

**CITY CLERK
ORIGINAL**

C-7902
01/10/2012

NE 7, T2N, R1E
APN – 102-59-001W & 102-59-008Y
W500922
JNJ

UTILITY EASEMENT

THE CITY OF GLENDALE, AN ARIZONA MUNICIPAL CORPORATION, (hereinafter called "Grantor"), is the owner of the following described real property located in Maricopa County, Arizona (hereinafter called "Grantor's Property"):

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Grantor, for and in consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant to **ARIZONA PUBLIC SERVICE COMPANY**, an Arizona corporation, (hereinafter called "Grantee"), and to its successors and assigns, a non-exclusive right, privilege, and easement at locations and elevations, in, upon, over, under, through and across, a portion of Grantor's Property described as follows (herein called the "Easement Premises"):

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

Grantee is hereby granted the right to: construct, reconstruct, replace, repair, operate and maintain electrical lines, together with appurtenant facilities and fixtures for use in connection therewith, for the transmission and distribution of electricity to, through, across, and beyond Grantor's Property; install, operate and maintain telecommunication wires, cables, conduits, fixtures and facilities solely for Grantee's own use incidental to supplying electricity (said electrical and telecommunication lines, facilities and fixtures collectively herein called "Grantee Facilities"); and utilize the Easement Premises for all other purposes connected therewith.

Grantee is also granted the right of ingress and egress to and from said Easement Premises; the right to use existing roads; and the right, but not the obligation, to trim, prune, cut, and clear away trees, brush, shrubs, or other vegetation on, or adjacent to, the Easement Premises whenever in Grantee's judgment the same shall be necessary for the convenient and safe exercise of the rights herein granted.

SUBJECT TO the following conditions:

1. Grantor agrees no buildings, structures, fences, or trees not existing as of the date of this easement shall be placed upon, over, or under the Easement Premises, except for street, road or driveway purposes, nor other easements granted, that would interfere with Grantee's exercise of rights herein granted.

2. Pursuant to the provisions of the Homeland Security Act, access to the Easement Premises may be restricted. Grantee's employees or authorized contractors will be required to notify the Grantor of planned inspections, repairs, or outages during normal business hours and must provide identification. Emergency access shall be freely given upon authentication by Grantee's employees' or authorized contractors' authorization and identity.
3. Grantee agrees to perform all work with due care in the exercise of its rights on the property and to restore it to reasonably the same condition that existed before the work was performed.
4. Grantee shall bear all costs and expenses related to the operation and maintenance of its facilities, including any subsequent relocation caused or requested by Grantor, in the event that Grantor or other governmental authority requires such relocation to accommodate necessary improvements to Grantor's property.
5. By accepting and recording this easement and except as provided above, Grantee agrees to defend, indemnify and hold harmless Grantor, its agents, representatives, officers, directors, officials, and employees from and against all claims, direct damages, losses and expenses, including, but not limited to, reasonable attorney fees, court costs, reasonable expert witness fees, and the reasonable costs of appellate proceedings, relating to or arising from Grantee's acts, errors or omissions in the exercise of the rights herein granted and excluding any such claims, damages, losses or expenses arising from any willful, negligent, or intentional acts of Grantor.

Grantor shall maintain a clear area that extends 2 feet from and around all edges of all transformer pads and other equipment pads, 3 feet from and around all edges of all switching cabinet pads and a clear operational area that extends 10 feet immediately in front of all transformer, switching cabinet and other equipment openings.

Grantor reserves the right to use the Easement Premises for purposes that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities, including, without limitation, granting others the right to use all or portions of the Easement Premises for utility or roadway purposes and constructing improvements within the Easement Premises such as paving, sidewalks, landscaping, and curbing. Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface grade of the Easement Premises, and in no event shall a change in the grade compromise Grantee's minimum cover requirements or interfere with Grantee's operation, maintenance or repair.

The easement granted herein shall not be deemed abandoned except upon Grantee's execution and recording of a formal instrument abandoning the easement.

The covenants and agreements herein set forth shall extend and inure in favor and to the benefit of, and shall be binding on the heirs, administrators, executors, successors in ownership and estate, assigns and lessees of Grantor and Grantee.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK.]

