

When Recorded Mail to:

City of Goodyear
City Clerk / CB
1900 N. Civic Square
Goodyear, Arizona 85395
QS-047C

EXEMPT UNDER A.R.S. § 11-1134(A)(2)

PARTIAL TERMINATION AND RELEASE OF EASEMENT

THIS PARTIAL TERMINATION AND RELEASE OF EASEMENT is executed this ____ day of _____, 2024 by the CITY OF GOODYEAR, an Arizona municipal corporation (the “City”).

RECITALS

- A. The City is the beneficiary of certain sidewalk easements dedicated pursuant to the Map of Dedication for McDowell Road Commercial Corridor Improvement District Infrastructure, recorded in the official records of Maricopa County on November 1, 2007, in Book 956, Page 21 (Instrument Number 2007-1181669) (“Map of Dedication”).
- B. The City has been asked to terminate portions of the sidewalk easements dedicated to the City in the MOD over the property legally described and depicted on that certain document titled Legal Description East Sidewalk Easement attached hereto as Exhibit “A” and over the property legally described and depicted on that certain document titled Legal Description West Sidewalk Easement attached hereto as Exhibit “B” (collectively the property described in Exhibit “A” and in Exhibit “B” are hereinafter referred to as the “Easement Termination Areas”).
- C. The Easement Termination Areas are over two bump-outs that were designed to accommodate a driveway into an apartment complex that was not constructed, and apartment buildings were constructed over the Easement Termination Areas.
- D. 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. Engineering staff has reviewed and approved the termination of the sidewalk easements granted over the Easement Termination Areas.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City hereby releases and terminates its right's, title, interests and benefits in and to sidewalk easements dedicated to the City in the Map of Dedication (described above) in the property legally described and depicted on Exhibits "A" and "B" attached hereto and incorporated herein by this reference (the "Easement Termination Areas"). Except for the sidewalk easements over the Easement Termination Areas, the sidewalk easements dedicated to the City in the Map of Dedication over all other areas within the Map of Dedication shall remain in full force.

This Partial Termination and Release of Easement is not intended to, nor does it, release any interest the City may have in the property described in Exhibits "A" and "B", 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.

The page number of this Partial Termination and Release of Easement is exclusive of the exhibits attached hereto.

Dated this ____ day of _____ 2024.

CITY OF GOODYEAR

By: _____
Wynette Reed
Its: City Manager

State of Arizona)
)ss.
County of Maricopa)

The foregoing instrument (Partial Termination and Release of Easement) was acknowledged before me this ____ day of _____, 2024 by Wynette Reed, the City Manager of the CITY OF GOODYEAR, an Arizona municipal corporation, on behalf of said corporation.

Notary Public

EXHIBIT A

**SIDEWALK EASEMENT
GOODYEAR, AZ**

March 7, 2024
Job No. P5280
Page 1 of 1

AN EASEMENT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN A HANDHOLE AT THE INTERSECTION OF NORTH PEBBLE CREEK PARKWAY AND WEST MONTE VISTA ROAD, FROM WHICH THE WEST QUARTER CORNER OF SECTION 32 BEARS NORTH 00 DEGREES 20 MINUTES 32 SECONDS, A DISTANCE OF 549.60 FEET;

THENCE ALONG THE CENTERLINE OF SAID MONTE VISTA ROAD, SOUTH 89 DEGREES 40 MINUTES 02 SECONDS EAST, A DISTANCE OF 171.04 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 1,400.00 FEET;

THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 14 DEGREES 03 MINUTES 46 SECONDS, A DISTANCE OF 343.62 FEET;

THENCE NORTH 76 DEGREES 16 MINUTES 12 SECONDS EAST, A DISTANCE OF 27.60 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 13 DEGREES 43 MINUTES 48 SECONDS WEST, A DISTANCE OF 40.00 FEET TO THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED;

THENCE NORTH 30 DEGREES 41 MINUTES 57 SECONDS EAST, A DISTANCE OF 32.21 FEET;

THENCE NORTH 76 DEGREES 16 MINUTES 12 SECONDS EAST, A DISTANCE OF 10.64 FEET;

THENCE NORTH 80 DEGREES 34 MINUTES 5 SECONDS EAST, A DISTANCE OF 39.84 FEET;

THENCE SOUTH 64 DEGREES 57 MINUTES 21 SECONDS EAST, A DISTANCE OF 31.96 FEET, TO THE NORTHERLY RIGHT OF WAY OF SAID MONTE VISTA ROAD,;

THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, SOUTH 76 DEGREES 16 MINUTES 12 SECONDS WEST, A DISTANCE OF 97.83 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINS 1,608 SQUARE FEET OR 0.037 ACRES, MORE OR LESS.



