

**CITY CLERK
ORIGINAL**

**C-8383
02/28/2013**

CITY OF GLENDALE, ARIZONA

SPECIAL WARRANTY DEED

(Agreement C-8383)

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

When recorded, return to:
City of Glendale
5850 West Glendale Avenue
Glendale, Arizona 85301
Attn: City Clerk

SPECIAL WARRANTY DEED

For the consideration of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned, CITY OF GLENDALE, an Arizona municipal corporation ("Grantor"), does hereby convey to BCC DEVELOPMENT, INC., an Arizona corporation ("Grantee"), that certain parcel of real property situated in Maricopa County, Arizona, and described on **Exhibit "A"** attached hereto and incorporated herein by this reference, together with all rights and privileges appurtenant thereto except as provided herein. Grantor excepts from this transfer and therefore reserves and continues to hold all rights, title, and interest in all water and mineral rights on, of, or appurtenant to the Property. Grantor further reserves the right to use as it deems necessary the air space above and all subsurface area without any payment or compensation to Grantee.

Grantor hereby binds itself and its successors to warrant and defend the title to the Property against all acts of the Grantor herein and no other, subject however to current taxes and assessments, reservations in patents, all easements, rights-of-way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

Grantor shall retain a public utility easement as described on **Exhibit "B."**

This conveyance is exempt from the affidavit of value otherwise required by A.R.S. § 11-1134(A)(3).

DATED this 28th day of FEBRUARY, 2013.

GRANTOR: CITY OF GLENDALE,
an Arizona municipal corporation

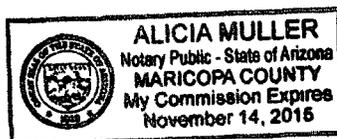
By Horatio Skeete
Horatio Skeete, Acting City Manager

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 28th day of FEBRUARY, 2013 by Horatio Skeete, Acting City Manager for the City of Glendale, an Arizona municipal corporation, with full authority and on behalf of the corporation.

Alicia Muller
Notary Public

My Commission Expires:
November 14, 2015



Wood, Patel & Associates, Inc.
(602) 335-8500
www.woodpatel.com

Revised October 29, 2012
October 26, 2012
WP # 031788.04
Page 1 of 3
See Exhibit "A"

PARCEL DESCRIPTION
83rd Avenue and Bell Road
Right-of-Way

A parcel of land lying within Section 35, Township 4 North, Range 1 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the southwest corner of said Section 35, an Arizona Department of Transportation brass cap in handhole, from which the south quarter corner of said section, a City of Glendale brass cap in handhole, bears South 89°47'30" East (basis of bearing), a distance of 2645.00 feet;
THENCE along the south line of said section, South 89°47'30" East, a distance of 845.40 feet;
THENCE leaving said south line, North 00°12'30" East, a distance of 86.00 feet, to the north line of the south 86 feet of said section and the **POINT OF BEGINNING**;
THENCE leaving said north line, North 00°00'00" East, a distance of 32.82 feet, to the northerly right-of-way line of Bell Road as shown on the Amended Map of Dedication and Grant of Easements for Arrowhead Mall (M.O.D.) recorded in Book 349, page 43, M.C.R.;
THENCE along said northerly right-of-way line, South 87°04'08" East, a distance of 309.65 feet;
THENCE North 44°37'52" East, a distance of 52.03 feet, to the westerly right-of-way line of 83rd Avenue as shown on said M.O.D.;
THENCE leaving said northerly right-of-way line, along said westerly right-of-way line, North 00°56'47" West, a distance of 159.57 feet;
THENCE North 04°45'51" East, a distance of 241.20 feet;
THENCE leaving said westerly right-of-way line, South 00°09'08" East, a distance of 399.75 feet;
THENCE South 44°28'34" West, a distance of 77.50 feet, to the north line of the south 86 feet of said section;

Parcel Description
83rd Avenue and Bell Road
Right-of-Way

Revised October 29, 2012
October 26, 2012
WP # 031788.04
Page 2 of 3
See Exhibit "A"

THENCE along said north line, North 89°47'30" West, a distance of 309.96 feet, to the **POINT OF BEGINNING**.

Containing 0.3291 acres, or 14,336 square feet of land, more or less.

Subject to existing rights-of-way and easements.

This parcel description is based on the Amended Map of Dedication and Grant of Easements for Arrowhead Mall, recorded in Book 349, page 43, M.C.R. and other client provided information. This parcel description is located within an area surveyed by Wood, Patel & Associates, Inc. during the month of October, 2004 and any monumentation noted in this parcel description is within acceptable tolerance (as defined in Arizona Boundary Survey Minimum Standards dated 02/14/2002) of said positions based on said survey.

