

#4

FEB 25 2016



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MEMORANDUM Transportation & Development - Memo No. RE16-035

DATE: FEBRUARY 25, 2016

TO: MAYOR AND COUNCIL

THRU: MARSHA REED, ACTING CITY MANAGER *MR*
NACHIE MARQUEZ, ASSISTANT CITY MANAGER *NM*
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*
DANIEL W. COOK, CITY ENGINEER *DM*

FROM: ERICH KUNTZE, REAL ESTATE MANAGER *EK*

SUBJECT: INTRODUCTION AND TENTATIVE ADOPTION OF ORDINANCE NO. 4666 GRANTING AN EASEMENT FOR VEHICULAR INGRESS AND EGRESS PURPOSES TO INTEL CORPORATION FOR A RELOCATED PORTION OF OLD PRICE ROAD SOUTH OF QUEEN CREEK ROAD

RECOMMENDATION: Staff recommends introduction and tentative adoption of Ordinance No. 4666 granting an easement for vehicular ingress and egress purposes to Intel Corporation for a relocated portion of Old Price Road south of Queen Creek Road.

BACKGROUND/DISCUSSION: The City of Chandler recently acquired approximately 37 acres of land at the southwest corner of Price Road and Queen Creek Road to allow the construction of water production and treatment facilities at this location. Intel Corporation currently has an easement for vehicular ingress and egress over a portion of the Old Price Road alignment along the west side of the City's parcel. In accordance with the terms of the development agreement with Wells Fargo Bank, it was necessary to relocate the roadway used by Intel for ingress and egress slightly to the east of its present alignment. As a result of this relocation, it is necessary to grant Intel a new vehicular ingress and egress easement over a portion of the City's parcel. The relocation is for safety reasons so that the Intel easement and access to the City's parcel align with the entrance and exits to the new Wells Fargo Bank facility.

Staff has reviewed and approved the legal descriptions for the requested easement.

Memo No. RE16-035
February 25, 2016
Page 2

FINANCIAL IMPLICATIONS:

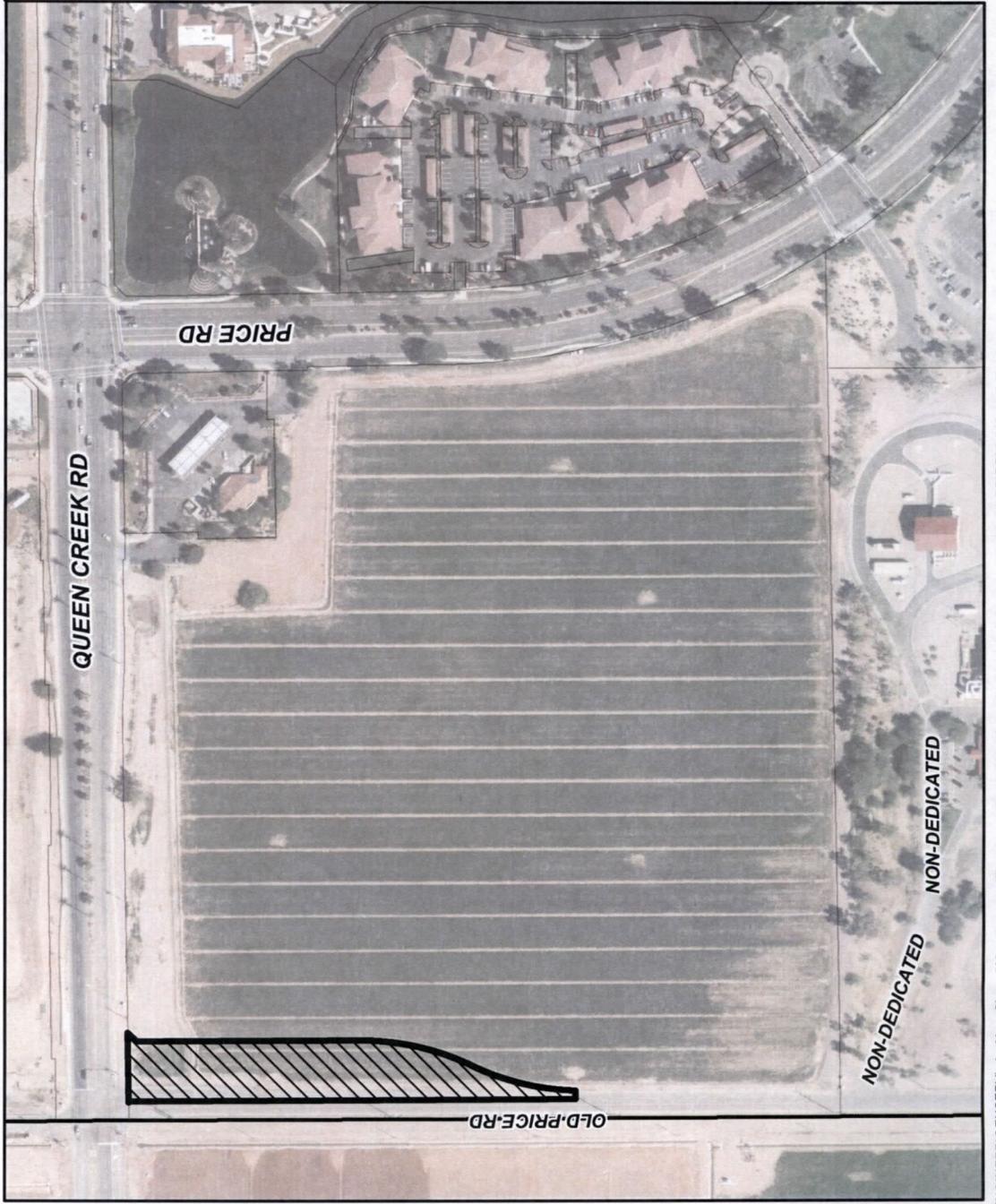
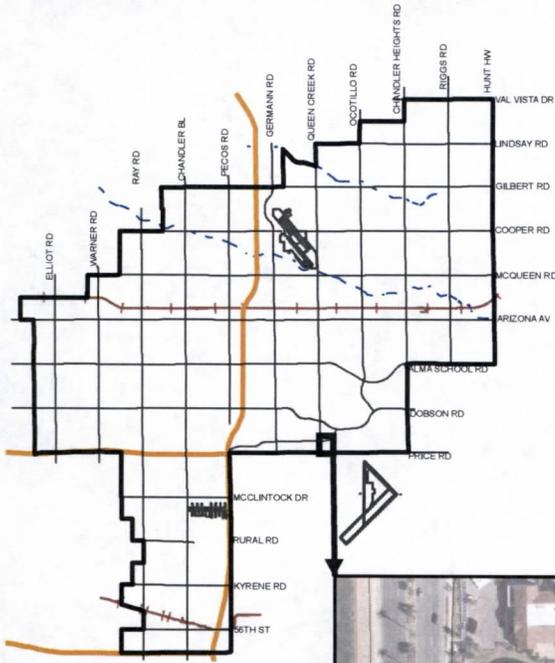
Cost: N/A
Savings: N/A
Long Term Costs: N/A

PROPOSED MOTION: Move City Council introduce and tentatively adopt Ordinance No. 4666 granting an easement for vehicular ingress and egress to Intel Corporation for a relocated portion of Old Price Road south of Queen Creek Road.

Attachments: Location/Site Map
Ordinance No. 4666



**INTRODUCTION AND TENTATIVE ADOPTION OF
ORDINANCE NO 4666 GRANTING AN EASEMENT
FOR VEHICULAR INGRESS AND EGRESS PURPOSES
TO INTEL CORPORATION FOR A RELOCATED PORTION
OF OLD PRICE RD SOUTH OF QUEEN CREEK RD**



MEMO NO. RE16-035

ORDINANCE NO. 4666

PROJECT LOCATION



ORDINANCE NO. 4666

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, GRANTING AN EASEMENT FOR VEHICULAR INGRESS AND EGRESS PURPOSES TO INTEL CORPORATION FOR A RELOCATED PORTION OF OLD PRICE ROAD SOUTH OF QUEEN CREEK ROAD

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

WHEREAS, due to the relocation of a portion of Old Price Road south of Queen Creek Road for safety purposes and to align with the entrance and exit of the Wells Fargo Bank facility on the north side of Queen Creek Road; and

WHEREAS, as a result of said relocation it is necessary to grant an easement for vehicular ingress and egress to Intel Corporation to allow access to Intel's facilities; and

WHEREAS, the City of Chandler is willing to grant an easement for vehicular ingress and egress to Intel Corporation;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. That the City Council of the City of Chandler, Arizona, authorizes and approves the granting of an easement for vehicular ingress and egress to Intel Corporation, through, over, and across that certain property described and depicted in Exhibit "A" attached hereto and made a part hereof by this reference.

