

ORDINANCE NO. 3007 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A SIDEWALK/DRIVEWAY EASEMENT LOCATED ADJACENT TO AZ GENERAL HOSPITAL ER AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

WHEREAS, construction of the sidewalk/driveway has been completed and approved by the City, consistent with its Building Code; and

WHEREAS, a new sidewalk/driveway would benefit future development on the 83<sup>rd</sup> Avenue and Camelback Road intersection and meet the public access requirements of City Code; and

WHEREAS, 83<sup>rd</sup> & Camelback, LLC, a Delaware limited liability company, is granting a new sidewalk/driveway easement to the City.

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

SECTION 1. The City is accepting an easement for the location of a new sidewalk/driveway pursuant to the Conveyance of Easement, which is attached as Exhibit A. Upon the execution by the Grantor, 83<sup>rd</sup> & Camelback, 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 the sidewalk and driveway consistent with the City Code.

SECTION 2. The Council authorizes and instructs the City Manager to execute the Conveyance of Easement, which is attached as Exhibit A, granting a sidewalk/driveway 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, 83<sup>rd</sup> & Camelback, 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 sidewalk and driveway 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: \_\_\_\_\_  
Carl Spiekerman, Managing Member

**§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 \_\_\_\_\_, 2016  
by Carl Spiekerman, Managing Member, who acknowledged that he executed this instrument for the  
purposes therein contained.

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

My commission expires:

NWC 83 Avenue and Camelback Rd.

**LEGAL DESCRIPTION  
SIDEWALK & DRIVEWAY EASEMENT  
(SOUTH)  
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 89 DEGREES 48 MINUTES 39 SECONDS WEST, THE SOUTH LINE OF SAID SECTION 15, A DISTANCE OF 286.61 FEET;

THENCE NORTH 00 DEGREES 23 MINUTES 06 SECONDS EAST, LEAVING SAID SOUTH SECTION LINE, A DISTANCE OF 40.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF CAMELBACK ROAD AND THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED;

THENCE NORTH 89 DEGREES 48 MINUTES 39 SECONDS WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 79.90 FEET;

THENCE NORTH 00 DEGREES 11 MINUTES 21 SECONDS EAST, LEAVING SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 25.00 FEET;

THENCE SOUTH 89 DEGREES 48 MINUTES 39 SECONDS EAST, A DISTANCE OF 37.50 FEET;

THENCE NORTH 00 DEGREES 11 MINUTES 21 SECONDS EAST, A DISTANCE OF 16.50 FEET;

THENCE SOUTH 89 DEGREES 48 MINUTES 39 SECONDS EAST, A DISTANCE OF 42.54 FEET;

THENCE SOUTH 00 DEGREES 23 MINUTES 06 SECONDS WEST, A DISTANCE OF 41.50 FEET TO THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED.





N.T.S.

FOUND BRASS CAP FLUSH  
EAST 1/4 CORNER  
SEC.15, T2N, R1E  
N89°36'54"W  
33.00'

S89°36'54"E 253.61'

2277.57'

**PORTION OF  
102-11-001X**

PROPOSED R/W

**PORTION OF  
102-11-001X**

N00°23'06"E 324.09'

Line Table		
LINE	DIRECTION	LENGTH
L1	N0°23'06"E	40.00
L2	N89°48'39"W	79.90
L3	N0°11'21"E	25.00
L4	S89°48'39"E	37.50
L5	N0°11'21"E	16.50
L6	S89°48'39"E	42.54
L7	S0°23'06"W	41.50

S00°23'06"W 323.22'

363.11'

N00°23'06"E 2640.68'

**83RD AVENUE**

33' R/W

SIDEWALK &  
DRIVEWAY  
EASEMENT

POINT OF BEGINNING

N89°48'39"W 253.61'

40' R/W

2358.78'

286.61'

N89°48'39"W 2645.39'

**CAMELBACK ROAD**

FOUND BRASS CAP IN HANDHOLE  
SOUTH 1/4 CORNER  
SEC.15, T2N, R1E

SOUTHEAST CORNER  
SEC.15, T2N, R1E  
POINT OF COMMENCEMENT

**SIG**

**SURVEY INNOVATION  
GROUP, INC**

**SIDEWALK & DRIVEWAY 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: S SW & DW EASEMENT	DATE 5/16/16
SCALE: N.T.S.	DRAWN: JAS	CHK: RMH
		SHEET 1 OF 1