

ORDINANCE NO. 017-08

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF SEVEN CONVEYANCE OF SEWERLINE EASEMENTS FOR SEWERLINES LOCATED AT SEVEN LOCATIONS IN THE CITY OF GLENDALE AS PART OF THE PHASE FOUR WASTEWATER COLLECTION SYSTEM AND MANHOLE REHABILITATION CAPITAL IMPROVEMENT PROJECT AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

WHEREAS, the City Council took action to authorize entering into a professional services agreement with Primattech L.L.C. for Phase Four of the wastewater and collection system and manhole rehabilitation project, passed and approved by City Council on November 24, 2014; and

WHEREAS, the owners of seven City of Glendale properties located at seven locations: 6202, 6214 (#B), 6222, 6226, 6236, 6242 and 6246 West Maryland Avenue, have agreed to grant sewerline easements so new sewerline improvements will be located within a City easement, allowing the City to maintain said sewerline improvements.

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

SECTION 1. The City of Glendale will construct sewerline improvements and maintain these improvements consistent with the City Code.

SECTION 2. The Council hereby authorizes and instructs the City Manager to execute the seven conveyances of Easements, which are attached hereto as Exhibits 1-7, granting the sewerline easements described herein to the City so that the City may install, repair, operate, maintain, remove and/or replace these sewerlines, as necessary.

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

SECTION 4. The provisions of this ordinance shall become effective thirty (30) days after passage of this ordinance by the Glendale City Council.

[Signatures on the following page]

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 28th day of February, 2017.

\_\_\_\_\_  
Mayor Jerry P. Weiers

ATTEST:

\_\_\_\_\_  
Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael D. Bailey, City Attorney

REVIEWED BY:

\_\_\_\_\_  
Kevin R. Phelps, City Manager

## EXHIBIT 1

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, **KSH MARYLAND, LLC**, an Arizona limited liability company, does hereby convey to the City of Glendale, an Arizona Municipal Corporation, an easement to install, repair, operate, maintain and remove a sewer 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 \_\_\_\_\_, 20\_\_.

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

By: \_\_\_\_\_  
Signer:  
(Printed Name)  
Its:  
(Member, manager, etc)

STATE OF ARIZONA     )  
                                      ) ss.  
County of Maricopa     )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_  
by (name of person acknowledged and title or capacity to sign on behalf of Grantor), who  
acknowledged that he executed this instrument for the purposes therein contained.

My commission expires:

---

Notary Public

6246 WEST MARYLAND AVENUE  
GLENDALE, AZ 85301

EXHIBIT "A"

