

# CITY CLERK ORIGINAL

OFFICIAL RECORDS OF  
MARICOPA COUNTY RECORDER  
HELEN PURCELL  
ELECTRONIC RECORDING  
20110893080,10/28/2011 11:17,  
EASMNTWHITKSSTRG-6-1-1--,N

WHEN RECORDED, RETURN TO:

City Clerk, City of Glendale  
5850 West Glendale Avenue, Suite 455  
Glendale, Arizona 85301

C-7791-1  
09/22/2011

## WATERLINE EASEMENT

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, **WHITE TANKS STORAGE, INC., an Arizona corporation, also shown of record as WHITE TANK STORAGE, INC., an Arizona corporation** ("Grantor"), does hereby give, grant and convey to **CITY OF GLENDALE**, an Arizona municipal corporation, and its successors and assigns (collectively, "Grantee"), a perpetual easement and a free, uninterrupted and unobstructed right of way to install, construct, operate, maintain, inspect, repair, replace and add to water lines, attached facilities, including laterals and connections for the distribution of water, and appurtenant facilities (collectively, "Grantee's Facilities") upon, across, above and under the surface of the premises hereinafter described.

The property of Grantor subject to the easement and right of way granted herein is more particularly described in Instrument No. 10-0535961, Records of Maricopa County, Arizona, ("Grantor's Premises"). The easement and right of way granted herein encompass the premises described in Exhibits A, A1, B and B1 attached hereto and by this reference made a part hereof.

Together with the right to Grantee, either using its own personnel or contractors, to (i) enter in and upon the easement and right of way granted herein with personnel and machinery, vehicles and material at any and all times to install, operate, repair, replace, maintain, remove and add to Grantee's Facilities, (ii) remove trees, bushes, undergrowth and other obstructions interfering with Grantee's enjoyment of its rights granted herein, and (iii) do anything necessary, useful or convenient for the enjoyment of its rights granted herein, with access to and egress from the easement granted herein to permit normal operations of Grantee in connection with Grantee's Facilities. Grantee will have unrestricted access to the easement granted herein for activities described above and formal notification of or approval by any entity or association prior to accessing the easement will not be required. Grantor acknowledges that Grantee's Facilities are or will be above and below ground and that the installation, construction, maintenance, repair and replacement of, or addition to, Grantee's Facilities may require the use of heavy equipment by Grantee. Additionally, these facilities may require maintenance and/or repair anytime, day or night.

The right of Grantor to freely use and enjoy its interest in the premises is reserved to Grantor, its successors and assigns insofar as the exercise thereof does not endanger or interfere with Grantee's exercise of its rights under this Easement or with Grantee's Facilities located within the easement granted hereby. Without limiting the generality of the foregoing, Grantor shall have the right to construct and erect fences, to install landscaping, parking facilities and driveways, and to establish other uses which are not inconsistent with Grantee's uses within the limits of the easement granted herein and in a manner which will not unreasonably interfere with Grantee's rights granted under this Easement. Notwithstanding the foregoing, (i) Grantor shall not erect or construct or permit to be erected or constructed any building, structure or similar improvement within the limits of the easement granted herein, (ii) Grantor shall not, nor permit, the grade over Grantee's facilities to be substantially altered without, in each instance, the prior written consent of Grantee, and (iii) Grantor agrees that no other pipes or conduits shall be placed within the premises subject to the easement granted herein, except pipes crossing Grantee's Facilities at right angles, in which case, a minimum vertical distance of two (2) feet (as measured from the closest points on the outside edges) shall be maintained between Grantee's Facilities and such other pipes or conduits. Unless Grantee's expressly consents in writing otherwise, any and all sewer pipes crossing the easement granted herein shall be laid below Grantee's Facilities.