IN WITNESS WHEREOF, the City of Glendale, an Arizona municipal corporation, has caused this easement to be executed by its duly authorized representative(s), this 10th day of

January, ~~2011~~
2012

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

THE CITY OF GLENDALE,
an Arizona municipal corporation

Horatio Skeete
Ed Beasley, City Manager

APPROVED AS TO FORM:

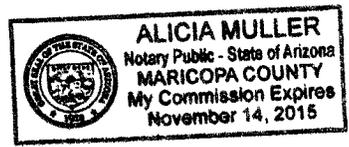
Craig Tindall
Craig Tindall, City Attorney

ATTEST:

Pamela Hanna
Pamela Hanna, City Clerk

STATE OF ARIZONA)
)ss.
County of Maricopa)

This instrument was acknowledged before me this 12th day of January, 20 12 by Horatio Skeete as Assistant City Manager on behalf of the City of Glendale.



Alicia Muller
Notary Public

My Commission Expires:
11-14-15

EXHIBIT "A"

That portion of Section 7, Township 2 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the Northeast corner of said Section 7;

Thence South 01° 30' 16" West along the East line of said Section 7 a distance of 33.00 feet to a point on the South right-of-way line of Glendale Avenue, said point being the TRUE POINT OF BEGINNING.

Thence continuing South 01° 30' 16" West along said East line a distance of 890.84 feet;

Thence South 26° 13' 56" West a distance of 2,667.45 feet;

Thence 87° 39' 23" West a distance of 1,870.34 feet;

Thence North 31° 51' 48" East a distance of 998.83 feet;

Thence North 01° 00' 03" East a distance of 743.76 feet;

Thence South 63° 46' 04" East a distance of 292.58 feet;

Thence North 26° 13' 56" East a distance of 1,755.60 feet;

Thence North 00° 43' 56" East a distance of 341.36 feet to a point on said South right-of-way line of Glendale Avenue;

Thence South 89° 16' 04" East along said South right-of-way line a distance of 300.00 feet;

Thence South 00° 43' 56" West a distance of 341.36 feet;

Thence South 63° 46' 04" East a distance of 539.21 feet;

Thence North 26° 13' 56" East a distance of 635.40 feet to a point on said South right-of-way line;

Thence South 89° 16' 04" East along said South right-of-way line a distance of 428.02 feet to the TRUE POINT OF BEGINNING.

(EXHIBIT "A", CONTINUED)

AND ALSO:

That portion of Section 7 and 18, Township 2 North, Range 1 East of the Gila and Salt River Base and meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the Northwest corner of Section 7;

Thence South $00^{\circ}30'16''$ West along the East line of said Section 7, a distance of 923.84 feet;

Thence South $26^{\circ}13'56''$ West a distance of 2667.45 feet to the TRUE POINT OF BEGINNING;

Thence continuing South $26^{\circ}13'56''$ West a distance of 1973.48 feet to a point on the North line of said Section 18, said point bearing South $87^{\circ}39'23''$ West a distance of 1972.88 feet from the Northeast corner of said Section 18;

Thence continuing South $26^{\circ}13'56''$ West a distance of 1498.94 feet to a point on the North-South mid-section line of said Section 18;

Thence South $00^{\circ}22'04''$ West along said mid-section line a distance of 1317.82 feet to the center of said Section 18;

Thence South $87^{\circ}40'14''$ West along the East-West mid-section line of Said Section 18 a distance of 1179.35 feet;

Thence North $00^{\circ}17'11''$ East, a distance of 2635.16 feet to a point on the North line of said Section 18, said point bearing North $87^{\circ}39'23''$ East a distance of 1358.37 feet from the Northwest corner of said Section 18;

Thence continuing North $00^{\circ}17'11''$ East a distance of 421.28 feet;

Thence North $31^{\circ}51'48''$ East a distance of 1586.73 feet;

Thence North $87^{\circ}39'23''$ East a distance of 1870.34 feet to the TRUE POINT OF BEGINNING.

EXHIBIT "B"

An easement situate in a portion of that property described at Instrument No. 1983-0522847, Maricopa County Recorder's Office, Maricopa County, Arizona, also being a portion of the East half of Section 7, Township 2 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona.

