When Recorded Mail To:

City Clerk
City of Glendale
5850 West Glendale Avenue
Glendale, AZ 85301-2599

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2000-0818207 10/25/2000 02:41
SONIA 1 OF 5

ORDINANCE NO. 2162 NEW SERIES

ELAINE M. SCRUGGS
MAYOR

ATTEST:

PAMELA OLIVEIRA
City Clerk

(SEAL)

APPROVED AS TO FORM:

Gary Verburg
Interim City Attorney

REVIEWED BY:

MARTIN VANACOUR
City Manager

STATE OF ARIZONA)
County of Maricopa) ss
City of Glendale)

I, the undersigned, Rose Day, being the duly appointed and qualified Deputy City Clerk of the City of Glendale, Maricopa County, Arizona certify that the foregoing Ordinance No. 2162 New Series is a true, correct, and accurate copy of Ordinance No. 2162 New Series, passed and adopted at a regular meeting of the Council of the City of Glendale, held on the 10th day of October 2000, at which a quorum was present and voted in favor of said Ordinance.

Given under my hand and seal this 16th day of October 2000.

Rose Day
DEPUTY CITY CLERK

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Glendale, AZ 85301-2599

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STATE OF ARIZONA)
County of Maricopa) ss
City of Glendale)

I, the undersigned, Rose Day, being the duly appointed and qualified Deputy City Clerk of the City of Glendale, Maricopa County, Arizona certify that the foregoing Ordinance No. 2162 New Series is a true, correct, and accurate copy of Ordinance No. 2162 New Series, passed and adopted at a regular meeting of the Council of the City of Glendale, held on the 10th day of October 2000, at which a quorum was present and voted in favor of said Ordinance.

Given under my hand and seal this 16th day of October 2000.

Rose Day
DEPUTY CITY CLERK

ORDINANCE NO. 2162 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A UTILITY EASEMENT IN FAVOR OF ARIZONA PUBLIC SERVICE COMPANY FOR A TRANSFORMER SITUATED AT THE NORTH END OF THE PUBLIC PARKING LOT LOCATED AT THE SOUTHWEST CORNER OF 57TH AVENUE AND GLENN DRIVE, IN GLENDALE, ARIZONA; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the City Council hereby approves the utility easement and all the terms and conditions thereto and directs that the City Manager for the City of Glendale execute said document granting Arizona Public Service Company a utility easement upon, across, over and under the surface of certain property located within existing City property, in the form attached hereto as Exhibit A. The legal description is contained in the Easement.

SECTION 2. That the City hereby reserves the right to use the easement premises in any manner that will not prevent or interfere with the exercise by Arizona Public Service Company of the rights granted hereunder; provided, however, that the City shall not obstruct, or permit to be obstructed, the easement premises at any time whatsoever without the express prior written consent of Arizona Public Service Company.

SECTION 3. That the City Clerk be instructed and authorized to forward a certified copy of this ordinance for recording to the Maricopa County Recorder's Office.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 10th day of October, 2000.

MAYOR

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

Interim City Attorney

REVIEWED BY:

City Manager

W-74925
SW-5-2N-2E
CRG

147-25-147 (MCR)

UTILITY EASEMENT

In consideration of One Dollar ($1.00), the receipt of which is hereby acknowledged, CITY OF GLENDALE A MUNICIPAL CORPORATION, (hereinafter called "Grantor") do hereby grant and convey to ARIZONA PUBLIC SERVICE COMPANY (hereinafter called "Company"), its successors and assigns, an easement to construct, operate and maintain electric lines and appurtenant facilities upon, across, over, and under the surface of the premises hereinafter described.

The premises through and across which this easement is granted are situated in Maricopa County, Arizona, and are described as follows:

LOT ONE (1) BLOCK TWENTY-EIGHT (28) OF PARK ADDITION, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 3 of Maps, Page 42.

Said easement is depicted on Exhibit "A" attached hereto and by this reference incorporated herein.

Together with the right to operate, repair, replace, maintain, and remove said lines and appurtenant facilities from said premises; to add to or alter said lines and/or facilities at any reasonable time, and to trim, prune or remove any trees or shrubs located within or outside the limits of this easement that in the judgment of the Company may interfere with the construction or endanger the operation of said lines and/or facilities, with access to said easement and egress therefrom to permit normal operations of the Company in connection with said lines and/or facilities.

Grantor shall not erect or construct or permit to be erected or constructed any building or other structure or drill any well within the limits of said easement; nor shall Grantor plant or permit to be planted any trees within the limits of said easement without the prior written consent of the Company; provided, however, Grantor shall have the right to construct and erect fences within the limits of said easement in a manner which will not unreasonably interfere with the Company's right of access to its lines and/or facilities.

By accepting this easement, the Company agrees to exercise reasonable care to avoid damage to said premises and all property that may at any time be thereon.

Dated: 10-16-00

Tim Ernst
Title

WITNESS:

Judy Harris

DEPUTY CITY MANAGER

STATE OF ARIZONA }
} ss.
County of Maricopa }

OFFICIAL SEAL
JULIE GARCIA
NOTARY PUBLIC - STATE OF ARIZONA
MARICOPA COUNTY
My Comm. Expires 04/15/01

This instrument was acknowledged before me this 16 day of Oct, 2000, by Tim Ernster

IN WITNESS WHEREOF I hereunto set my hand and official seal.

My Commission Expires:
4/15/01

Julie Garcia
Notary Public