**EXHIBIT "A"****LEGAL DESCRIPTION FOR  
NEW WATERLINE EASEMENT**

That portion of a certain property described in Instrument No. 10-0535961, records of Maricopa County, Arizona, said property lying within the Northwest quarter of Section 1, Township 2 North, Range 2 West, of the Gila and Salt River Meridian, Maricopa County, Arizona, said portion being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 1 (brass cap in handhole) from which the North quarter corner of said Section 1 (aluminum cap flush) bears South 89°48'26" East, 2633.29 feet;

thence South 89°48'26" East, 1355.75 feet along the North line of said Northwest quarter of Section 1;

thence departing said North line South 00°11'34" West, 65.00 feet to the South right of way of West Northern Avenue and the Northeast corner of a 40.00 foot Ingress and Egress easement set forth as "PARCEL NO. 2" in Instrument No. 08-0848861, records of Maricopa County, Arizona;

thence departing said South right of way South 00°54'20" West, 731.96 feet along the East line of said 40.00 foot Ingress and Egress easement to the POINT OF BEGINNING;

thence departing said East line South 89°48'14" East, 960.91 feet to the proposed westerly right of way of State Route 303 (S.R. 303);

thence South 06°55'15" East, 12.09 feet along said proposed westerly right of way to a southerly line of said certain property;

thence departing said proposed right of way North 89°48'14" West, 962.56 feet along said southerly line to the Southeast corner of said 40.00 foot Ingress and Egress easement;

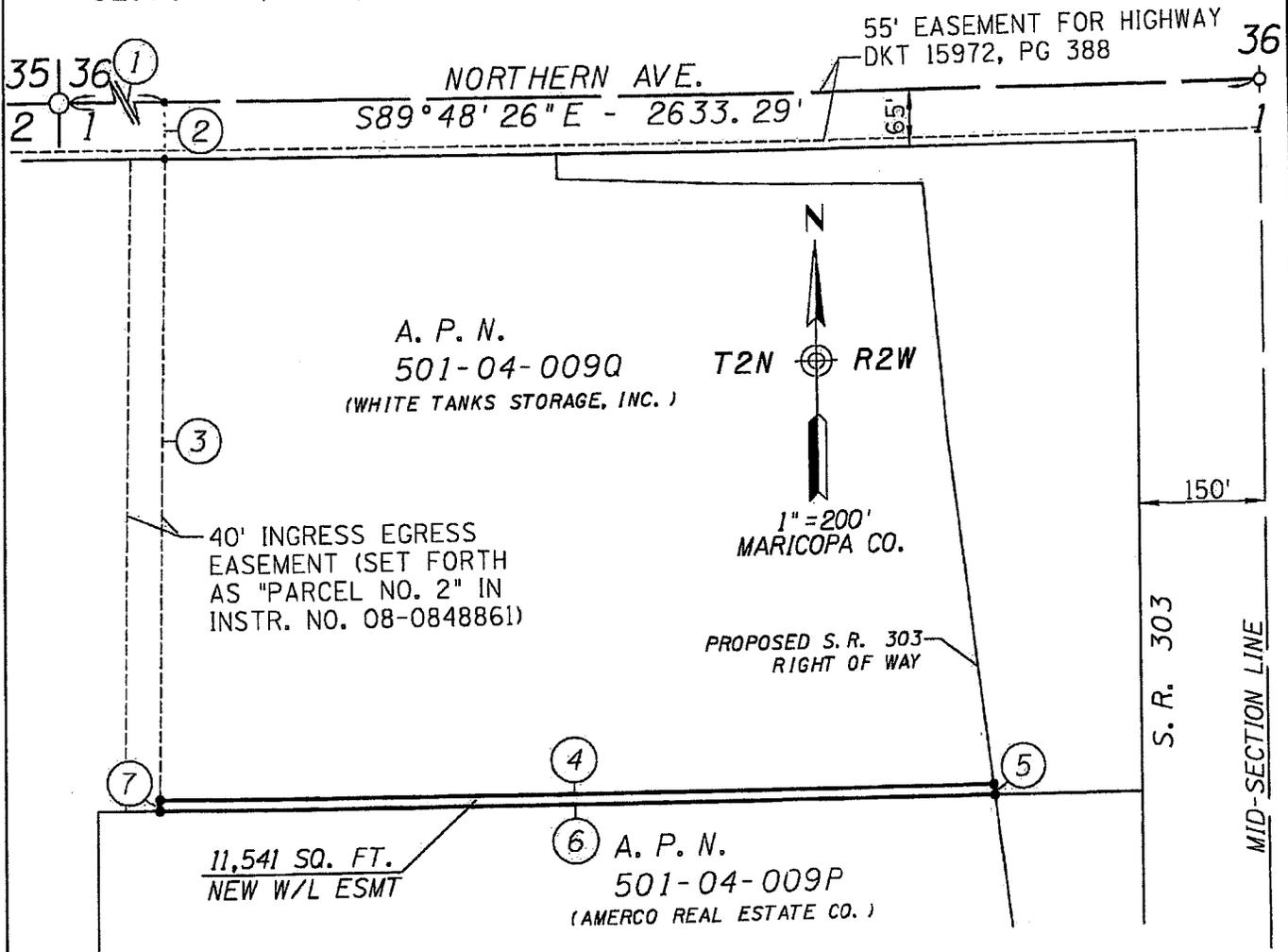
thence departing said southerly line North 00°54'20" East, 12.00 feet along said East line of 40.00 foot Ingress and Egress easement to the POINT OF BEGINNING.

