

When recorded, return to:
City of Peoria
City Clerk
8401 West Monroe Street
Peoria, AZ 85345

INGRESS/EGRESS EASEMENT

CITY OF PEORIA, an Arizona municipal corporation, ("GRANTOR"), for and in consideration of the sum of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant to JAMES F COOK OF THE COOK CHARITABLE TRUST DATED NOVEMBER 26, 1991 AND BREAKING HOLDINGS, LLC., a Texas limited liability corporation, and to its successors and assigns, a non-exclusive permanent and perpetual ingress and egress easement for the following purposes, namely: The right to access and enter upon, over, and across the following described real property situated in Maricopa County, Arizona:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS
REFERENCE INCORPORATED HEREIN

Grantor hereby covenants that it has lawfully seized and possessed the aforementioned tract or parcel of land/real property; that it has good and lawful right to sell and convey it; and that Grantor will warrant the title and quiet possession thereto against the lawful claim of all persons.

The easement includes the right to cut back and trim such portion of branches and tops of trees now growing or that may hereafter grow upon the above described premises, as may extend over said easement, so as to prevent the same from interfering with the efficient use of the easement.

In the event the right, privilege and easement herein granted shall be abandoned and permanently cease to be used for the purposes herein granted all rights herein granted shall cease and revert to the Grantor, their heirs or assigns.

Grantor shall not be responsible for maintaining such easement or for the construction of any improvements over, across, and under the surface that may be deemed necessary to make such easement accessible.

This easement shall run with the land and shall be binding upon Grantor and their heirs, successors and assigns.

GRANTOR: CITY OF PEORIA, an Arizona municipal corporation

By: _____
Jeff Tyne, City Manager

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

Stephen J. Burg, City Attorney



EXHIBIT A LEGAL DESCRIPTION

Access Easement

Situated in the West Half of the Southwest Quarter of the Northwest Quarter of Section 11, Township 4 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Subject Parcel

Situated in the West Half of the Southwest Quarter of the Northwest Quarter of Section 11, Township 4 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Being a portion of that certain property acquired by the City of Peoria Arizona by Final Order of Condemnation No. CV 2000-011412 ordered by the Superior Court in and for Maricopa County, Arizona as described in Document No. 2000-0804078 in the Official Records of Maricopa County ("the City Parcel"), Arizona and being more specifically described as follows:

Beginning at a point marking the Southeast corner of said City Parcel, said point being a common corner to the Southwest corner of Parcel No. 1 of that property acquired by Breakie Holdings, LLC, et al, by Special Warranty Deed recorded as Document No. 2017-0454901 in the Official Records of Maricopa County, Arizona ("the Breakie Parcel");, and also being common corner to property acquired by the Salt River Project Agricultural Improvement and Power District by warranty deed recorded at Book 4463, Page 507, in the Official Records of Maricopa County, Arizona ("the SRP Parcel");

Thence, along the common line with the Breakie Parcel, North 00deg 32min 30sec East a distance of 197.08 feet to a point on the East Right of Way of North 83rd Avenue, said Right of Way being 85.00 feet East and parallel to the centerline of said 83rd Avenue; and being a common corner to said Breakie Parcel;

Page 1 of 3

Title: Access Easement

Preparing Firm: DAC Consulting, Inc.

Address: 13001 N 49th Place, Scottsdale, AZ 85254

Phone: (602) 828-2246 Fax: (888) 458-7687

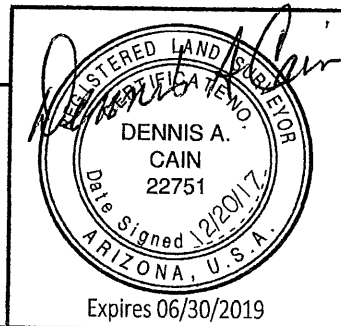




EXHIBIT A LEGAL DESCRIPTION

Continued from Page 1

Thence, radial to the centerline of said 83rd Avenue, North 55deg 07min 53sec West a distance of 10.00 feet to a point on a curve parallel to and 75.00 feet East of said 83rd Avenue centerline;

Thence, in a Southwesterly direction along said curve having a radius of 1458.00 feet, a distance of 234.97 feet, through a central angle of 09deg 07min 39sec and having a chord bearing and distance of South 30deg 18min 18sec West - 234.72 feet) to a point on the North line of the SRP Parcel;

Thence, along said North line, South 89deg 56min 13sec East a distance of 124.78 feet to the Point of Beginning.

Access Easement Granted Herein

Being an easement sixty (60) feet in width, thirty (30) feet on either side of the below described centerline, for ingress and egress, installation and maintenance of an access road and appurtenant improvement over; under and across the above described Subject Parcel;

Commencing at the Southeast corner of the Subject Parcel herein;

Thence, along the common line with the Breakie Parcel, North 00deg 32min 30sec East a distance of 45.04 feet to the **Point of Beginning** of the Access Easement Centerline;

Thence, leaving said common line, North 59deg 16min 13sec West a distance of 90.05 feet to a point on the West line of the Subject Parcel, said point being 75.00 feet distant from the centerline of said North 83rd Avenue, the **Terminus** of said Access Easement Centerline.