Y:\WP\Parcel Descriptions\2003 Parcel Descriptions\031788 04 83rd Avenue and Bell Road ROW Abandonment L19R01 10-29-12 doc



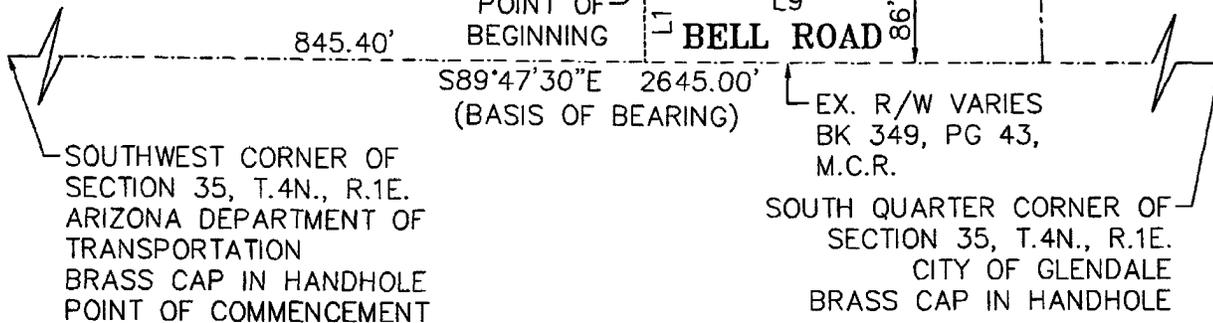
AGUA FRIA FREEWAY (LOOP 101)
 STATE DEPARTMENT OF
 TRANSPORTATION RIGHT-OF-WAY
 DOC. NO. 1988-105515, M.C.R.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N00°12'30"E	86.00'
L2	N00°00'00"E	32.82'
L3	S87°04'08"E	309.65'
L4	N44°37'52"E	52.03'
L5	N00°56'47"W	159.57'
L6	N04°45'51"E	241.20'
L7	S00°09'08"E	399.75'
L8	S44°28'34"W	77.50'
L9	N89°47'30"W	309.96'

200-43-007H
 DOC. 98-1067097, M.C.R.
 11-25-1998

83RD AVENUE

EX. 89' R/W
 BK 349, PG 43,
 M.C.R.



POINT OF BEGINNING
 S89°47'30"E 2645.00'
 (BASIS OF BEARING)

EX. R/W VARIES
 BK 349, PG 43,
 M.C.R.

SOUTH QUARTER CORNER OF
 SECTION 35, T.4N., R.1E.
 CITY OF GLENDALE
 BRASS CAP IN HANDHOLE

WOOD/PATEL
 2051 West Northern
 Phoenix, AZ 85021
 Phone: (602) 335-8500
 Fax: (602) 335-8580
 PHOENIX • MESA • TUCSON



EXPIRES 12-31-14



EXHIBIT "A"
 83RD AVENUE AND BELL ROAD
 RIGHT-OF-WAY
 REVISED 10-29-12
 WP#031788.04
 PAGE 3 OF 3
 NOT TO SCALE
 T: \2003\031788\LEGAL\
 1788L19-DB\DWG\1788L19R01.DWG

Exhibit B

Bell Road and 83rd Avenue Public Utility Easement
GLENDALE, ARIZONA
Exhibit "B" Page 1 of 2

DATE: December 6, 2012
JOB NO.: 212-024

AN EASEMENT FOR PUBLIC UTILITIES LYING WITHIN SECTION 35, TOWNSHIP 4 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 SOUTHWEST CORNER OF SAID SECTION 35, TOWNSHIP 4 NORTH, RANGE 1 EAST, AN ARIZONA DEPARTMENT OF TRANSPORTATION BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION, A CITY OF GLENDALE BRASS CAP IN HANDHOLE, BEARS SOUTH 89 DEGREES, 47 MINUTES, 30 SECONDS EAST (BASIS OF BEARING), A DISTANCE OF 2645.00 FEET;

THENCE ALONG THE SOUTH LINE OF SAID SECTION, SOUTH 89 DEGREES 47 MINUTES 30 SECONDS EAST, A DISTANCE OF 845.40 FEET;

THENCE LEAVING SAID SOUTH LINE, NORTH 00 DEGREES 12 MINUTES 30 SECONDS EAST, A DISTANCE OF 86.00 FEET, TO THE NORTHERLY RIGHT-OF-WAY LINE OF BELL ROAD, AND THE **POINT OF BEGINNING**;

THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 32.82 FEET;

THENCE SOUTH 87 DEGREES 04 MINUTES 08 SECONDS EAST, A DISTANCE OF 309.65 FEET;

THENCE NORTH 44 DEGREES 37 MINUTES 52 SECONDS EAST, A DISTANCE OF 52.03 FEET;

THENCE NORTH 89 DEGREES 29 MINUTES 18 SECONDS EAST, A DISTANCE OF 18.46 FEET, TO THE WESTERLY RIGHT-OF-WAY LINE OF 83RD AVENUE;