N PEBBLE CREEK PKWY

W.1/4, SEC. 32, T.2N., R.1W.
3" MARICOPA COUNTY
HIGHWAY DEPARTMENT

15400 W MONTE VISTA ROAD
APN: 501-69-966E
2020-12806640

SIDEWALK EASEMENT
TO BE RELEASED
BOOK 956, PAGE 21

N00°20'32"E 549.60'
(BASIS OF BEARINGS)

POINT OF COMMENCEMENT
FOUND 3" CITY OF GOODYEAR
BRASS CAP IN HANDHOLE

S89°40'02"E
171.04'

W MONTE VISTA RD

POINT OF BEGINNING

N76°16'12"E 27.60'

L=343.62' R=1400.00'
 $\Delta=14^{\circ}03'46''$

N76°16'12"E
10.64'

N30°41'57"E
32.21'

N80°34'05"E
39.84'

97.83'
S76°16'12"W

S64°57'21"E
31.96'



RICK
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rickengineering.com

San Diego - Riverside - San Luis Obispo - Sacramento - Orange - Tucson - Phoenix - Las Vegas - Denver

LEGAL DESCRIPTION
EAST SIDEWALK ESMT
GOODYEAR, ARIZONA

DRAWING:	SWE-ESMT.DWG			
JOB#	P5280	SCALE:	NTS	SHT: 1 OF 1
DRAFTER:	DCG	CHK:	ELS	DATE: 3/7/24

EXHIBIT B

**SIDEWALK EASEMENT
GOODYEAR, AZ**

March 6, 2024
Job No. P5280
Page 1 of 1

A SIDEWALK EASEMENT AS SHOWN IN THE MAP OF DEDICATION FOR "MCDOWELL ROAD COMMERCIAL CORRIDOR IMPROVEMENT DISTRICT INFRASTRUCTURE", BOOK 956, PAGE 21. LOCATED IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN A HANDHOLE AT THE INTERSECTION OF NORTH PEBBLE CREEK PARKWAY AND WEST MONTE VISTA ROAD, FROM WHICH THE WEST QUARTER CORNER OF SECTION 32 BEARS NORTH 00 DEGREES 20 MINUTES 32 SECONDS, A DISTANCE OF 549.60 FEET;

THENCE ALONG THE CENTERLINE OF SAID MONTE VISTA ROAD, SOUTH 89 DEGREES 40 MINUTES 02 SECONDS EAST, A DISTANCE OF 171.04 FEET TO A POINT OF CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1,400.00 FEET;

THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 03 DEGREES 42 MINUTES 47 SECONDS, A DISTANCE OF 90.73 FEET;

THENCE DEPARTING SAID CETERLINE ALONG A NON-TANGENT LINE, NORTH 03 DEGREES 22 MINUTES 49 SECONDS WEST, A DISTANCE OF 40.00 FEET TO THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED;

THENCE NORTH 40 DEGREES 02 MINUTES 20 SECONDS EAST, A DISTANCE OF 32.39 FEET;

THENCE NORTH 84 DEGREES 50 MINUTES 30 SECONDS EAST, A DISTANCE OF 10.42 FEET;

THENCE NORTH 89 DEGREES 23 MINUTES 35 SECONDS EAST, A DISTANCE OF 38.12 FEET;

THENCE, SOUTH 56 DEGREES 47 MINUTES 43 SECONDS EAST, A DISTANCE OF 31.25 FEET TO THE SAID NORTHERLY RIGHT OF WAY OF MONTE VISTA ROAD, BEING A NON-TANGENT CURVE, CONCAVE NORTHERLY, OF WHICH THE RADIUS POINT BEARS NORTH 07 DEGREES 25 MINUTES 13 SECONDS WEST, A RADIAL DISTANCE OF 1,360.00 FEET;

THENCE WESTERLY ALONG THE ARC OF SAID NORTHERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 04 DEGREES 02 MINUTES 29 SECONDS, A DISTANCE OF 95.93 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINS 1,592 SQUARE FEET OR 0.037 ACRES, MORE OR LESS



N PEBBLE CREEK PKWY

W.1/4, SEC. 32, T.2N., R.1W.
3" MARICOPA COUNTY
HIGHWAY DEPARTMENT

15400 W MONTE VISTA ROAD
2020-12806640

SIDEWALK EASEMENT
TO BE RELEASED
BOOK 956, PAGE 21

POINT OF BEGINNING

40' RIGHT-OF-WAY
BOOK 956, PAGE 21

POINT OF COMMENCEMENT

FOUND 3" CITY OF GOODYEAR
BRASS CAP IN HANDHOLE

W MONTE VISTA RD



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LEGAL DESCRIPTION
WEST SIDEWALK ESMT
GOODYEAR, ARIZONA

DRAWING:	SWE-ESMT.DWG			
JOB#	P5280	SCALE:	NTS	SHT: 1 OF 1
DRAFTER:	DCG	CHK:	ELS	DATE: 3/6/24