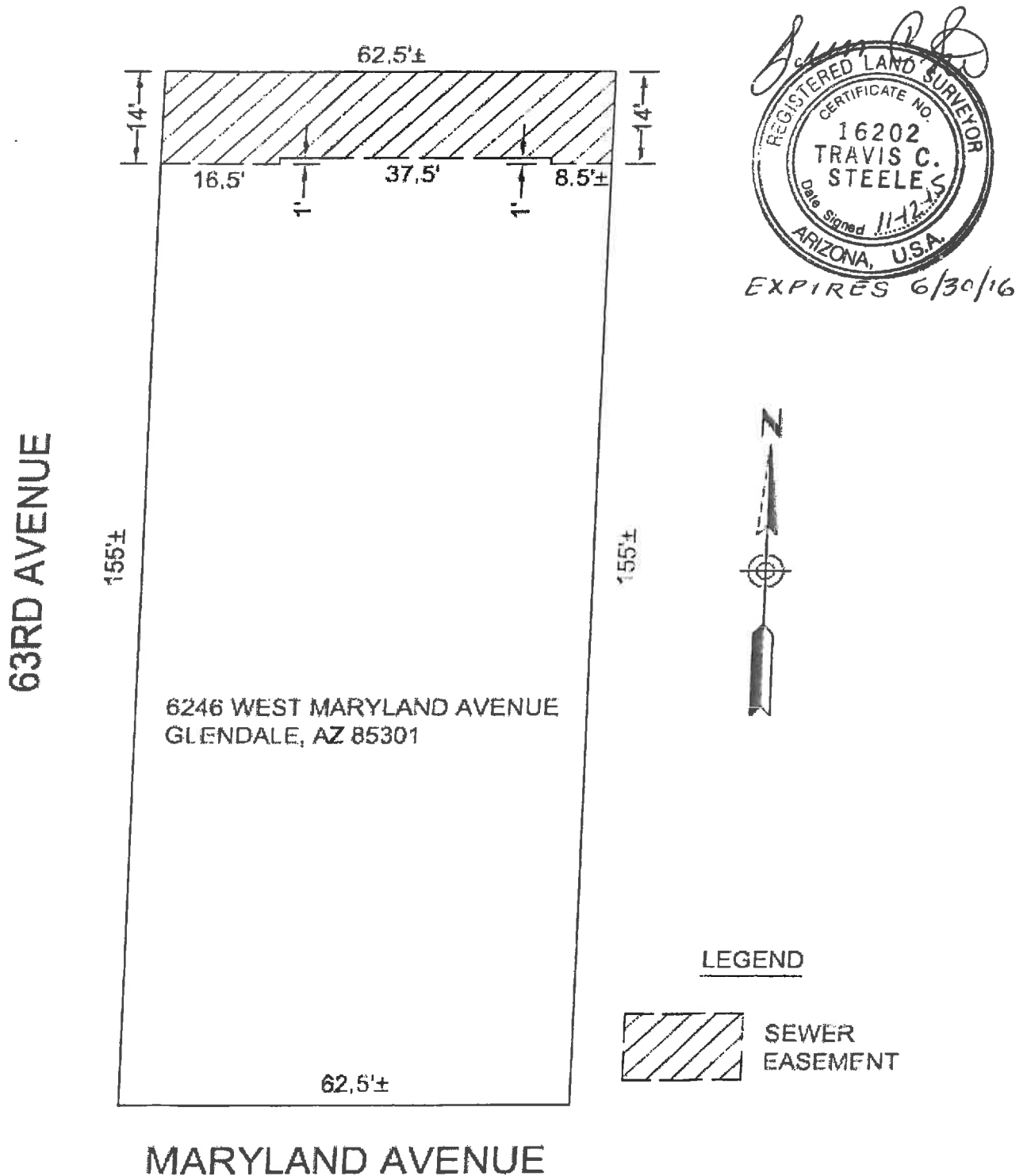
A Portion of

The South half of the West one-tenth (10) of the South half of Lot 3, Block 8, ORCHARD ADDITION TO GLENDALE, according to Book 3 of Maps, page 30, records of Maricopa County, Arizona.

DESCRIBED AS FOLLOWS:

The North 14 feet thereof.

Except the East 37.5 feet of the West 54 feet of the South 1 foot of the said North 14 feet.





**6246 W MARYLAND AVE  
NEW SEWER EASEMENT  
SEWER & MANHOLE REHABILITATION PHASE IV  
CIP # 131419**



## EXHIBIT 2

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, **PATRICIA RAMIEZ, an unmarried woman**, do hereby convey to the City of Glendale, an Arizona Municipal Corporation, an easement to install, repair, operate, maintain and remove a sewer 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 \_\_\_\_\_, 20\_\_.

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

By: \_\_\_\_\_  
Signer: **(Patricia Ramirez)**  
Its: **(Grantor)**

STATE OF ARIZONA     }  
County of Maricopa    } ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_  
by **(Patricia Ramirez, Grantor)**, who acknowledged that she executed this instrument for the purposes therein contained.

My commission expires:

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

6242 West Maryland Avenue  
Glendale, AZ 85301



EXHIBIT "A"

A Portion of

The South half of the East half of the West two-tenths of the South half of Lot 3, Block 8, ORCHARD ADDITION TO GLENDALE, according to Book 3 of Maps, page 30, records of Maricopa County, Arizona.

DESCRIBED AS FOLLOWS:

The North 14 feet thereof.



LEGEND



MARYLAND AVENUE



**6242 W MARYLAND AVE  
NEW SEWER EASEMENT  
SEWER & MANHOLE REHABILITATION PHASE IV  
CIP # 131419**



## EXHIBIT 3

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, **CRESCENT STRATEGIC ASSET PARTNERS 2011A, LLC\***, an **Arizona limited liability company**, does hereby convey to the City of Glendale, an Arizona Municipal Corporation, an easement to install, repair, operate, maintain and remove a sewer 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 \_\_\_\_\_, 20\_\_.