Commencing at a brass cap in Handhole marking the Northeast corner of Section 7, from which the North quarter corner of said Section 7, bears as the basis of bearings North $89^{\circ}16'04''$ West, a distance of 2639.98 feet:

Thence South $01^{\circ}30'16''$ West along said easterly line a distance of 33.00 feet, to the Southerly right of way line of Glendale Avenue and to the Northeast corner of said property;

Thence continuing South $01^{\circ}31'16''$ West, along the easterly line of said Section 7, a distance of 890.84 feet;

Thence South $26^{\circ}13'56''$ West, a distance of 2667.45 feet;

Thence South $87^{\circ}39'23''$ West, a distance of 1751.42 feet to the Point of Beginning of said easement.

Thence South $87^{\circ}39'23''$ West, along the southerly property line of said property, a distance of 11.38 feet;

Thence North $26^{\circ}15'04''$ East, a distance of 909.36 feet;

Thence North $31^{\circ}51'48''$ East, a distance of 33.38 feet;

Thence North $01^{\circ}00'03''$ East, a distance of 4.75 feet;

Thence North $25^{\circ}02'44''$ East, a distance of 395.94 feet;

Thence North $26^{\circ}14'09''$ East, a distance of 1418.96 feet;

Thence North $24^{\circ}37'04''$ East, a distance of 508.58 feet;

Thence North $26^{\circ}13'56''$ East, a distance of 100.92 feet;

Thence North $00^{\circ}43'56''$ East, a distance of 7.02 feet;

Thence North $24^{\circ}37'04''$ East, a distance of 141.31 feet to the beginning of a non-tangent curve, concave northwesterly, whose radius point bears North $65^{\circ}19'08''$ West, a distance of 420.99 feet;

Thence northeasterly along said curve to the left, through a central angle of $12^{\circ}43'26''$, an arc distance of 93.49 feet to the beginning of a non-tangent compound curve, concave westerly, whose radius point bears North $68^{\circ}12'52''$ West, a distance of 53.65 feet;

Thence northwesterly along said curve to the left, through a central angle of $65^{\circ}34'03''$, an arc distance of 61.40 feet to a point of non-tangency;

Thence North $46^{\circ}12'57''$ East, a distance of 10.00 feet to beginning of a non-tangent curve, concave westerly, whose radius point bears South $46^{\circ}12'57''$ West, a distance of 63.65 feet;

Thence southeasterly along said curve to the right, through a central angle of $64^{\circ}45'56''$, an arc distance of 71.95 feet to the beginning of a non-tangent compound curve, concave westerly, whose radius point bears North $77^{\circ}56'03''$ West, a distance of 430.99 feet;

Thence southwesterly along said curve to the right, through a central angle of $12^{\circ}36'49''$, an arc distance of 94.88 feet to a point of non-tangency;

Thence South $24^{\circ}37'04''$ West, a distance of 38.97 feet;

Thence South $78^{\circ}32'29''$ East, a distance of 177.83 feet;

Thence South $82^{\circ}51'05''$ East, a distance of 31.95 feet;

Thence South $87^{\circ}06'11''$ East, a distance of 32.00 feet;

Thence North $86^{\circ}19'14''$ East, a distance of 11.00 feet;

Thence South $00^{\circ}43'56''$ West, a distance of 8.02 feet;

Thence South $86^{\circ}19'14''$ West, a distance of 10.85 feet;

Thence North $87^{\circ}06'11''$ West, a distance of 32.76 feet;

Thence North 82°51'05" West, a distance of 32.55 feet;
Thence North 78°32'29" West, a distance of 180.00 feet;
Thence South 24°37'04" West, a distance of 710.00 feet;
Thence South 26°14'14" West, a distance of 544.89 feet;
Thence South 63°27'13" East, a distance of 64.69 feet;
Thence South 26°32'47" West, a distance of 8.00 feet;
Thence North 63°27'13" West, a distance of 64.69 feet;
Thence South 26°14'05" West, a distance of 866.35 feet;
Thence South 25°04'03" West, a distance of 308.71 feet;
Thence South 63°49'31" East, a distance of 37.68 feet;
Thence South 26°10'29" West, a distance of 8.00 feet;
Thence North 63°49'31" West, a distance of 37.49 feet;
Thence South 26°12'04" West, a distance of 587.41 feet;
Thence South 60°42'42" East, a distance of 135.81 feet;
Thence South 29°17'18" West, a distance of 8.00 feet;
Thence North 60°42'42" West, a distance of 135.00 feet;
Thence South 26°15'04" West, a distance of 425.20 feet to the Point of Beginning of said easement.