Page 2 of 3

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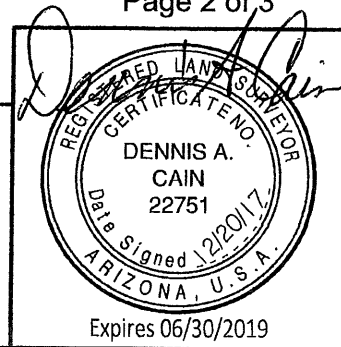


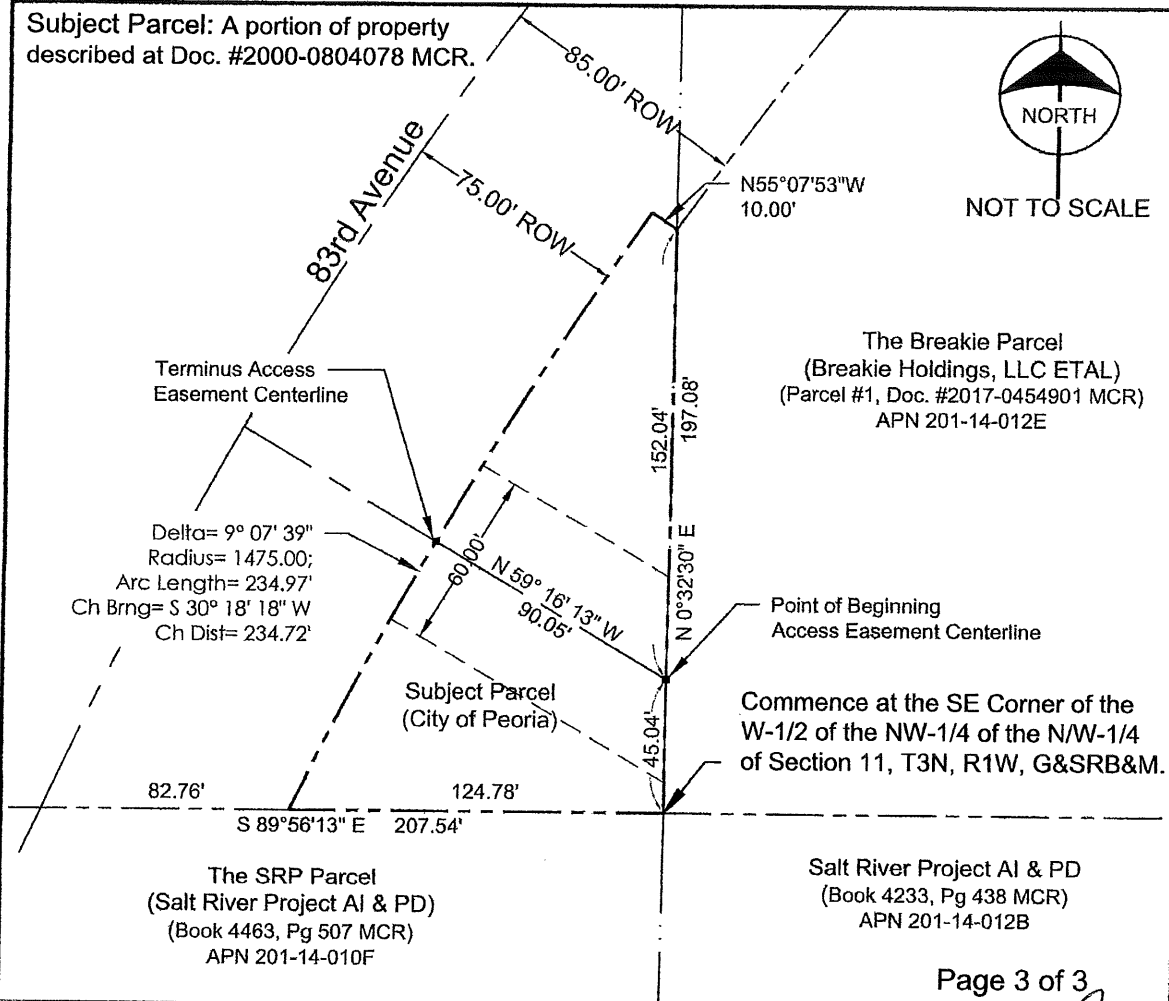


EXHIBIT A SKETCH

Subject Parcel: A portion of property
described at Doc. #2000-0804078 MCR.



NOT TO SCALE



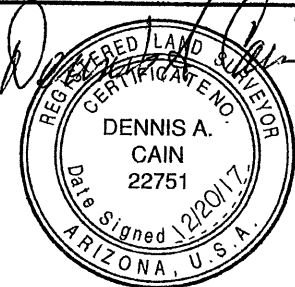
Page 3 of 3

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Expires 06/30/2019