Said New Waterline Easement contains 11,541 square feet or 0.2649 acres more or less.



# EXHIBIT A1 NEW WATERLINE EASEMENT

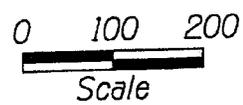
THAT PORTION OF A CERTAIN PROPERTY DESCRIBED IN INSTR. NO. 10-0535961  
RECORDS OF MARICOPA COUNTY, ARIZONA, LYING WITHIN THE NW4 OF  
SECTION 1, T2N, R2W, OF THE G&SRM, MARICOPA COUNTY, ARIZONA



11,541 SQ. FT.  
NEW W/L ESMT

### DATA TABLE

1	S89°48'26"E	1355.75'
2	S00°11'34"W	65.00'
3	S00°54'20"W	731.96'
4	S89°48'14"E	960.91'
5	S06°55'15"E	12.09'
6	N89°48'14"W	962.56'
7	N00°54'20"E	12.00'



1



7720 North 16th Street  
Suite 100 - Phoenix, AZ  
85020 - 602.371.1100

GLENDALE ONBOARD TRANSPORTATION PROGRAM  
NORTHERN AVE. & S.R. 303

**EXHIBIT "B"****LEGAL DESCRIPTION FOR  
NEW WATERLINE EASEMENT**

That portion of a certain property described in Instrument No. 10-0535961, records of Maricopa County, Arizona, said property lying within the Northwest quarter of Section 1, Township 2 North, Range 2 West, of the Gila and Salt River Meridian, Maricopa County, Arizona, said portion being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 1 (brass cap in handhole) from which the North quarter corner of said Section 1 (aluminum cap flush) bears South 89°48'26" East, 2633.29 feet;

thence South 89°48'26" East, 1355.75 feet along the North line of said Northwest quarter of Section 1;

thence departing said North line South 00°11'34" West, 65.00 feet to the South right of way of West Northern Avenue and the Northeast corner of a 40.00 foot Ingress and Egress easement set forth as "PARCEL NO. 2" in Instrument No. 08-0848861, records of Maricopa County, Arizona;

thence departing said South right of way South 00°54'20" West, 731.96 feet along the East line of said 40.00 foot Ingress and Egress easement to the POINT OF BEGINNING;

thence continuing South 00°54'20" West, 12.00 feet along said East line to the Southeast corner of said 40.00 foot Ingress and Egress easement and a southerly line of said certain property described in Instrument No. 10-0535961;

thence North 89°48'14" West, 21.38 feet along the line common to said South line of a 40.00 foot Ingress and Egress easement and said southerly line of certain property;

thence departing said common line North 00°14'40" East, 12.00 feet;

