

ORDINANCE NO. 2970 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A WATER LINE EASEMENT LOCATED AT LOT 4A OF ASPERA; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

WHEREAS, a new water line would benefit future development on Lot 4A of Aspera, located approximately 300 feet west of 75th Avenue and 200 feet north of Beardsley Road and meet the domestic water demands and fire protection requirements of City Code; and

WHEREAS, construction of the new water line has been completed and accepted by the City. Store Capital Acquisitions, LLC is granting a new water line easement to the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the City is hereby accepting an easement for the location of a new water line pursuant to the Conveyance of Easement, which is attached as Exhibit A. Upon the execution by the Grantor, Store Capital Acquisitions, LLC, the City will have legal title to an easement for the purpose of operating, repairing, replacing, maintaining and removing water lines consistent with the City Code.

SECTION 2. The City Council hereby authorizes and instructs the City Manager to execute the Conveyance of Easement, which is attached hereto as Exhibit A, granting a water line easement described herein to the City.

SECTION 3. The City Clerk is accordingly instructed and authorized to forward a certified copy of this ordinance and conveyance of easement for recording to the Maricopa County Recorder's Office.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this ____ day of _____, 2015.

MAYOR

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

Acting City Manager
o_eng_aspera.doc

EXHIBIT A

When recorded, mail to:
City Clerk, City of Glendale
5850 West Glendale Avenue
Glendale, Arizona 85301

CONVEYANCE OF EASEMENT

For Ten Dollars and other valuable consideration, We, **Store Capital Acquisitions, LLC** a Delaware limited liability company, do hereby convey to the City of Glendale, an Arizona municipal corporation, an easement to install, repair, operate, maintain and remove a water line and appurtenances ("facilities") upon, over and under the surface of the following described property:

See Attached Description, "Exhibit A"

Together with the right of ingress and egress to, from, across and along the Grantor's Property, and with the right to use lands adjacent to said easement during temporary periods of construction; the right to operate, repair, replace, maintain, and remove facilities and appurtenances from said premises; to add to or alter said facilities at any reasonable time; and to trim or remove any trees or shrubs that in the judgment of the City may interfere with the construction, operation or maintenance of said facilities.

By accepting this easement, the City of Glendale agrees to exercise reasonable care to avoid any damage to said real property above described.

Dated this ____ day of _____, 2015.

By: _____
Michael T. Bennett,
Executive VP and General Counsel

**Exempt Pursuant to A.R.S. §11-1134(A)(2),
11-1134(A)(3)**

STATE OF ARIZONA }
County of Maricopa } ss.

The foregoing instrument was acknowledged before me this ____ day of _____, 2015
by Michael T. Bennett, Executive VP and General Counsel, who acknowledged that he executed this
instrument for the purposes therein contained.

Notary Public

My commission expires:

NWC 75th Avenue/ Beardsley Rd

**EXHIBIT A
LEGAL DESCRIPTION
WATER LINE EASEMENT**

A portion of Lot 4A as shown on "Minor Land Division of Lot 3 and Lot 4 of Aspera Final Plat", according to Book 1215, Page 16, Records of Maricopa County, Arizona, located within the southeast quarter of Section 23, Township 4 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being described as follows:

COMMENCING at an Arizona Department of Transportation aluminum cap in handhole found at the Southeast Corner of said Section 23, from which a Bureau of Land Management brass cap found at the south quarter corner thereof bears North 89°53'57" West, a distance of 2643.29 feet; thence along the south line of the southeast quarter of said Section 23, North 89°53'57" West, 290.97 feet; thence leaving said south line, North 00°06'03" East, 577.36 feet to a point on the northerly right of way line of S.R. 101L as shown on ADOT Right of Way Plans of the Northwest Outer Loop, Bell Rd. to 51st Ave. (S.R. 417), Project No. BPM-600-0-704, also being the south line of said Lot 4A, said point also the POINT OF BEGINNING;

thence leaving said northerly right of way line, North 14°01'32" West, 230.30 feet;

thence North 25°29'28" West, 115.34 feet to a point on the north line of said Lot 4A;

thence along said north line, North 76°02'43" East, 20.41 feet;

thence leaving said north line, South 25°29'28" East, 113.26 feet;

thence South 14°01'32" East, 26.19 feet;

thence North 75°58'28" East, 11.91 feet to a point on the east line of said Lot 4A, said point also being on a non-tangent curve, concave southwesterly, the radius of which bears South 71°19'52" West, 1000.00 feet;

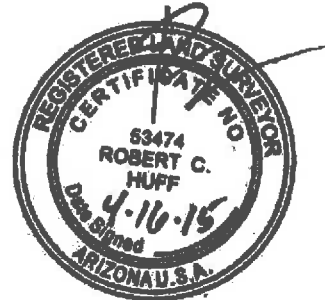
thence southeasterly, along said east line, 12.03 feet along the arc of said curve, through a central angle of 00°41'22";

thence leaving said east line, South 75°58'28" West, 12.81 feet;

