

ORDINANCE NO. 3005 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 AZ GENERAL HOSPITAL ER AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

WHEREAS, construction of the new water line has been completed and approved by the City. MPT of Glendale Camelback FCER, LLC is granting a new water line easement to the City; and

WHEREAS, a new water line would benefit future development on 83<sup>rd</sup> Avenue and Camelback Road intersection and meet the domestic water demands and fire protection requirements of City Code.

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

SECTION 1. The City accepts 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, MPT of Glendale Camelback FCER, LLC, a Delaware limited liability company, 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 Council authorized and instructs the City Manager to execute the Conveyance of Easement, which is attached as Exhibit A, granting a water line easement to the City.

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

[Signatures on the following page.]

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 27th day of September, 2016.

\_\_\_\_\_  
M A Y O R

ATTEST:

\_\_\_\_\_  
City Clerk (SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

REVIEWED BY:

\_\_\_\_\_  
City Manager

## EXHIBIT A

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

## CONVEYANCE OF EASEMENT

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For Ten Dollars and other valuable consideration, I or We, MPT of Glendale Camelback FCER, 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 \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Robert M. Moss, Legal Director, Senior  
Counsel & Assistant Secretary

**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 Robert M. Moss, Legal Director, Senior Counsel & Assistant Secretary, who acknowledged that he  
executed this instrument for the purposes therein contained.

\_\_\_\_\_  
Notary Public

My commission expires:

8310 West Camelback Rd.

**LEGAL DESCRIPTION  
WATERLINE EASEMENT (ONSITE)  
NWC 83<sup>RD</sup> AVE. & CAMELBACK RD.  
GLENDALE, ARIZONA**



EXHIBIT A  
May 16, 2016  
Job No.20105-172  
Page 1 of 1

AN EASEMENT OVER A PARCEL OF LAND SITUATED ON THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHEAST CORNER OF SAID SECTION 15, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 15 BEARS NORTH 89 DEGREES 48 MINUTES 39 SECONDS WEST, A DISTANCE OF 2645.39 FEET;

THENCE NORTH 00 DEGREES 23 MINUTES 06 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 363.11 FEET;

THENCE NORTH 89 DEGREES 36 MINUTES 54 SECONDS WEST, DEPARTING SAID EAST LINE, A DISTANCE OF 65.00 FEET TO THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED;

THENCE SOUTH 00 DEGREES 23 MINUTES 06 SECONDS WEST, A DISTANCE OF 20.00 FEET;

THENCE NORTH 89 DEGREES 36 MINUTES 59 SECONDS WEST, A DISTANCE OF 30.32 FEET;

THENCE SOUTH 00 DEGREES 23 MINUTES 01 SECONDS WEST, A DISTANCE OF 31.48 FEET;

THENCE NORTH 89 DEGREES 36 MINUTES 59 SECONDS WEST, A DISTANCE OF 20.00 FEET;

THENCE NORTH 00 DEGREES 23 MINUTES 01 SECONDS EAST, A DISTANCE OF 31.48 FEET;

THENCE NORTH 89 DEGREES 36 MINUTES 59 SECONDS WEST, A DISTANCE OF 171.29 FEET TO A POINT HEREBY KNOWN AS POINT 'A';

THENCE NORTH 00 DEGREES 23 MINUTES 06 SECONDS EAST, A DISTANCE OF 20.00 FEET;

THENCE SOUTH 89 DEGREES 36 MINUTES 54 SECONDS EAST, A DISTANCE OF 221.61 FEET TO THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED.

TOGETHER WITH;