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

By: \_\_\_\_\_  
Signer:  
(Printed Name)  
Its:  
(Member, manager, etc)

STATE OF ARIZONA     )  
                                      ) ss.  
County of Maricopa     )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_  
by (name of person acknowledged and title or capacity to sign on behalf of Grantor), who  
acknowledged that he executed this instrument for the purposes therein contained.

My commission expires:

---

Notary Public

6236 West Maryland Avenue  
Glendale, AZ 85301





**6236 W MARYLAND AVE  
NEW SEWER EASEMENT  
SEWER & MANHOLE REHABILITATION PHASE IV  
CIP # 131419**



## EXHIBIT 4

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, **EMMANUEL VALDEZ RAMIREZ, a single man**, do hereby convey to the City of Glendale, an Arizona Municipal Corporation, an easement to install, repair, operate, maintain and remove a sewer 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 \_\_\_\_\_, 20\_\_.

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

By: \_\_\_\_\_  
Signer: (Emmanuel Valdez Ramirez)  
Its: (Grantor)

STATE OF ARIZONA    }  
County of Maricopa    } ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_  
by **Emmanuel Valdez Ramirez, Grantor**, who acknowledged that he executed this instrument for the purposes therein contained.

My commission expires:

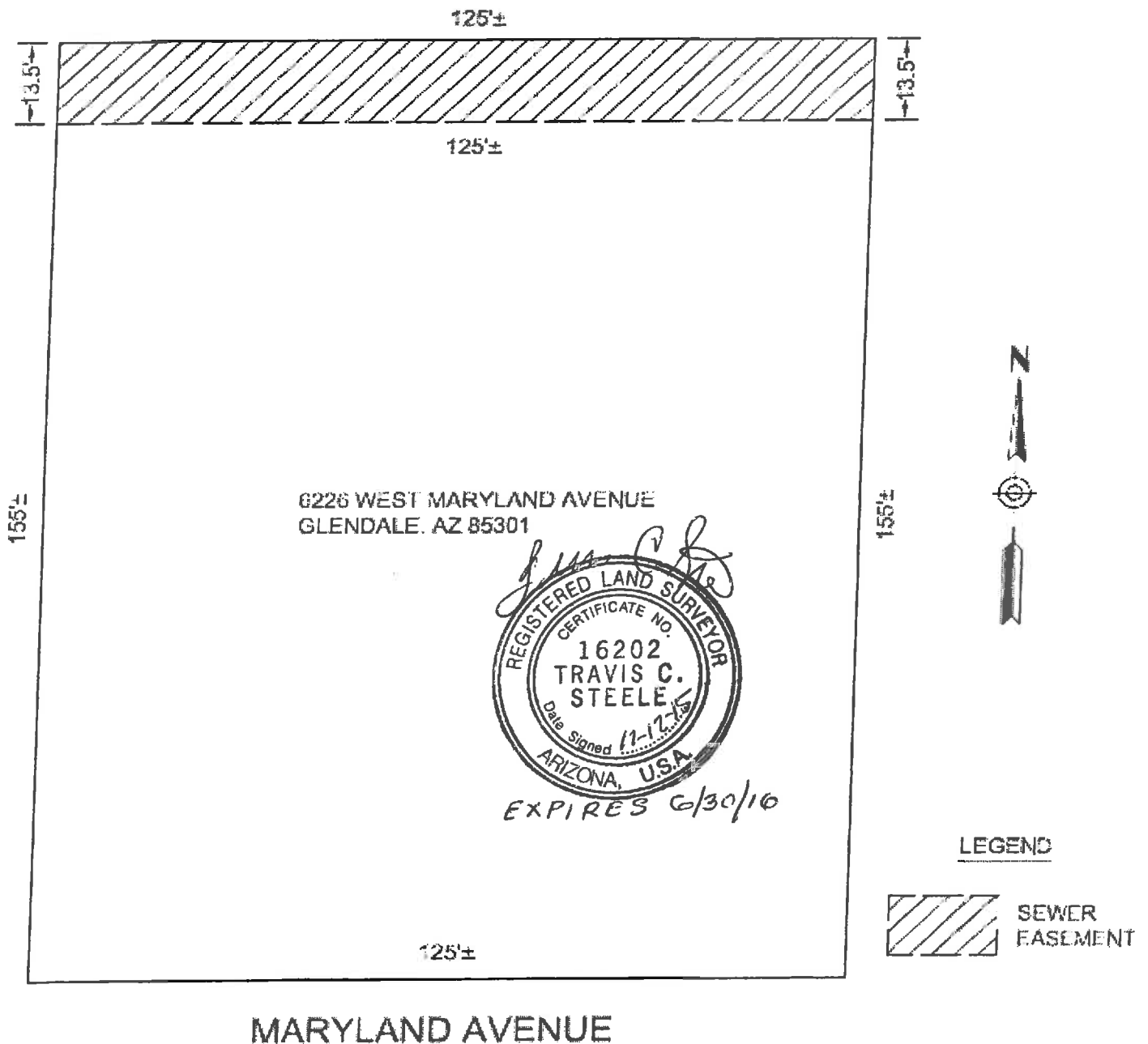
\_\_\_\_\_  