(EXHIBIT "B", CONTINUED)

AND ALSO:

An easement situate in a portion of that property described at Instrument No. 1983-0522846, Maricopa County Recorder's Office, Maricopa County, Arizona, also being a portion of the East half of Section 7, Township 2 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona.

Commencing at a brass cap in Handhole marking the Northeast corner of Section 7, from which the North quarter corner of said Section 7, bears as the basis of bearings North $89^{\circ}16'04''$ West, a distance of 2639.98 feet:

Thence South $01^{\circ}30'16''$ West along said easterly line a distance of 923.84 feet;

Thence South $26^{\circ}13'56''$ West a distance of 2667.45 feet to the Northeast corner of said property;

Thence South $87^{\circ}39'23''$ West, along the northerly property line of said property, a distance of 1751.42 feet to the Point of Beginning of said easement.

Thence South $26^{\circ}15'04''$ West, a distance of 375.66 feet;

Thence South $63^{\circ}35'05''$ East, a distance of 133.87 feet;

Thence South $26^{\circ}24'55''$ West, a distance of 8.00 feet;

Thence North $63^{\circ}35'05''$ West, a distance of 133.85 feet;

Thence South $26^{\circ}15'04''$ West, a distance of 672.20 feet;

Thence South $63^{\circ}44'56''$ East, a distance of 131.32 feet;

Thence South $29^{\circ}10'17''$ West, a distance of 9.82 feet to the beginning of a non-tangent curve, concave northwesterly, whose radius point bears North $61^{\circ}09'13''$ West, a distance of 63.34 feet;

Thence southwesterly along said curve to the right, through a central angle of $53^{\circ}55'17''$, an arc distance of 59.61 feet;

Thence North $83^{\circ}49'46''$ West, a distance of 22.52 feet;

Thence North $73^{\circ}11'07''$ West, a distance of 17.51 feet to the beginning of a non-tangent curve, concave southerly, whose radius point bears South $28^{\circ}25'56''$ West, a distance of 16.23 feet;

Thence southeasterly along said curve to the left, through a central angle of $56^{\circ}29'23''$, an arc distance of 16.01 feet;

Thence South $26^{\circ}13'36''$ West, a distance of 577.09 feet;

Thence South $25^{\circ}52'42''$ West, a distance of 173.75 feet to the beginning of a non-tangent curve, concave southeasterly, whose radius point bears South $66^{\circ}10'45''$ East, a distance of 1101.83 feet:

Thence Southerly along said curve to the left, though a central angle of $7^{\circ}41'47''$, an arc distance of 148.01 feet to the beginning of a non-tangent curve, concave southwesterly, whose radius point bears South $22^{\circ}17'54''$ West, a distance of 359.90 feet;

Thence westerly along said curve to the left, through a central angle of $18^{\circ}25'41''$, an arc distance of 115.76 feet;

Thence North $89^{\circ}52'42''$ West, a distance of 9.13 feet;

Thence North $00^{\circ}17'11''$ East along the easterly property line of said property, a distance of 8.00 feet;

Thence South $89^{\circ}52'42''$ East, a distance of 9.36 feet to the beginning of a non-tangent curve, concave southwesterly, whose radius point bears South $03^{\circ}49'45''$ West, a distance of 367.90 feet;

Thence easterly along said curve to the right, through a central angle of $16^{\circ}18'28''$, an arc distance of 104.71 feet to the beginning of a non-tangent curve, concave southeasterly, whose radius point bears South $73^{\circ}24'13''$ East, a distance of 1114.83 feet:

Thence Northerly along said curve to the right, though a central angle of $7^{\circ}13'28''$, an arc distance of 140.57 feet;

Thence North $25^{\circ}52'32''$ East, a distance of 174.30 feet;

Thence North $26^{\circ}13'36''$ East, a distance of 569.27 feet to the beginning of a non-tangent curve, concave southeasterly, whose radius point bears South $60^{\circ}10'22''$ East, a distance of 26.23 feet;

Thence northerly along said curve to the right, through a central angle of $86^{\circ}06'25''$, an arc distance of 39.43 feet;

Thence South $73^{\circ}11'07''$ East, a distance of 15.68 feet;

Thence South $83^{\circ}49'46''$ East, a distance of 20.36 feet to the beginning of a non-tangent curve, concave northwesterly, whose radius point bears North $08^{\circ}26'11''$ West, a distance of 53.34 feet;

Thence northeasterly along said curve to the left, through a central angle of $54^{\circ}09'54''$, an arc distance of 50.43 feet;