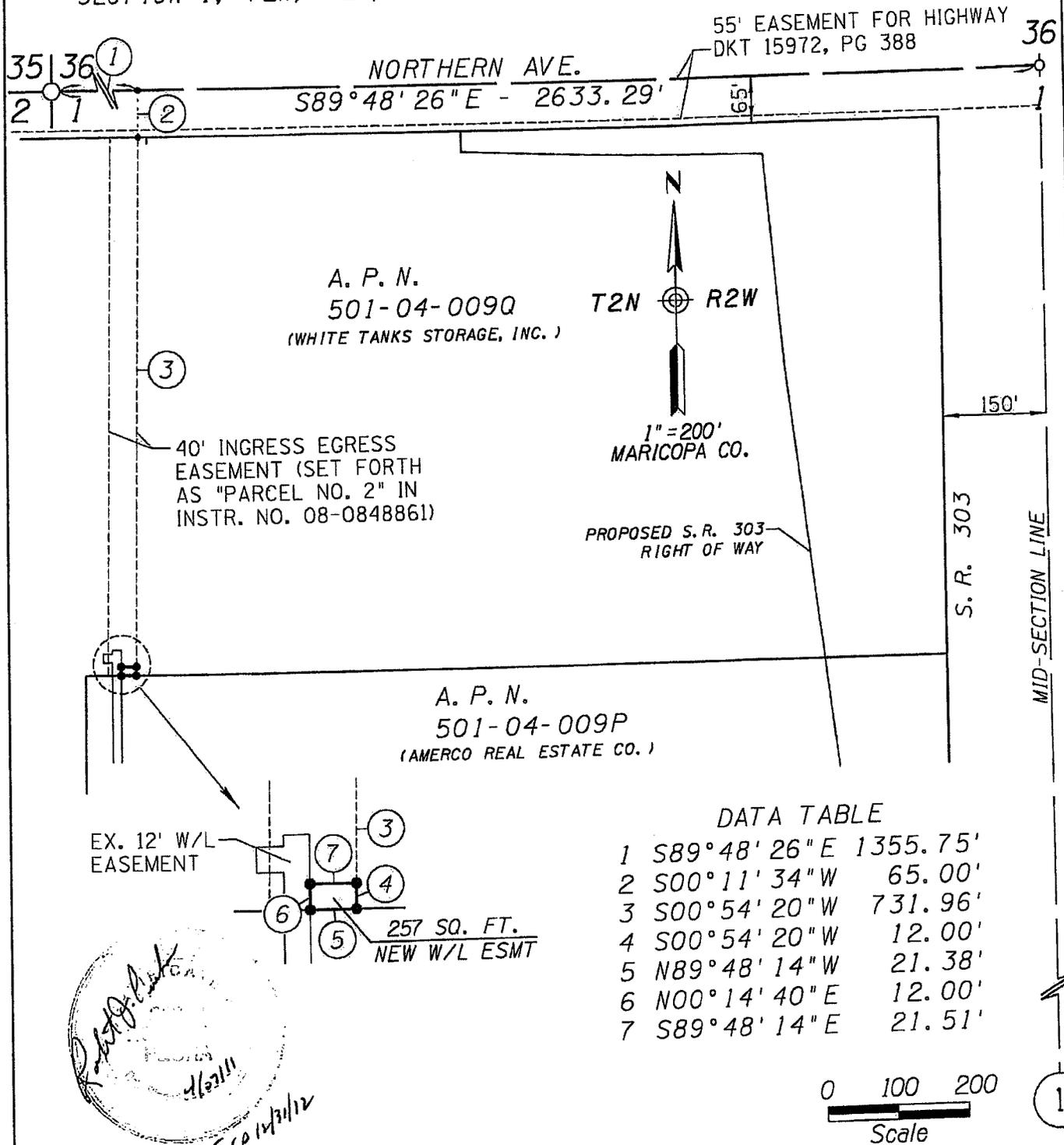
thence South 89°48'14" East, 21.51 feet to the POINT OF BEGINNING.

Said New Waterline Easement contains 257 square feet or 0.0059 acres more or less.



# EXHIBIT B1 NEW WATERLINE EASEMENT

THAT PORTION OF A CERTAIN PROPERTY DESCRIBED IN INSTR. NO. 10-0535961  
RECORDS OF MARICOPA COUNTY, ARIZONA, LYING WITHIN THE NW4 OF  
SECTION 1, T2N, R2W, OF THE G&SRM, MARICOPA COUNTY, ARIZONA



*Part of Plot*  
4/2/11  
EFP 12/31/12



7720 North 16th Street  
Suite 100 - Phoenix, AZ  
85020 - 602.371.1100

GLENDALE ONBOARD TRANSPORTATION PROGRAM  
NORTHERN AVE. & S.R. 303