

ORDINANCE NO. 3008 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 driveway has been completed and approved by the City. Wal-Mart Stores Inc., a Delaware corporation, is granting a new sidewalk/driveway easement to the City; and

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

WHEREAS, Walmart Stores Inc., a Delaware corporation, 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 accepts 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, Wal-Mart Stores, Inc. a Delaware corporation, the City will have legal title to an easement for the purpose of operating, repairing, replacing, maintaining and removing a driveway and sidewalk 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

For Ten Dollars and other valuable consideration, I or We, Wal-Mart Stores, Inc., a Delaware Corporation, 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 ("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: _____
Nick Goodner, Director of Asset
Management

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 _____, 2016
by Nick Goodner, Director of Asset Management, who acknowledged that he executed this instrument for
the purposes therein contained.

Notary Public

My commission expires:

NW Corner of 83rd Ave. & Camelback Rd.

**LEGAL DESCRIPTION
SIDEWALK & DRIVEWAY EASEMENT
(NORTH)
NWC 83RD AVE. & CAMELBACK RD.
GLENDALE, ARIZONA**

EXHIBIT A

May 16, 2016
Job No.20105-172
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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 SAID SECTION 15, A DISTANCE OF 363.11 FEET;

THENCE NORTH 89 DEGREES 36 MINUTES 54 SECONDS WEST, LEAVING SAID EAST SECTION LINE, A DISTANCE OF 33.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF 83RD AVENUE AND THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED;

THENCE NORTH 89 DEGREES 36 MINUTES 54 SECONDS WEST, LEAVING SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 53.33 FEET;

THENCE NORTH 00 DEGREES 23 MINUTES 06 SECONDS EAST, A DISTANCE OF 50.27 FEET;

THENCE SOUTH 89 DEGREES 36 MINUTES 54 SECONDS EAST, A DISTANCE OF 21.33 FEET;

THENCE NORTH 00 DEGREES 23 MINUTES 06 SECONDS EAST, A DISTANCE OF 14.74 FEET;

THENCE SOUTH 89 DEGREES 36 MINUTES 54 SECONDS EAST, A DISTANCE OF 32.00 FEET TO A POINT ON SAID WEST RIGHT OF WAY LINE;

THENCE SOUTH 00 DEGREES 23 MINUTES 06 SECONDS WEST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 65.01 FEET TO THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED.





FOUND BRASS CAP FLUSH
EAST 1/4 CORNER
SEC.15, T2N, R1E

N.T.S.

102-11-001V

SIDEWALK &
DRIVEWAY
EASEMENT

S89°36'54"E 253.61'

POINT OF BEGINNING

**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	N89°36'54"W	33.00
L2	N89°36'54"W	53.33
L3	N0°23'06"E	50.27
L4	S89°36'54"E	21.33
L5	N0°23'06"E	14.74
L6	S89°36'54"E	32.00
L7	S0°23'06"W	65.01

S00°23'06"W 323.22'

363.11'

N00°23'06"E 2640.68'

83RD AVENUE

33'
R/W

N89°48'39"W 253.61'

40' R/W

N89°48'39"W 2645.39'

FOUND BRASS CAP IN HANDHOLE **CAMELBACK ROAD** SOUTHEAST CORNER
SOUTH 1/4 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: N SW & DW EASEMENT	DATE 5/16/16
SCALE: N.T.S.	DRAWN: JAS	CHK: RMH
		SHEET 1 OF 1