Thence North $63^{\circ}44'56''$ West, a distance of 130.88 feet;

Thence North $26^{\circ}15'04''$ East, a distance of 1058.40 feet;

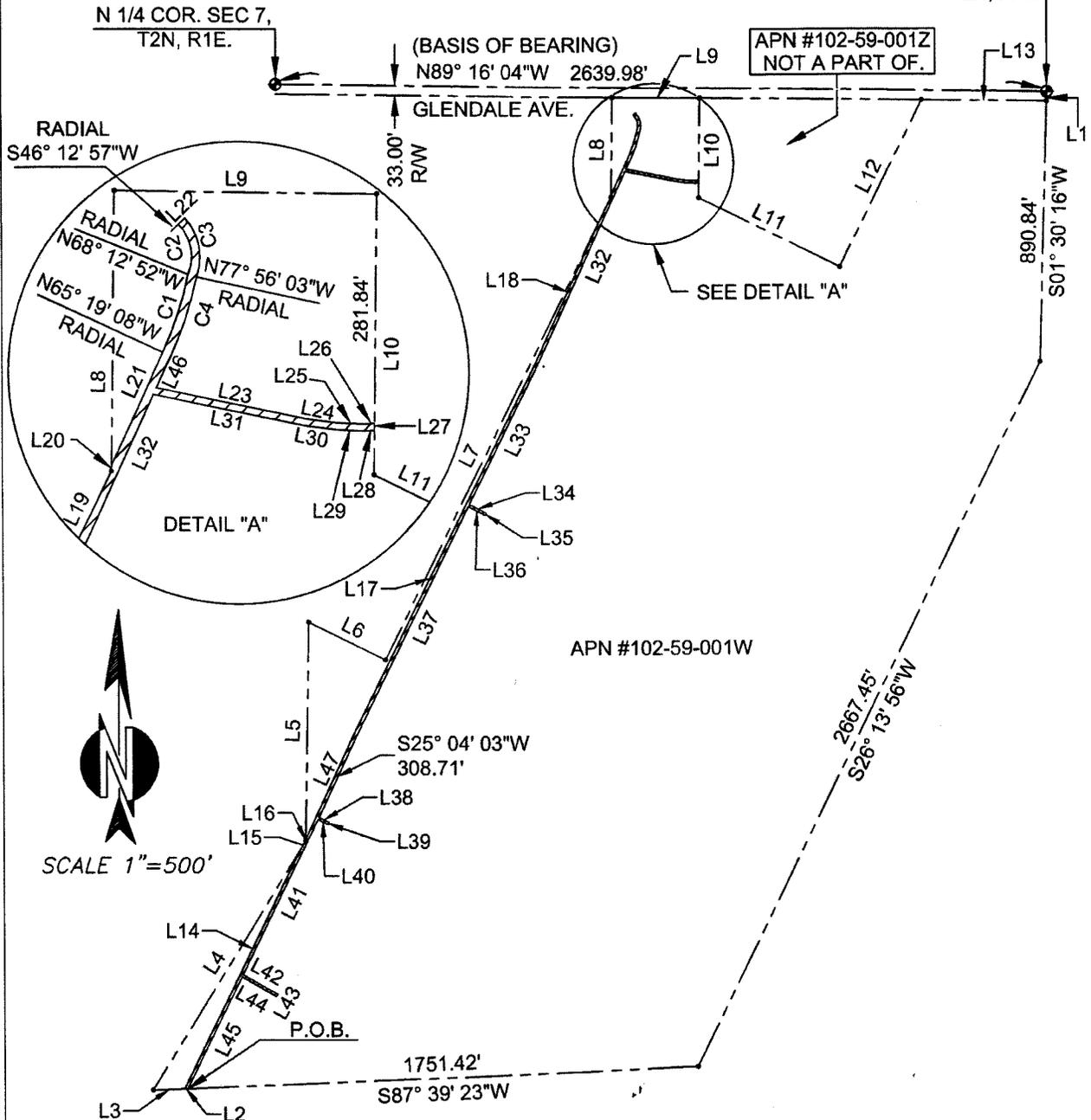
Thence North $87^{\circ}39'23''$ East along the northerly property line of said property, a distance of 11.38 feet to the Point of Beginning of said easement.