**COMMENCING** FROM SAID POINT 'A';

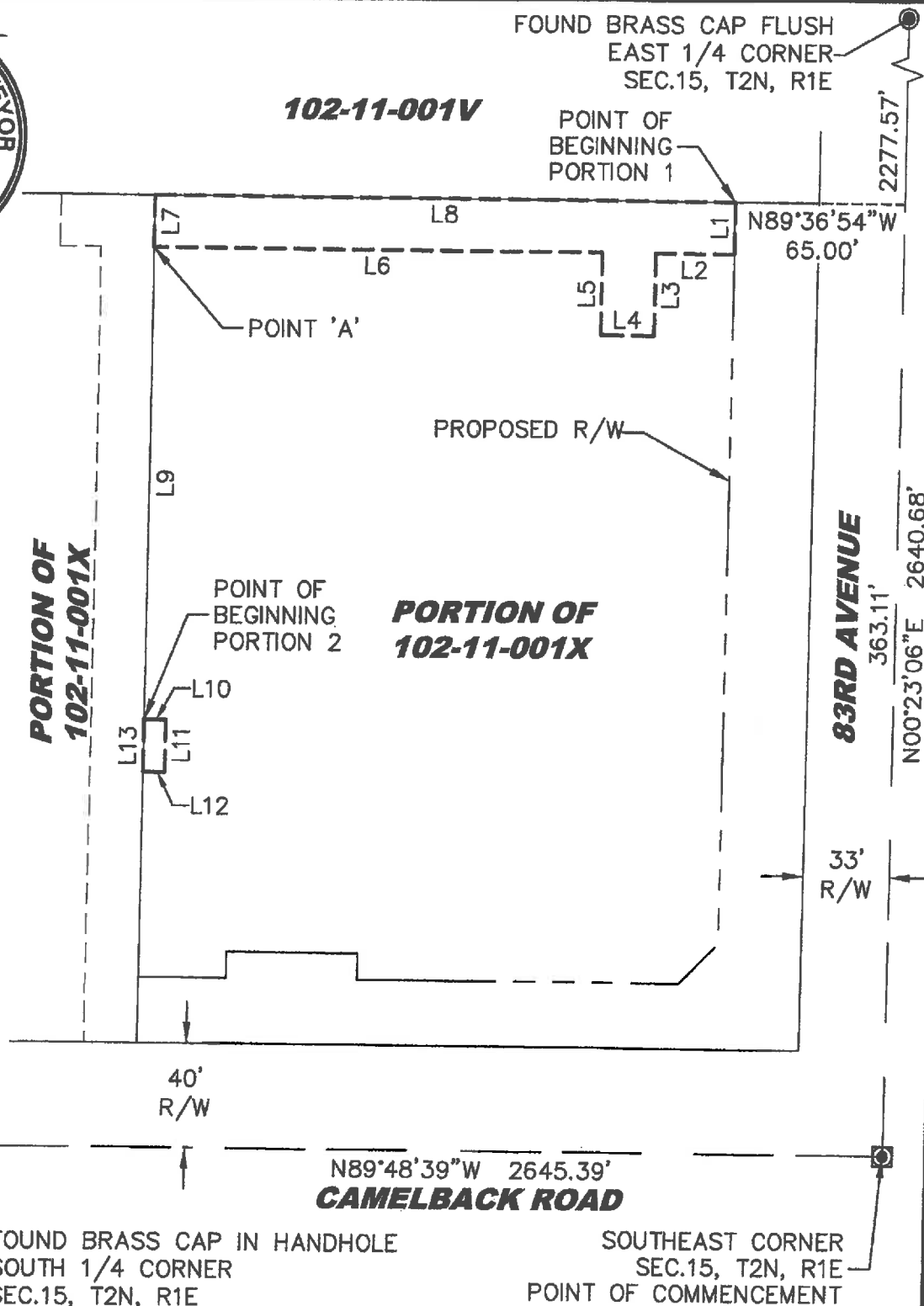
THENCE SOUTH 00 DEGREES 23 MINUTES 06 SECONDS WEST, A DISTANCE OF 180.74 FEET TO THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED;

THENCE SOUTH 89 DEGREES 36 MINUTES 54 SECONDS EAST, A DISTANCE OF 8.27 FEET;

THENCE SOUTH 00 DEGREES 23 MINUTES 06 SECONDS WEST, A DISTANCE OF 20.00 FEET;

THENCE NORTH 89 DEGREES 36 MINUTES 54 SECONDS WEST, A DISTANCE OF 8.27 FEET;

THENCE NORTH 00 DEGREES 23 MINUTES 06 SECONDS EAST, A DISTANCE OF 20.00 FEET TO THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED.



**SIG**  
SURVEY INNOVATION  
GROUP, INC

**ONSITE WATERLINE EASEMENT  
NWC 83RD AVE. & CAMELBACK RD.  
GLENDALE, ARIZONA**

Ph (480) 922 0780 **Land Surveying Services** Fx (480) 922 0781  
7301 EAST EVANS ROAD, SCOTTSDALE, AZ 85260

|               |                      |              |
|---------------|----------------------|--------------|
| JOB#2015-172  | DWG: WTR EASEMENT-ON | DATE 5/16/16 |
| SCALE: N.T.S. | DRAWN: RMH           | CHK: JAS     |
|               |                      | SHEET 1 OF 2 |



| Line Table |             |        |
|------------|-------------|--------|
| LINE       | DIRECTION   | LENGTH |
| L1         | S0°23'06"W  | 20.00  |
| L2         | N89°36'59"W | 30.32  |
| L3         | S0°23'01"W  | 31.48  |
| L4         | N89°36'59"W | 20.00  |
| L5         | N0°23'01"E  | 31.48  |
| L6         | N89°36'59"W | 171.29 |
| L7         | N0°23'06"E  | 20.00  |
| L8         | S89°36'54"E | 221.61 |
| L9         | S0°23'06"W  | 180.74 |
| L10        | S89°36'54"E | 8.27   |
| L11        | S0°23'06"W  | 20.00  |
| L12        | N89°36'54"W | 8.27   |
| L13        | N0°23'06"E  | 20.00  |

**SIG**

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