

ORDINANCE NO. 2960 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A CONVEYANCE FOR TWO WATER LINE EASEMENTS LOCATED AT MIDWESTERN UNIVERSITY AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

WHEREAS, Midwestern University, located at 19555 North 59th Avenue, has constructed new Student Housing, Veterinary Classroom and Central Plant buildings on their campus; and

WHEREAS, Midwestern University has constructed water lines to service the buildings for their domestic water demands and fire protection requirements of the City Code and is willing to grant two water line easements to the City; and

WHEREAS, the City has determined that the new water lines and easements would benefit the Midwestern University campus and allow access for City forces to maintain, operate and repair said water lines.

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

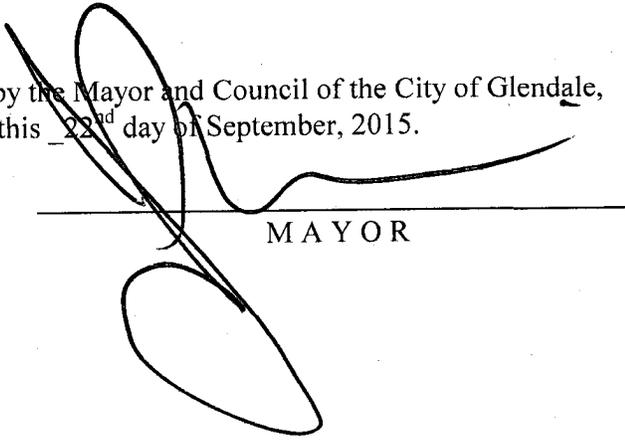
SECTION 1. The City has determined that acceptance of the two new water lines and easements in the location identified in Exhibit A would be a public benefit and in the public interest.

SECTION 2. The Council hereby authorizes and instructs the City Manager to execute the Conveyance of Easement, which is attached hereto as Exhibit A, granting the water line easements described herein to the City. The City's acceptance of said easement shall take effect immediately upon adoption of this ordinance.

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

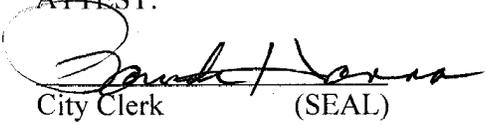
[Signatures on following page.]

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale,
Maricopa County, Arizona, this 22nd day of September, 2015.



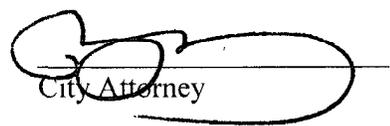
MAYOR

ATTEST:



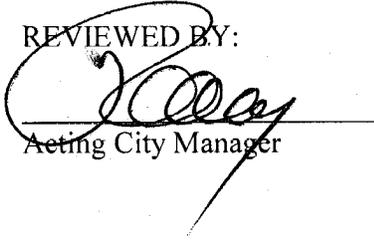
City Clerk (SEAL)

APPROVED AS TO FORM:



City Attorney

REVIEWED BY:



Acting City Manager

EXHIBIT A

When Recorded, Return To:
City Clerk, City of Glendale
5850 W. Glendale Avenue
Glendale, Arizona 85301

CONVEYANCE OF EASEMENT

For Ten Dollars and other valuable consideration, We, MIDWESTERN UNIVERSITY, an Illinois non-profit corporation, hereby grants to the City of Glendale, an Arizona municipal corporation, an easement to install, repair, operate, maintain and remove water lines ("facilities") upon, over and under the surface of the following described property:

See Attached Description, Exhibit "A"

Together with the right of ingress and egress to, from, across and along the Grantor's Property, and with the right to use lands adjacent to said easement during temporary periods of construction; the right to operate, repair, replace, maintain, and remove facilities and appurtenances from said premises; to add to or alter said facilities at any reasonable time; and to trim or remove any trees or shrubs that in the judgment of the City may interfere with the construction, operation or maintenance of said facilities.

By accepting this easement, the City of Glendale agrees to exercise reasonable care to avoid any damage to said real property above described.

Dated this ____ day of _____, 2015.