EXHIBIT "B"

PAGE 1 OF 5
EXHIBIT "B" SKETCH

SKETCH SHOWING LOCATION AND LIMITS OF
UTILITY EASEMENT

POINT OF COMMENCEMENT
NE COR. SEC 7,
T2N, R1E.



SCALE 1" = 500'

LEGEND	
	EASEMENT AREA
	ROAD CENTERLINE
	PROPERTY LINE
	PROPERTY CORNER
	POINT OF BEGINNING

JOB# W500922	DATE: 10/5/2011
E 1/2 SEC 07	T 2N R 1E
SCALE: 1" = 500'	
R/W: JOHNSON	
SURVEY: BOTT-JOHNSON	
DRAWN BY: JOHNSON	

EXHIBIT "B"

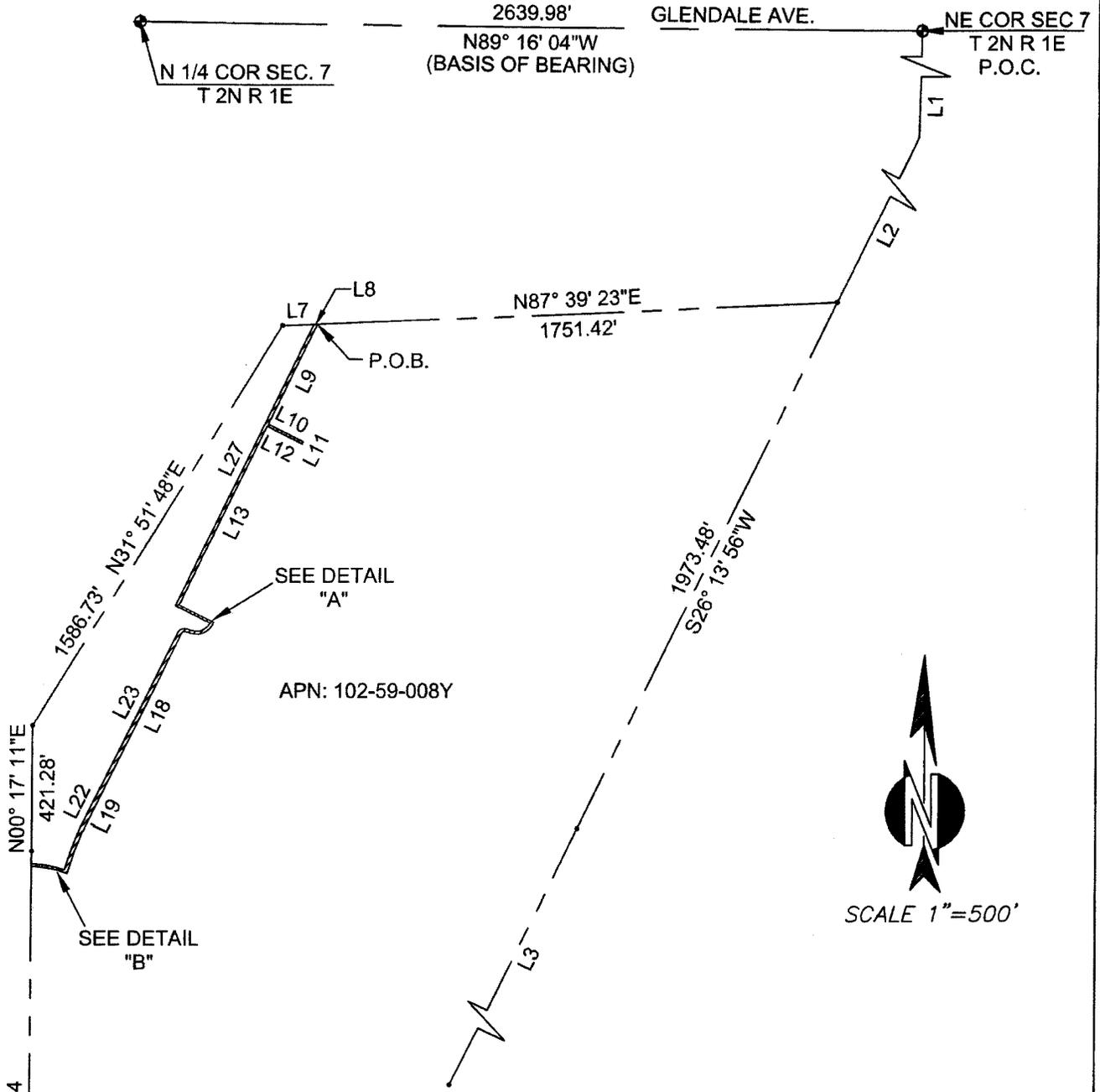
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S01°30'16"W	33.00'
L2	S87°39'23"W	11.38'
L3	N87°39'23"E	107.53'
L4	N31°51'48"E	965.45'
L5	N01°00'03"E	739.01'
L6	S63°46'04"E	292.58'
L7	N26°13'56"E	1654.68'
L8	N00°43'56"E	341.36'
L9	S89°16'04"E	300.00'
L10	S00°43'56"W	341.36'
L11	S63°46'04"E	539.21'
L12	N26°13'56"E	635.40'
L13	S89°16'02"E	428.02'
L14	N26°15'04"E	909.36'
L15	N31°51'48"E	33.38'
L16	N01°00'03"E	4.75'
L17	N26°14'09"E	1418.96'
L18	N24°37'04"E	508.58'
L19	N26°13'56"E	100.92'
L20	N00°43'56"E	7.02'