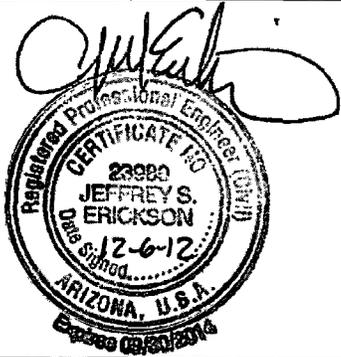
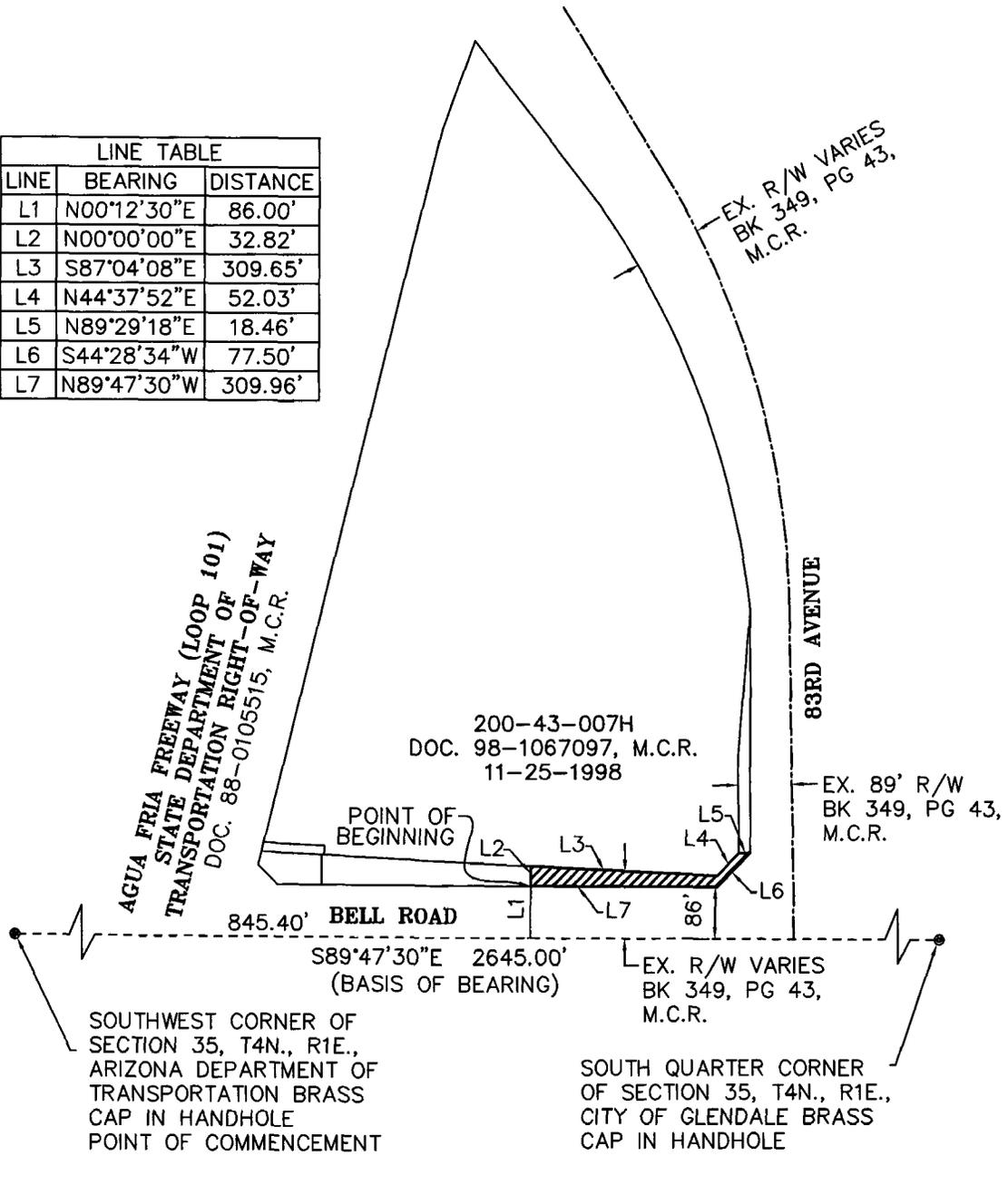
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 44 DEGREES 28 MINUTES 34 SECONDS WEST, A DISTANCE OF 77.50 FEET, TO THE NORTHERLY RIGHT-OF-WAY LINE OF BELL ROAD;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 89 DEGREES 47 MINUTES 30 SECONDS WEST, A DISTANCE OF 309.96 FEET, TO THE **POINT OF BEGINNING**;



EXHIBIT "B"
PAGE 2 OF 2
PUBLIC UTILITY EASEMENT
BELL ROAD AND 83RD AVENUE

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N00°12'30"E	86.00'
L2	N00°00'00"E	32.82'
L3	S87°04'08"E	309.65'
L4	N44°37'52"E	52.03'
L5	N89°29'18"E	18.46'
L6	S44°28'34"W	77.50'
L7	N89°47'30"W	309.96'



BELL ROAD AND 83RD AVE.
GLENDALE, ARIZONA

Erickson & Meeks Engineering, L.L.C.
 13444 N. 32nd Street Suite 6
 Phoenix, Arizona 85032
 Phone: (602) 569-6593
 Fax: (602) 569-6493



JOB NO: 212-024	DRAWN BY: GMB	ISSUE DATE: 12/06/12
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REVISION DATE:	REVISION:
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DRAWING: **BELL PUE**