

**CITY CLERK
ORIGINAL**

**C-8047
05/22/2012**

CITY OF GLENDALE, ARIZONA

AGREEMENT C- 8047

(Assignment of Easement)

(PLEASE DO NOT REMOVE ~ THIS IS PART OF THE OFFICIAL DOCUMENT)

**OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER**

HELEN PURCELL

2012-0733202 08/16/2012 02:36p

AE_F00002-6-1-1- sarabiam

When recorded, Interoffice Mail to:
Maricopa County Public Works
Real Estate Division [GL]

EXEMPT ARS 11-1134, A3

Resolution FCD#98-12 98-12A

ASSIGNMENT OF EASEMENT

Project: **620.03.33 Camelback Road Storm Drain**

Item: **F00002**

Assessor's Parcel No.: **144-24-633B & 634**

KNOW ALL MEN BY THESE PRESENTS:

That for and in the consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, the **FLOOD CONTROL DISTRICT OF MARICOPA COUNTY**, a municipal corporation and political subdivision of the State of Arizona ("**GRANTOR**"), does hereby assign to the City of Glendale, a municipal corporation of the State of Arizona, it's successors and assigns ("**GRANTEE**"), all that certain acquired easement rights for the real property situated in the County of Maricopa, State of Arizona, described as follows:

See Exhibit "A"

Attached hereto and incorporated herein

This is an assignment of all rights and interests in and to the existing Permanent Storm Drain Easement and Agreement for Flood Control Purposes, previously recorded on **June 10, 2010** with the office of the Maricopa County Recorder in document No. **20100494167** ("Easement"). **GRANTOR** does hereby covenant that it is granting this Easement only to the extent of any interest it may have in the property.

TO HAVE AND TO HOLD unto **GRANTEE** the Easement herein described for the use and benefit of the public as right of way for flood control purposes, together with the right of ingress and egress to permit the economical operation and maintenance of said flood control project, including all incidental purposes consistent herewith.

The **GRANTOR** hereby conveys unto **GRANTEE** all warranties of title of any nature whatsoever which **GRANTOR** and its successors possess, however, **GRANTOR** warrants title as against all of its acts and not other acts.

The Easement shall at all times be maintained and repaired at the sole cost and expense of the **GRANTEE**, its contractors, agents, successors or assigns.

GRANTEE agrees to indemnify, defend, and hold harmless **GRANTOR** from and against any and all claims, demands, actions, judgments, settlements, liens, penalties, injuries, losses, liability, costs, or expenses (including reasonable attorney's fees)(hereinafter collectively referred to as 'claims') arising out of bodily injury of any person (including death) or damage to the real or personal property of any person, but only to the extent that such claims are caused by or related to the action or inaction, omission, negligence, misconduct, or other fault of the **GRANTEE**, its officers, agents, employees, successors, assigns, contractors or volunteers in the exercise of **GRANTEE'S** rights pursuant to the terms of this Easement or in any way caused by or related to the installation, construction, maintenance or repair of the facilities within this Easement by **GRANTEE**, its officers, employees, agents, successors, assigns, contractors or volunteers except those caused solely and exclusively by the gross negligence or willful misconduct of **GRANTOR**.

In the event the right, privilege and Easement herein assigned shall be abandoned and permanently cease to be used for the purposes herein granted, all rights herein assigned shall cease and revert to **GRANTOR**.

This property is conveyance subject to: assessments, reservations, easements, rights-of-way, and deed restrictions as may appear on record.

This easement shall run with the land and shall inure to the benefit and be binding upon the **GRANTOR**, the **GRANTEE**, and their respective successors and assigns.

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GRANTEE ACCEPTANCE AND APPROVAL:

IN WITNESS WHEREOF, CITY OF GLENDALE, a municipal corporation of the State of Arizona, has caused its name to be executed by its duly authorized representatives, this 25 day of May, 2012.

CITY OF GLENDALE, a municipal corporation,

By: Horatio Skeete for
CITY MANAGER

ATTEST: [Signature]
CITY CLERK

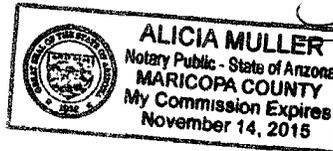
Approved as to form:

[Signature]
Craig Tindall
City Attorney

STATE OF ARIZONA)
) ss
COUNTY OF MARICOPA)

This instrument was acknowledged before me this 25th day of May, 2012 by Horatio Skeete, Assistant City Manager, and Pamela Hanna, City Clerk, respectively, of the CITY OF GLENDALE, a municipal corporation, they being thereunto duly authorized.