MIDWESTERN UNIVERSITY,
An Illinois non-profit Corporation

**Exempt Pursuant to A.R.S.
§11-1134(A)(2), 11-1134 (A)(3)**

Arthur Dobbelaere
Chief Operating Officer

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by Arthur Dobbelaere, Chief Operating Officer of Midwestern University, an Illinois non-profit corporation, who acknowledged that he executed this instrument for the purposes therein contained.

Notary Public

My commission expires:

19555 N. 59th Avenue

**DESCRIPTION
OF WATER LINE EASEMENTS**

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 4 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EASEMENT 1:

A DESCRIPTION OF A 20.00 FOOT WIDE WATERLINE EASEMENT BEING 10.00 FEET EACH SIDE OF THE CENTERLINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29;
THENCE SOUTH $01^{\circ}23'10''$ WEST, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 29, A DISTANCE OF 1325.69 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE SOUTH $87^{\circ}41'43''$ EAST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, NORTHWEST QUARTER, SECTION 29 A DISTANCE OF 1309.94 FEET TO THE POINT OF BEGINNING, FROM WHICH THE SOUTHEAST CORNER OF LOT 1, MINOR LAND DIVISION FOR MIDWESTERN UNIVERSITY, AS RECORDED IN BOOK 930, PAGE 35, RECORDS OF MARICOPA COUNTY, ARIZONA LIES SOUTH $87^{\circ}41'43''$ EAST A DISTANCE OF 15.00 FEET;

THENCE NORTH $01^{\circ}20'45''$ EAST A DISTANCE OF 218.24 FEET TO A POINT HEREIN DESIGNATED AS POINT "A";

THENCE CONTINUING NORTH $01^{\circ}20'45''$ EAST A DISTANCE OF 248.06 FEET;

THENCE NORTH $87^{\circ}44'42''$ WEST A DISTANCE OF 234.69 FEET TO A POINT HEREIN DESIGNATED AS POINT "B";

THENCE CONTINUING NORTH $87^{\circ}44'42''$ WEST A DISTANCE OF 278.12 FEET TO A POINT HEREIN DESIGNATED AS POINT "C";

THENCE CONTINUING NORTH $87^{\circ}44'42''$ WEST A DISTANCE OF 53.50 FEET TO A POINT HEREIN DESIGNATED AS POINT "D";

THENCE CONTINUING NORTH $87^{\circ}44'42''$ WEST A DISTANCE OF 24.00 FEET TO A POINT OF TERMINATION;

THENCE RETURNING TO POINT "D";

THENCE NORTH $02^{\circ}15'18''$ EAST A DISTANCE OF 210.36 FEET TO A POINT HEREIN DESIGNATED AS POINT "E";

THENCE CONTINUING NORTH $02^{\circ}15'18''$ EAST A DISTANCE OF 36.00 FEET TO A POINT HEREIN DESIGNATED AS POINT "F";

THENCE NORTH $87^{\circ}44'42''$ WEST A DISTANCE OF 25.50 FEET TO A POINT OF TERMINATION;

THENCE RETURNING TO POINT "F";

THENCE SOUTH $87^{\circ}44'42''$ EAST A DISTANCE OF 101.50 FEET TO A POINT HEREIN DESIGNATED AS POINT "G";

THENCE CONTINUING SOUTH 87°44'42" EAST A DISTANCE OF 99.00 FEET TO A POINT HEREIN DESIGNATED AS POINT "H";
THENCE CONTINUING SOUTH 87°44'42" EAST A DISTANCE OF 198.00 FEET TO A POINT HEREIN DESIGNATED AS POINT "T";
THENCE CONTINUING SOUTH 87°44'42" EAST A DISTANCE OF 99.00 FEET TO A POINT HEREIN DESIGNATED AS POINT "J";
THENCE CONTINUING SOUTH 87°44'42" EAST A DISTANCE OF 150.82 FEET TO THE POINT OF TERMINATION HEREOF, SAID POINT BEING ON THE CENTERLINE OF A 20.00 FOOT WIDE WATERLINE EASEMENT AS DESCRIBED IN DOCUMENT 2009-0799436, RECORDS OF MARICOPA COUNTY, ARIZONA;

TOGETHER WITH:

A DESCRIPTION OF A 12.00 FOOT WIDE WATERLINE BASEMENT BEING 6.00 FEET EACH SIDE OF THE CENTERLINE OF THE FOLLOWING EIGHT COURSES DESCRIBED AS FOLLOWS:

THENCE RETURNING TO POINT "A";
THENCE NORTH 88°39'15" WEST A DISTANCE OF 21.33 FEET TO A POINT OF TERMINATION;

THENCE RETURNING TO POINT "B";
THENCE SOUTH 02°15'18" WEST A DISTANCE OF 27.01 FEET TO A POINT OF TERMINATION;

THENCE RETURNING TO POINT "C";
THENCE SOUTH 02°15'18" WEST A DISTANCE OF 27.01 FEET TO A POINT OF TERMINATION;

THENCE RETURNING TO POINT "E";
THENCE SOUTH 87°44'42" EAST A DISTANCE OF 15.00 FEET TO A POINT OF TERMINATION;

THENCE RETURNING TO POINT "G";
THENCE SOUTH 02°15'18" WEST A DISTANCE OF 25.00 FEET TO A POINT OF TERMINATION;

THENCE RETURNING TO POINT "H";
THENCE SOUTH 02°15'18" WEST A DISTANCE OF 25.00 FEET TO A POINT OF TERMINATION;

THENCE RETURNING TO POINT "T";
THENCE SOUTH 02°15'18" WEST A DISTANCE OF 25.00 FEET TO A POINT OF TERMINATION;

THENCE RETURNING TO POINT "J";
THENCE SOUTH 02°15'18" WEST A DISTANCE OF 25.00 FEET TO A POINT OF
TERMINATION;

TOGETHER WITH:

EASEMENT 2:

A DESCRIPTION OF A 20.00 FOOT WIDE WATERLINE EASEMENT BEING 10.00
FEET EACH SIDE OF THE CENTERLINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29;
THENCE SOUTH 01°23'10" WEST, ALONG THE WEST LINE OF SAID NORTHWEST
QUARTER OF SECTION 29, A DISTANCE OF 1325.69 FEET TO A POINT, SAID POINT
BEING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE
NORTHWEST QUARTER OF SAID SECTION 29;
THENCE SOUTH 87°41'43" EAST ALONG THE SOUTH LINE OF SAID NORTHWEST
QUARTER, NORTHWEST QUARTER, SECTION 29 A DISTANCE OF 756.80 FEET TO
A POINT;
THENCE NORTH 02°18'17" EAST A DISTANCE OF 82.79 FEET TO A POINT ON THE
NORTH RIGHT OF WAY LINE OF BEHREND DRIVE AS RECORDED IN DOCUMENT
20090050184, RECORDS OF MARICOPA COUNTY, ARIZONA, AND THE POINT OF
BEGINNING;

THENCE NORTH 01°21'57" EAST A DISTANCE OF 342.50 FEET;
THENCE NORTH 87°44'42" WEST A DISTANCE OF 47.33 FEET;
THENCE NORTH 02°15'18" EAST A DISTANCE OF 50.51 FEET TO THE POINT OF
TERMINATION.

PREPARED BY:

DRW ENGINEERING
10320 W. McDOWELL RD., STE. K-1136
AVONDALE, AZ 85392

JOB NO. 13001-14027
April 2, 2015





N.T.S.

NW COR., SEC. 29
T.4N., R.2E.

NE COR., NW¼, NW¼,
SEC. 29, T.4N., R.2E.

P.O.C.

SR101

59th AVENUE
W. LINE, NW¼, SEC. 29
N 01°23'10" E 1325.69'

MLD
MIDWESTERN
UNIVERSITY
BOOK 930/35

U.S. POST OFFICE

P.O.B.
SEE SHT. 2

N 01°20'45" E 844.15'

S 87°41'43" E 1309.94'

BEHREND DR

1324.94'

SOUTH LINE OF NW¼, NW¼, SEC. 29

SW COR.,
NW¼, NW¼,
SEC. 29,
T.4N., R.2E.

SE COR.,
NW¼, NW¼,
SEC. 29,
T.4N., R.2E.