LINE TABLE		
LINE	BEARING	DISTANCE
L21	N24°37'04"E	141.31'
L22	N46°12'57"E	10.00'
L23	S78°32'29"E	177.83'
L24	S82°51'05"E	31.95'
L25	S87°06'11"E	32.00'
L26	N86°19'14"E	11.00'
L27	S00°43'56"W	8.02'
L28	S86°19'14"W	10.85'
L29	N87°06'11"W	32.76'
L30	N82°51'05"W	32.55'
L31	N78°32'29"W	180.00'
L32	S24°37'04"W	710.00'
L33	S26°14'14"W	544.89'
L34	S63°27'13"E	64.69'
L35	S26°32'47"W	8.00'
L36	N63°27'13"W	64.69'
L37	S26°14'05"W	866.35'
L38	S63°49'31"E	37.68'
L39	S26°10'29"W	8.00'
L40	N63°49'31"W	37.49'
L41	S26°12'04"W	587.41'
L42	S60°42'42"E	135.81'
L43	S29°17'18"W	8.00'
L44	N60°42'42"W	135.39'
L45	S26°15'04"W	425.20'
L46	S24°37'04"W	38.97'
L47	N25°02'44"E	395.94'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	420.99'	93.49'	12°43'26"
C2	53.65'	61.40'	65°34'03"
C3	63.65'	71.95'	64°45'56"
C4	430.99'	94.88'	12°36'49"

EXHIBIT "B"

SKETCH SHOWING LOCATION AND LIMITS OF
UTILITY EASEMENT



LEGEND	
	EASEMENT AREA
	ROAD CENTERLINE
	PROPERTY LINE
	PROPERTY CORNER
	P.O.C. POINT OF COMMENCEMENT
	P.O.B. POINT OF BEGINNING

JOB# W500922	DATE: 09/29/2011
E 1/2	SEC 07 T 2N R 1E
SCALE: 1" = 500'	
R/W: JOHNSON	
SURVEY: JOHNSON-BOTT	
DRAWN BY: JOHNSON	

EXHIBIT "B"