My Commission Expires:



[Signature]
Notary Public

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Project: 620.03.33 Camelback Road Storm Drain

Item: F00002

Assessor's Parcel No.: 144-24-633B & 634

RECOMMENDED FOR APPROVAL:

ACCEPTED AND APPROVED:

**FLOOD CONTROL DISTRICT
OF MARICOPA COUNTY**

**BOARD OF DIRECTORS OF
FLOOD CONTROL DISTRICT
OF MARICOPA COUNTY**

Timothy S. Phillips, P.E. 8/2/12
Chief Engineer and General Manager Date

May W Wilson
Chairman of the Board

Michael D. Wilson 8/2/12
Manager, Public Works Real Estate Division Date

ATTEST:
Janet Carroll
Clerk of the Board 080812

Date: 8.14.12

Approved as to form and within the powers and authority granted to the Board of Directors.

Julie M. Lemmon 7/31/12
General Counsel Date

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**Parcel No. 144-24-633B and 634
Camelback Storm Drain
Item No. F00002**

EXHIBIT "A"

A portion of the Southeast quarter of Section 13 - T2N, R1E of the G&SRB&M, Maricopa County, Arizona; said portion is described in two parcels as follows:

Parcel 1

The North 50 feet of the South 105 feet of the West 15 feet of the East 452.95 feet as measured along and perpendicular from the South line of said Section 13, containing 750 square feet or 0.0172 Acres.

Parcel 2

The North 45 feet of the South 100 feet of the West 15 feet of the East 349.78 feet as measured along and perpendicular from the South line of said Section 13, containing 675 square feet or 0.0155 Acres.

The above described parcels contain a total of 1,425 square feet or 0.0327 acres.

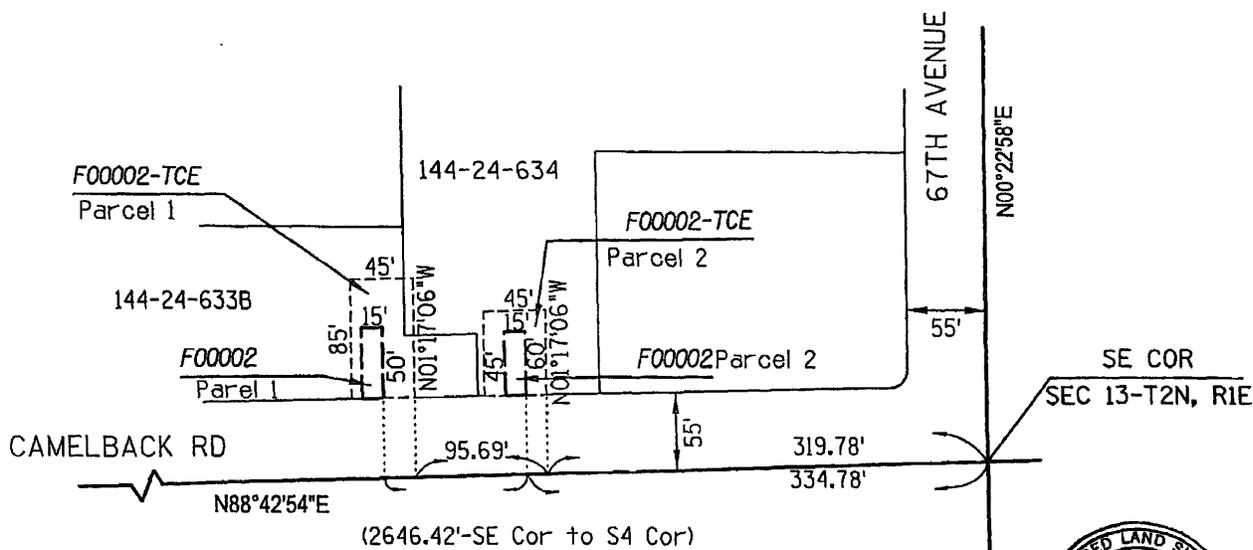
FLOOD CONTROL DISTRICT OF MARICOPA COUNTY		
Prelim: 1-11-2010	Chk: kg	Appr:
Rev: _____		
Maricopa County Public Works Land & R/W Division		



Expires: 12/31/2011

GRANTOR _____ DATE _____

EXHIBIT "A"



Item No.	SQ. FT.	Acres
F00002	1,425	0.0327
F00002-TCE	5,100	0.1171



Expires 12/31/2011

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

CAMELBACK ROAD DRAIN