Notary Public

6226 W. Maryland Avenue  
Glendale, AZ 85301

EXHIBIT "A"

A Portion of  
THE SOUTH 155 FEET OF THE EAST 2/5THS OF THE WEST 5/10THS OF THE SOUTH HALF OF  
LOT 3, BLOCK 8, ORCHARD ADDITIONS TO GLENDALE, ACCORDING TO BOOK 3 OF MAPS,  
PAGE 30, RECORDS OF MARICOPA COUNTY, ARIZONA.

DESCRIBED AS FOLLOWS:  
The North 13.5 feet thereof.







**6226 W MARYLAND AVE  
NEW SEWER EASEMENT  
SEWER & MANHOLE REHABILITATION PHASE IV  
CIP # 131419**



## EXHIBIT 5

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, We, **PHILLIP S. YANEZ AND DOLORES A. YANEZ, husband and wife**, do hereby convey to the City of Glendale, an Arizona Municipal Corporation, an easement to install, repair, operate, maintain and remove a sewer 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 \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_  
Signer: **(Phillip S. Yanez)**

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

By: \_\_\_\_\_  
Signer: **(Dolores A. Yanez)**

Its: **(Grantors)**

STATE OF ARIZONA     }  
County of Maricopa    } ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_  
by **(PHILLIP S. YANEZ AND DOLORES A. YANEZ, husband and wife, Grantors)**, who  
acknowledged that they executed this instrument for the purposes therein contained.

My commission expires:

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

6222 West Maryland Avenue  
Glendale, AZ 85301

EXHIBIT "A"