File Name: Y:\2013 Projects\13001\13001WL.exh

EASEMENT 1

FOR A
WATERLINE EASEMENT



EXPIRES 6/30/17

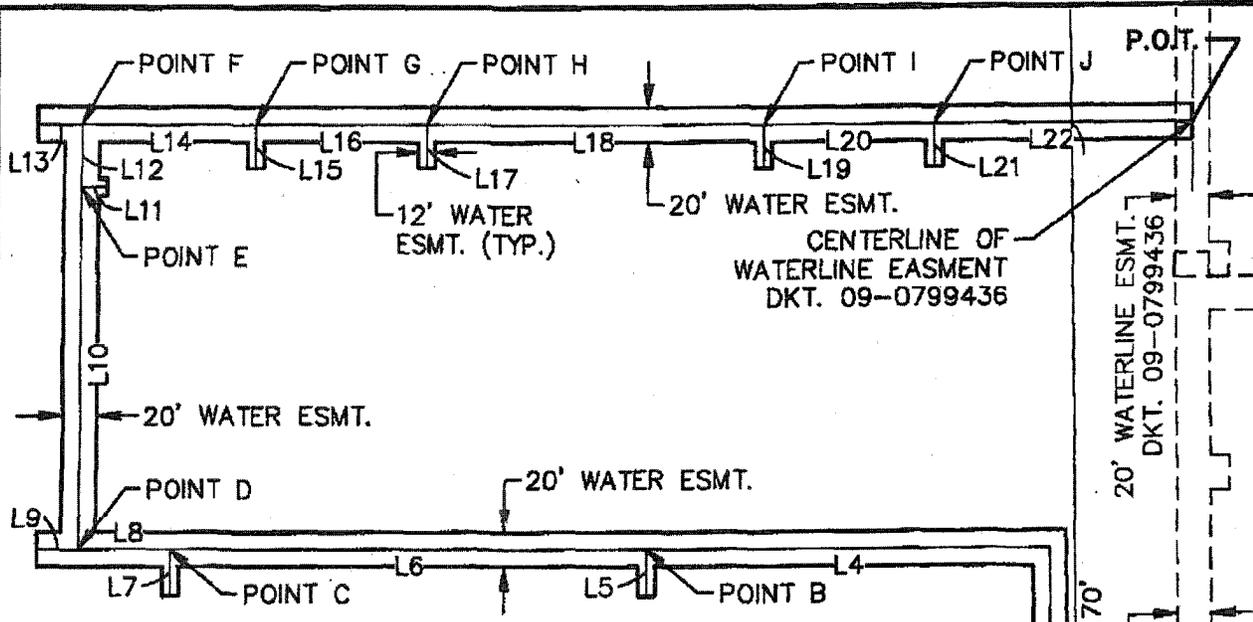
Date: 4/2/15

SHT. 1 OF 3
Job #: 13001

DRW ENGINEERING, INC.

10320 West McDowell Road, Suite K-1136
Avondale, Arizona 85392
(623)478-8800 FAX(623)478-8841
Email: drw@drwengineering.com

File Name: Y:\2013 Projects\13001\13001WL. exh



LINE TABLE

NUMBER	DIRECTION	DISTANCE	NUMBER	DIRECTION	DISTANCE
L1	N 01°20'45" E	218.24'	L12	N 02°15'18" E	36.00'
L2	N 88°39'15" W	21.33'	L13	N 87°44'42" W	25.50'
L3	N 01°20'45" E	248.06'	L14	S 87°44'42" E	101.50'
L4	N 87°44'42" W	234.69'	L15	S 02°15'18" W	25.00'
L5	S 02°15'18" W	27.01'	L16	S 87°44'42" E	99.00'
L6	N 87°44'42" W	278.12'	L17	S 02°15'18" W	25.00'
L7	S 02°15'18" W	27.01'	L18	S 87°44'42" E	198.00'
L8	N 87°44'42" W	53.50'	L19	S 02°15'18" W	25.00'
L9	N 87°44'42" W	24.00'	L20	S 87°44'42" E	99.00'
L10	N 02°15'18" E	210.36'	L21	S 02°15'18" W	25.00'
L11	S 87°44'42" E	15.00'	L22	S 87°44'42" E	150.82'



S 87°41'43" E 1309.94'