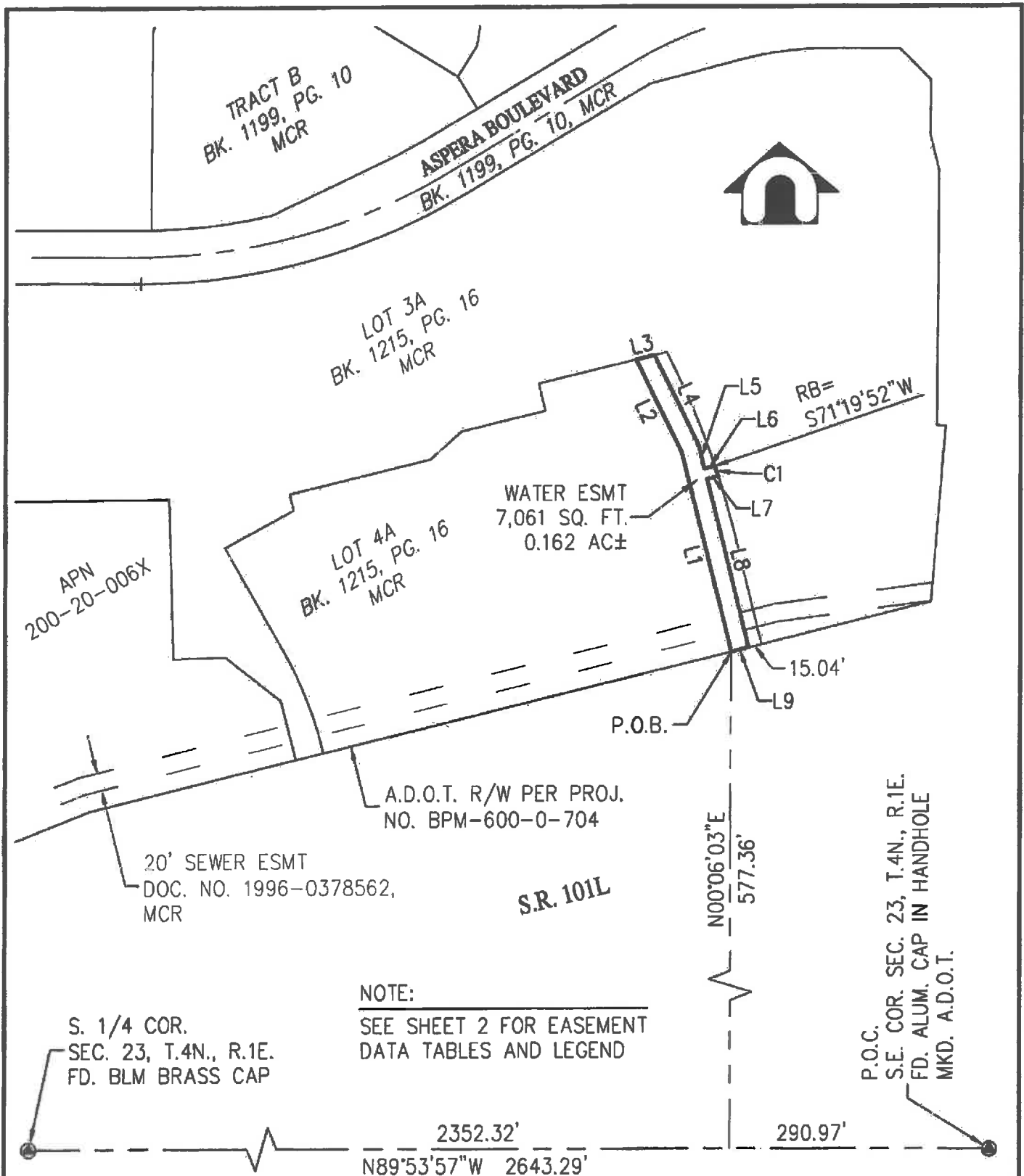
thence South 14°01'32" East, 194.14 feet to a point on said northerly right of way line of S.R. 101L;

thence along said northerly right of way line, South 76°02'43" West, 20.00 feet to the POINT OF BEGINNING.

Said parcel containing 7,061 square feet or 0.162 acres, more or less.



