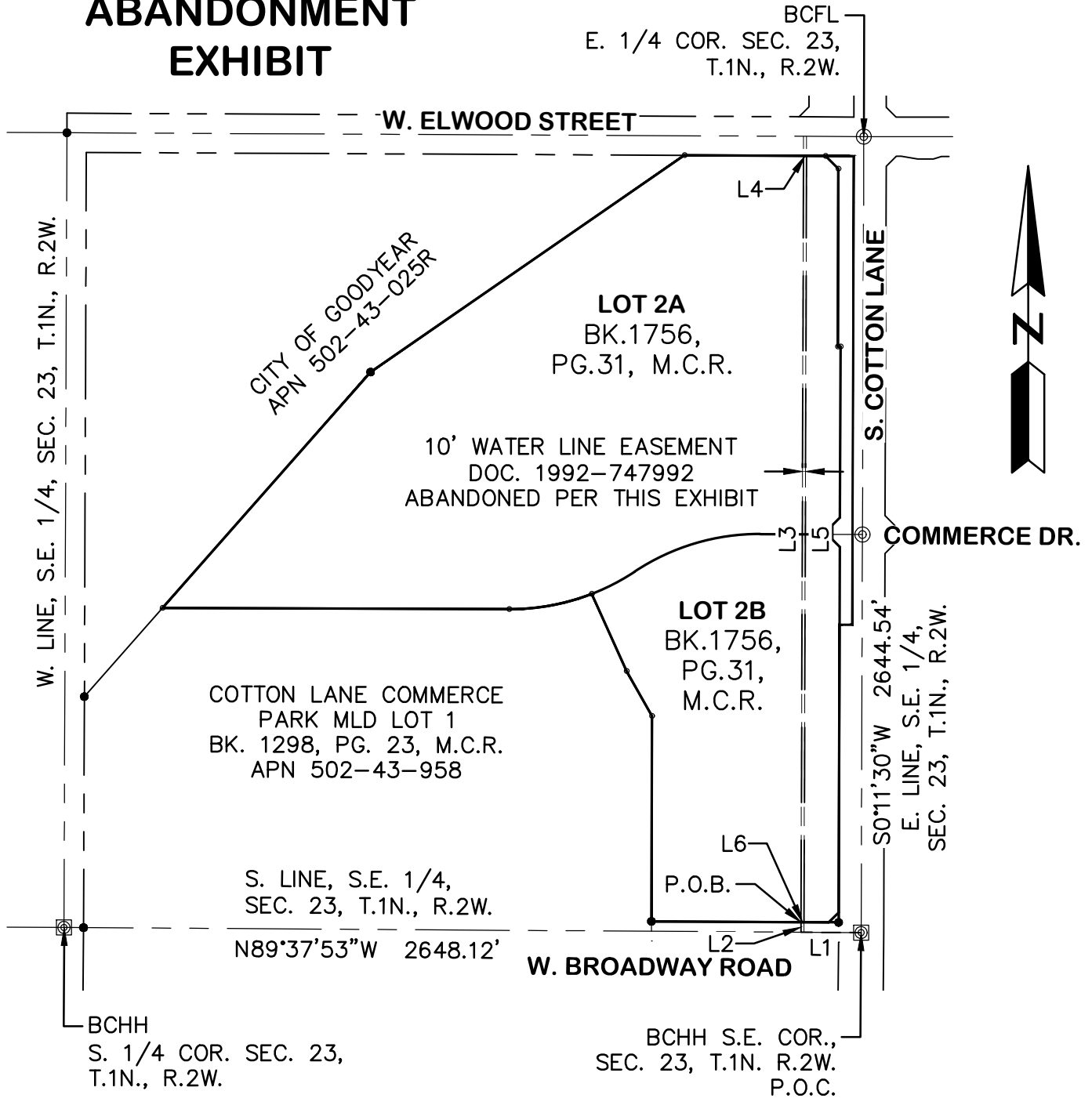
HUNTER
ENGINEERING

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

CIVIL AND SURVEY

PROJ.NO.COHN001

10' WATER EASEMENT ABANDONMENT EXHIBIT



TITLE: **XB19**
SCALE: 1" = 500'
DATE: 10/16/23
DESC: ABANDONMENT
EXHIBIT

HUNTER

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10' WATER EASEMENT ABANDONMENT

LEGEND:

P.O.C. POINT OF COMMENCEMENT

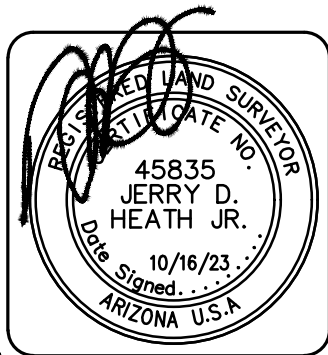
P.O.B. POINT OF BEGINNING

☉ BRASS CAP IN HANDHOLE

⊙ BRASS CAP FLUSH

LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°37'53"W	200.00'
L2	N00°11'30"E	33.00'
L3	N00°11'30"E	2546.22'
L4	S89°43'24"E	10.00'
L5	S00°11'30"W	2546.23'
L6	N89°37'53"W	10.00'



TITLE: **XB19**
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LINE TABLE

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10' WATER EASEMENT ABANDONMENT CLOSURE REPORT

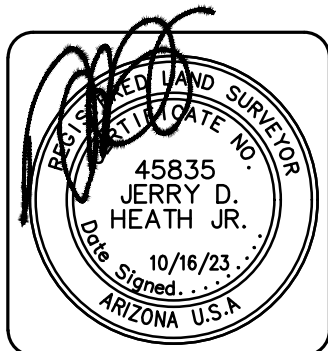
PRECISION, 1 PART IN: 68,289,886.01'
ERROR DISTANCE: 0.00'
ERROR DIRECTION: NORTH 29°35'03" EAST
AREA: 0.585 ACRES
SQUARE AREA: 25,462.232
PERIMETER: 5,112.45'

SIDE 1: LINE
DIRECTION: NORTH 00°11'30" EAST
DISTANCE: 2,546.22'

SIDE 2: LINE
DIRECTION: SOUTH 89°43'24" EAST
DISTANCE: 10.00'

SIDE 3: LINE
DIRECTION: SOUTH 00°11'30" WEST
DISTANCE: 2,546.23'

SIDE 4: LINE
DIRECTION: NORTH 89°37'53" WEST
DISTANCE: 10.00'



TITLE: **XB19**
SCALE: N.T.S.
DATE: 10/16/23
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CLOSURE REP.

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