EASEMENT 1
FOR A
WATERLINE EASEMENT



EXPIRES 6/30/17

Date: 4/2/15

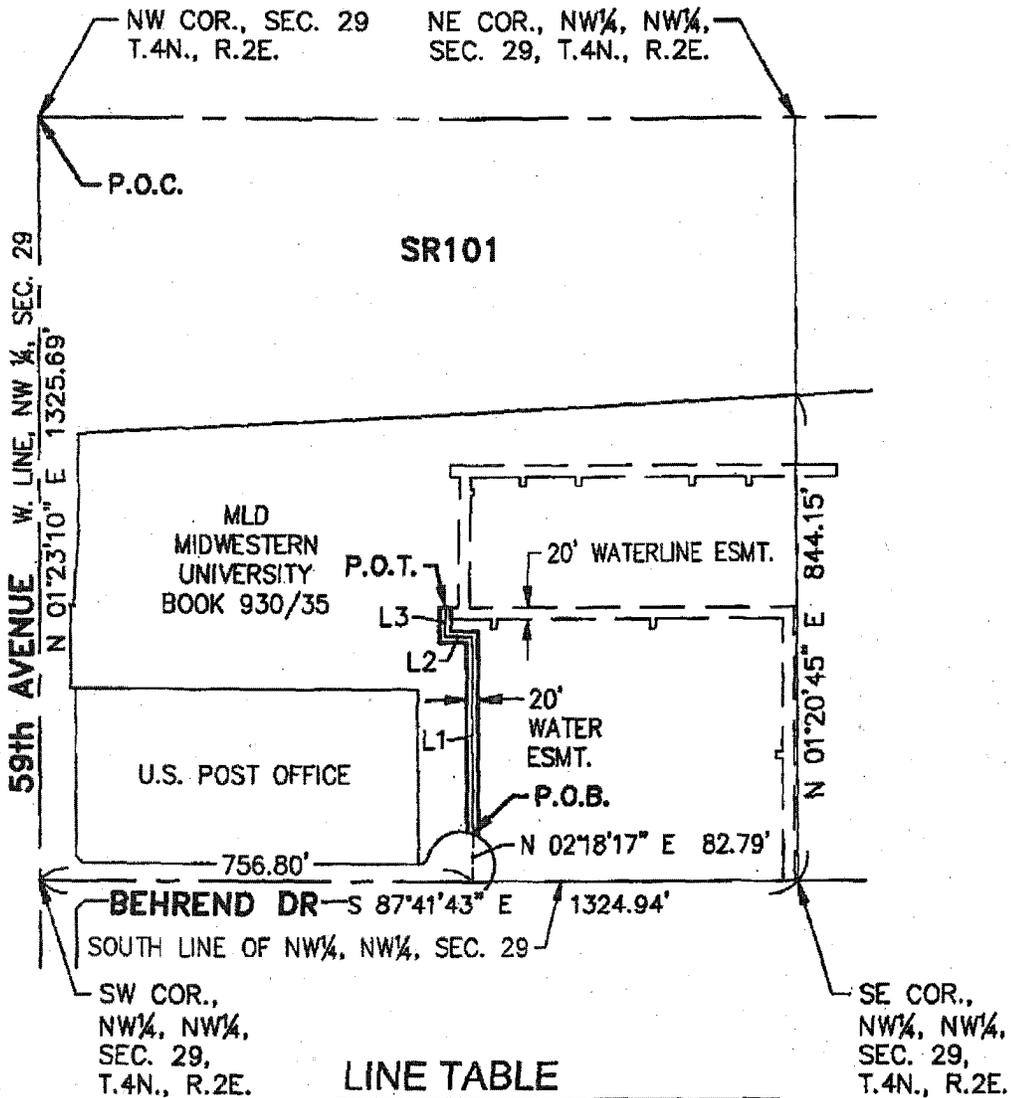
SHT. 2 OF 3
Job #: 13001

DRW ENGINEERING, INC.

10320 West McDowell Road, Suite K-1136
Avondale, Arizona 85392
(623)478-8800 FAX(623)478-8841
Email: drw@drwengineering.com



N.T.S.



LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	N 01°21'57" E	342.50'
L2	N 87°44'42" W	47.33'
L3	N 02°15'18" E	50.51'

File Name: j:\14027\14027WL_exh

EASEMENT 2

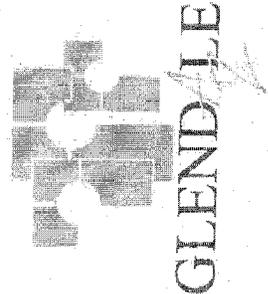
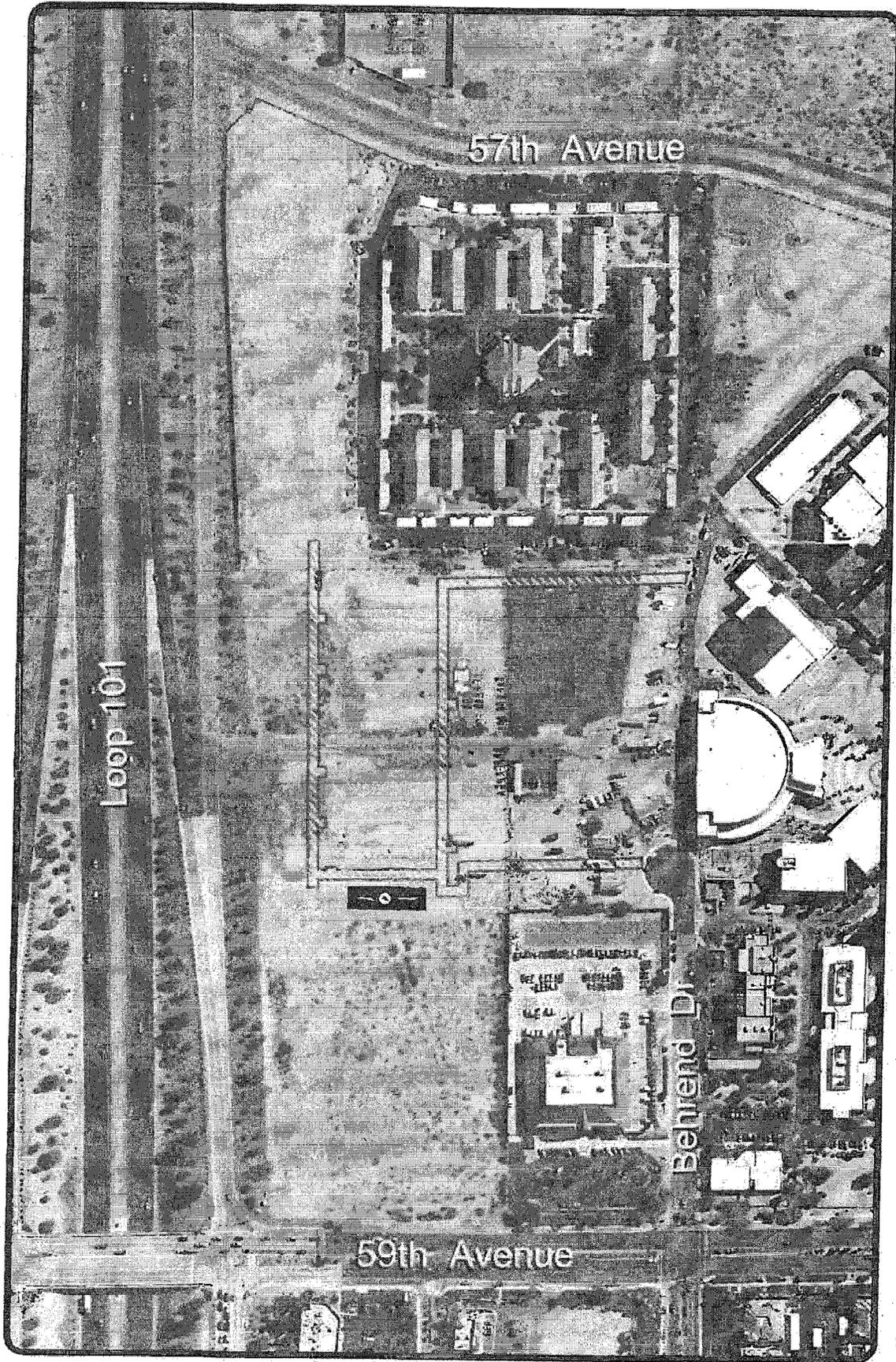
FOR A 20.00' WIDE
WATERLINE EASEMENT



EXPIRES 6/30/17

Date: 4/2/15
SHT. 3 OF 3
Job #: 14027

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**NEW WATERLINE EASEMENTS
AT MIDWESTERN UNIVERSITY**

GLENDALE