660: 6/30/15



DATE: 4/2015

SCALE:
1"=150'

SHEET

1 OF 2

**WATER LINE EASEMENT
LOT 4A
BOOK 1215, PAGE 16, M.C.R.**



**DAVID EVANS
AND ASSOCIATES INC.**
4600 East Washington Street, Suite 430
Phoenix Arizona 85034
Phone: 602.678.5151


EASEMENT LINE TABLE		
LINE	BEARING	LENGTH
L1	N14°01'32"W	230.30'
L2	N25°29'28"W	115.34'
L3	N76°02'43"E	20.41'
L4	S25°29'28"E	113.26'
L5	S14°01'32"E	26.19'
L6	N75°58'28"E	11.91'
L7	S75°58'28"W	12.81'
L8	S14°01'32"E	194.14'
L9	S76°02'43"W	20.00'

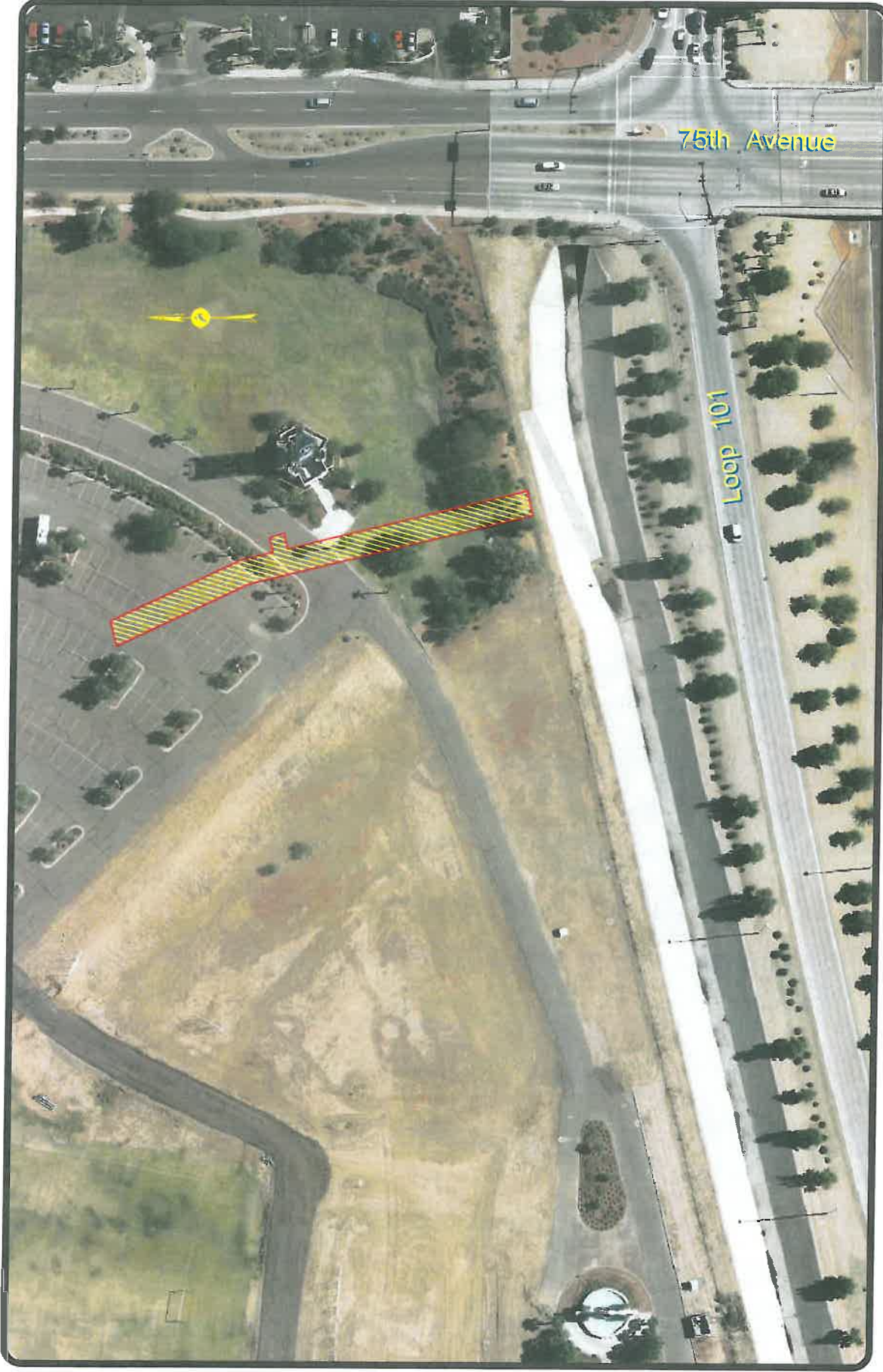
EASEMENT CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	1000.00'	12.03'	0°41'22"	S18°19'27"E	12.03'

LEGEND

P.O.C. = POINT OF COMMENCEMENT
 P.O.B. = POINT OF BEGINNING
 BLM = BUREAU OF LAND MANAGEMENT
 A.D.O.T. = AZ DEPT. OF TRANSPORTATION
 RB = RADIAL BEARING
 R/W = RIGHT-OF-WAY
 MKD. = MARKED

DATE: 4/2015

SCALE: N.T.S.	WATER LINE EASEMENT LOT 4A BOOK 1215, PAGE 16, M.C.R.	 DAVID EVANS AND ASSOCIATES INC. 4600 East Washington Street, Suite 430 Phoenix Arizona 85034 Phone: 602.678.5151
SHEET 2 OF 2		



WATER LINE EASEMENT AT ASPERA LOT 4A