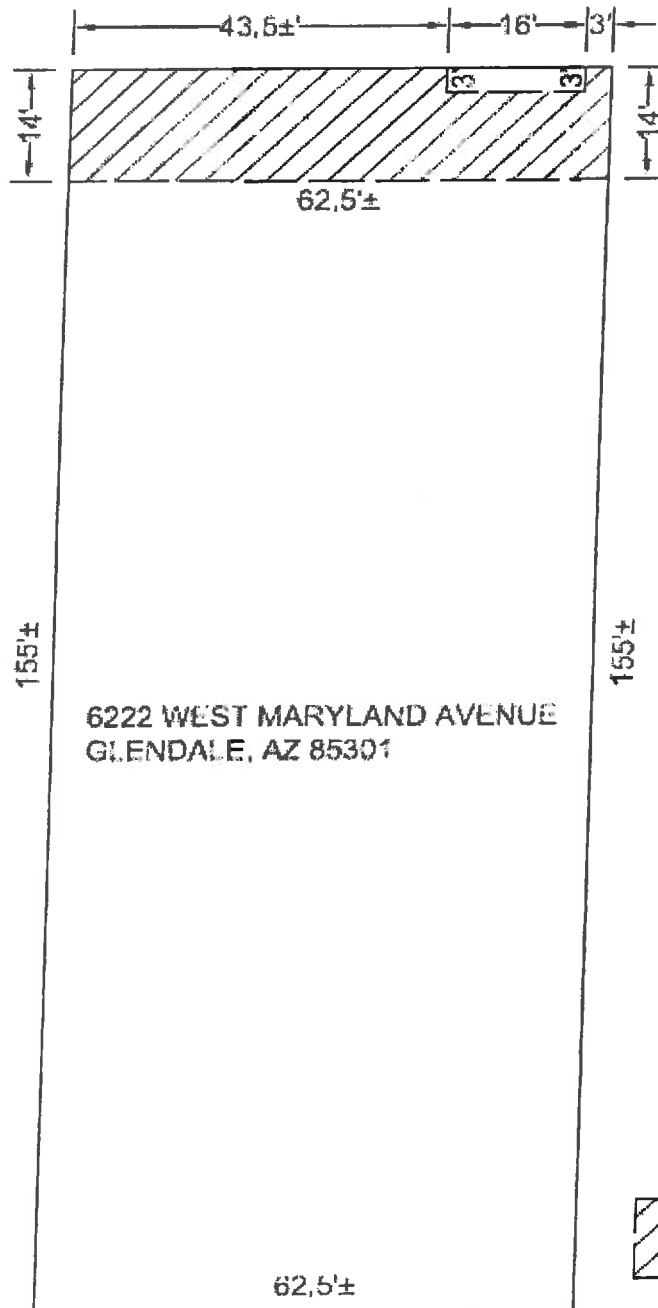
A Portion of

(THE) SOUTH ONE HALF OF (THE) WEST ONE FIFTH OF (THE) EAST FIVE TENTHS OF (THE) SOUTH ONE HALF OF LOT 3, OF BLOCK EIGHT OF ORCHARD ADDITION TO GLENDALE, BOOK 3 OF MAPS, PAGE 30 (MCR).

DESCRIBED AS FOLLOWS:

The North 14 feet thereof.

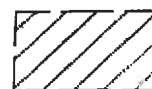
EXCEPT the West 16 feet of the East 19 feet of the North 3 feet of the said North 14 feet.



EXPIRES 6/30/16



LEGEND



SEWER  
EASEMENT

MARYLAND AVENUE





**6222 W MARYLAND AVE  
NEW SEWER EASEMENT  
SEWER & MANHOLE REHABILITATION PHASE IV  
CIP # 131419**



## EXHIBIT 6

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, **ROBERT ALAN LANE AS TRUSTEE OF THE ROBERT LANE REVOCABLE TRUST DATED Jan 29, 2010 and successor trustees thereto**, do hereby convey to the City of Glendale, an Arizona Municipal Corporation, an easement to install, repair, operate, maintain and remove a sewer 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 \_\_\_\_\_, 20\_\_.

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

By: \_\_\_\_\_  
Signer: (Robert Alan Lane)  
Its: (Trustee)

STATE OF ARIZONA     )  
County of Maricopa    ) ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_  
by (Robert Alan Lane, AS TRUSTEE OF THE ROBERT LANE REVOCABLE TRUST DATED  
Jan 29, 2010), who acknowledged that he executed this instrument for the purposes therein contained.

My commission expires:

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

6214 West Maryland, #B  
Glendale, Arizona 85301

# EXHIBIT "A"

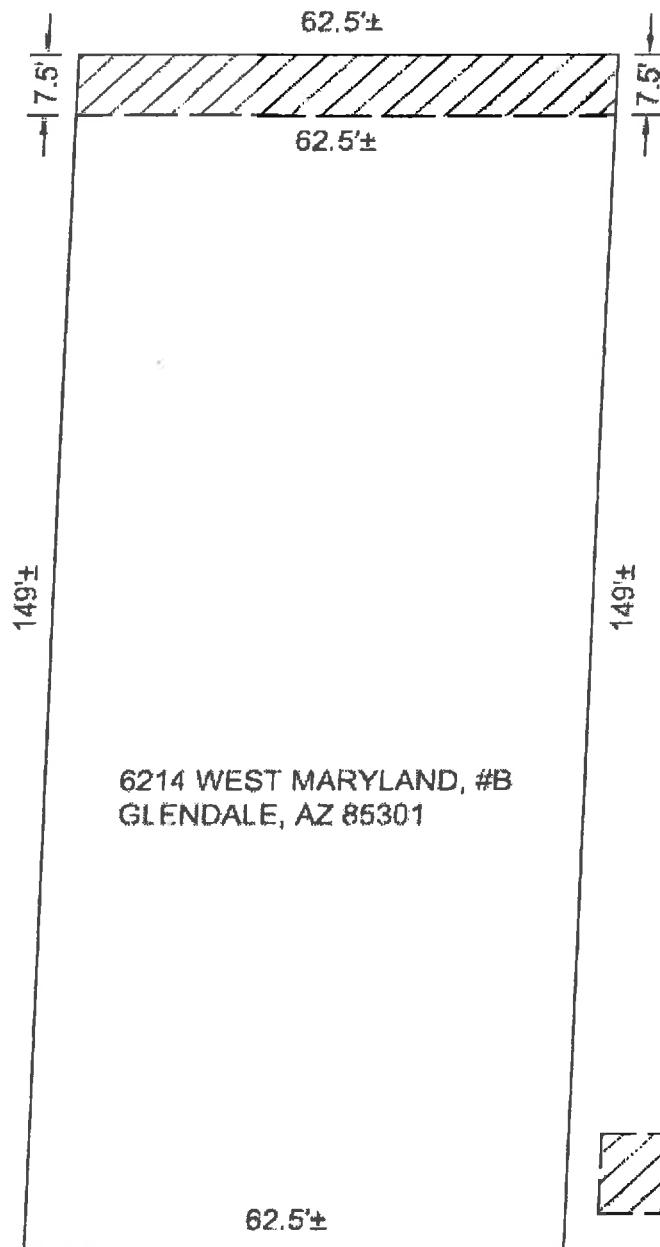
A Portion of

The West one-third ( $1/3$ ) of the East three-tenths ( $3/10$ ) of the South 149.00 feet of Lot 3, Block 8, ORCHARD ADDITION TO GLENDALE, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 3 of Maps, Page 30.

Subject to a public utility easement over and across the North 8 feet thereof.

DESCRIBED AS FOLLOWS:

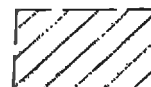
The North 7.5 feet thereof.



EXPIRES 6/30/16



## LEGEND



SEWER  
EASEMENT

MARYLAND AVENUE





**6214 W MARYLAND AVE #B  
NEW SEWER EASEMENT  
SEWER & MANHOLE REHABILITATION PHASE IV  
CIP # 131419**



## EXHIBIT 7

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, **MARK E. LAWLER, an unmarried man**, do hereby convey to the City of Glendale, an Arizona Municipal Corporation, an easement to install, repair, operate, maintain and remove a sewer 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 \_\_\_\_\_, 20\_\_.

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

By: \_\_\_\_\_  
Signer: **(Mark E. Lawler)**  
Its: **(Grantor)**

STATE OF ARIZONA     }  
County of Maricopa    } ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_  
by **(Mark E. Lawler, an unmarried man, Grantor)**, who acknowledged that he executed this instrument  
for the purposes therein contained.

My commission expires:

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

6202 WEST MARYLAND AVENUE  
GLENDALE, AZ 85301

EXHIBIT "A"

A Portion of

THE EAST ONE-TENTH OF SOUTH HALF OF LOT 3, BLOCK 8, ORCHARD ADDITION TO GLENDALE, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 3 OF MAPS, PAGE 30;

EXCEPT THE NORTH 145 FEET OF THE EAST ONE-TENTH OF THE SOUTH HALF OF SAID LOT 3; AND

EXCEPT THE EAST 10 FEET THEREOF.

DESCRIBED AS FOLLOWS:

The South 20 feet of the North 24 feet thereof;

Except the West 38.5 feet of the East 49 feet of the South 8 feet of the said South 20 feet of the North 24 feet.



EXPIRES 6/30/16



62ND AVENUE

6202 WEST MARYLAND AVENUE  
GLENDALE, AZ 85301

LEGEND



SEWER  
EASEMENT

MARYLAND AVENUE





**6202 W MARYLAND AVE  
NEW SEWER EASEMENT  
SEWER & MANHOLE REHABILITATION PHASE IV  
CIP # 131419**