SKETCH SHOWING LOCATION AND LIMITS OF
UTILITY EASEMENT

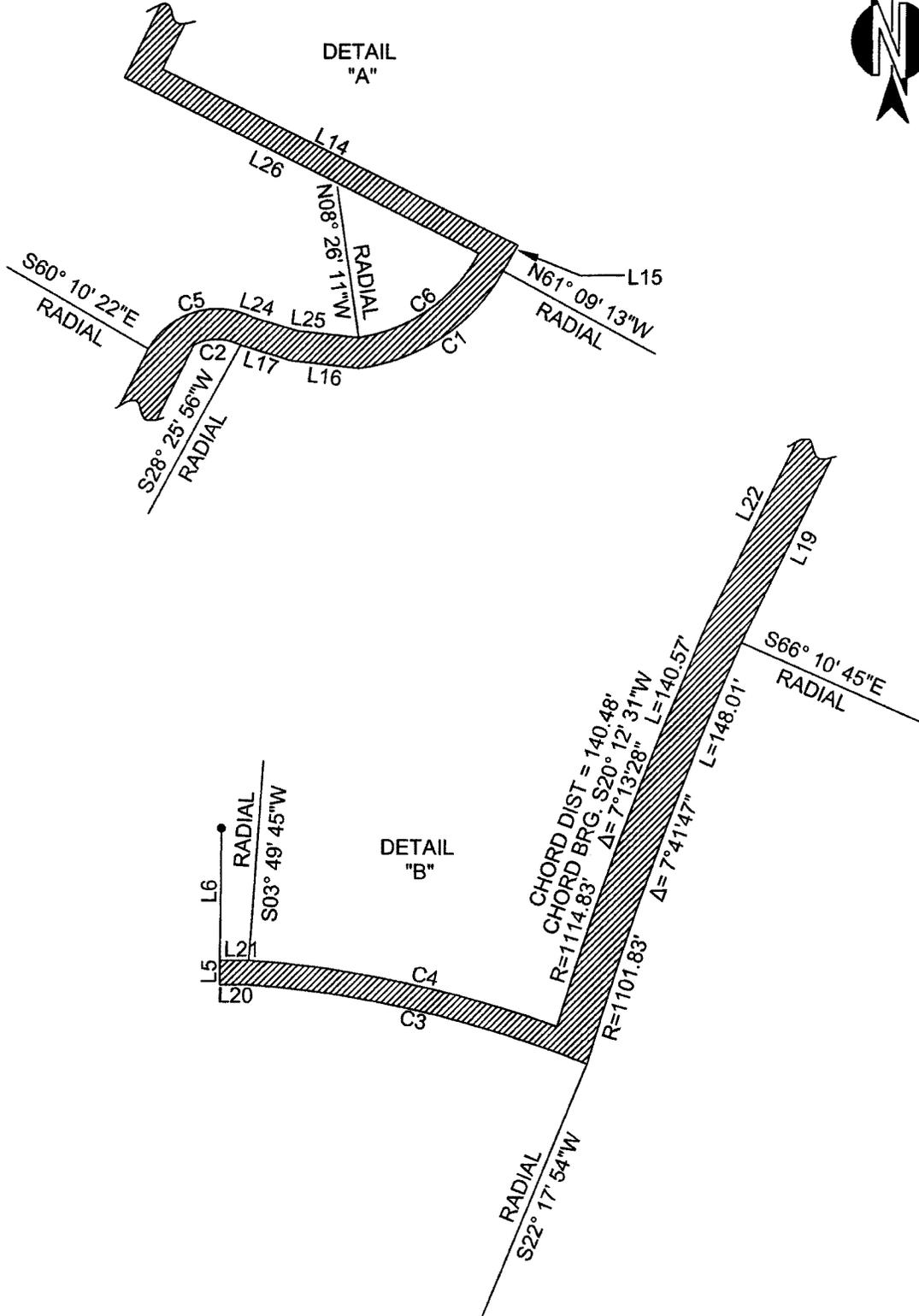


EXHIBIT "B"

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S01°30'16"W	923.84'
L2	S26°13'56"W	2667.45'
L3	S26°13'56"W	1498.94'
L4	N00°17'11"E	2583.68'
L5	N00°17'11"E	8.00'
L6	N00°17'11"E	43.48'
L7	N87°39'23"E	107.53'
L8	N87°39'23"E	11.38'
L9	S26°15'04"W	375.66'
L10	S63°35'05"E	133.87'
L11	S26°24'55"W	8.00'
L12	N63°35'05"W	133.85'
L13	S26°15'04"W	672.20'
L14	S63°44'56"E	131.32'
L15	S29°10'17"W	9.82'
L16	N83°49'46"W	22.52'
L17	N73°11'07"W	17.51'
L18	S26°13'36"W	577.09'
L19	S25°52'42"W	173.75'
L20	N89°52'42"W	9.13'

LINE TABLE		
LINE	BEARING	DISTANCE
L21	S89°52'42"E	9.36'
L22	N25°52'32"E	174.30'
L23	N26°13'36"E	569.27'
L24	S73°11'07"E	15.68'
L25	S83°49'46"E	20.36'
L26	N63°44'56"W	130.88'
L27	N26°15'04"E	1058.40'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	63.34'	59.61'	53°55'17"
C2	16.23'	16.01'	56°29'23"
C3	359.90'	115.76'	18°25'41"
C4	367.90'	104.71'	16°18'28"
C5	26.23'	39.43'	86°06'25"
C6	53.34'	50.43'	54°09'54"