Section 2. That the granting of said easement for vehicular ingress and egress shall be in a form approved by the City Attorney.

Section 3. That the Mayor of the City of Chandler, Arizona, is hereby authorized to execute the easement and this Ordinance on behalf of the City.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this ____ day of _____ 2016.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this _____ day of _____, 2016.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4666 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2016, and that the vote was _____ ayes, and _____ nays.

CITY CLERK

APPROVED AS TO FORM

CITY ATTORNEY *GAB*



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EXHIBIT A LEGAL DESCRIPTION

A ROADWAY EASEMENT OVER LOT 1 AS SHOWN ON THE FINAL PLAT OF OCOTILLO POWER CENTER RECORDED IN BOOK 536, PAGE 25 MARICOPA COUNTY RECORDS (MCR) AND AS CONVEYED TO THE CITY OF CHANDLER BY DEED OF RECORD IN INSTRUMENT NUMBER ~~2013-1069085~~, MARICOPA COUNTY RECORDS (MCR) AND LOCATED IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA & SALT RIVER MERIDIAN, CITY OF CHANDLER, MARICOPA COUNTY, ARIZONA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 18 (3 INCH BRASS CAP IN HANDHOLE) FROM WHICH POINT THE WEST QUARTER CORNER THEREOF (3 INCH BLM BRASS CAP) BEARS S0°17'34"E A DISTANCE OF 2644.46 FEET;

THENCE S0°17'34"E, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 65.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF QUEEN CREEK ROAD. SAID POINT BEING THE POINT OF BEGINNING;

THENCE N88°56'24"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 157.15 FEET;

THENCE ACROSS SAID CITY OF CHANDLER TRACT THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

- 1.) S43°53'20"W A DISTANCE OF 22.45 FEET;
- 2.) S00°17'34"E, ALONG A LINE 141.49 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 386.21 FEET;
- 3.) 211.26 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, WITH A RADIUS OF 460.73 FEET, HAVING A CENTRAL ANGLE OF 26°16'17" AND A CHORD BEARING S12°50'35"W TO A POINT OF REVERSE CURVATURE;
- 4.) 189.65 FEET ALONG THE ARC OF A CURVE TO THE LEFT, WITH A RADIUS OF 444.12 FEET, HAVING A CENTRAL ANGLE OF 24°27'59" AND A CHORD BEARING S13°44'44"W;
- 5.) S89°42'26"W A DISTANCE OF 48.25 FEET TO A POINT ON SAID WEST LINE OF THE NORTHWEST QUARTER;

THENCE N0°17'34"W, ALONG SAID WEST LINE, A DISTANCE OF 786.72 FEET TO THE POINT OF BEGINNING.

Sheet 1 of 4

TITLE: ROADWAY EASEMENT

Preparing Firm: RITTOCH-POWELL & ASSOCIATES, INC.
Address: 5727 N. 7TH STREET, SUITE 120 PHOENIX, AZ 85014
Phone: 602-263-1177 Fax: 602-277-6286

*Professional Land
Surveyor AZ No. 33868*

Troy A.
Ray RLS

Digitally signed by Troy A. Ray
RLS
DN: cn=Troy A. Ray RLS,
o=Ritoch-Powell & Associates,
ou, email=troy@ritochpowell.com
Date: 2015.07.28 09:18:30
-0700

(Expires 6/30/17)
ELECTRONIC SEAL
<http://www.blr.state.az.us/>



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Where Values Make The Difference

EXHIBIT A LEGAL DESCRIPTION

THE ABOVE DESCRIBED EASEMENT CONTAINS 94,283 S.F. (2.1644 ACRES) OF LAND, MORE OR LESS, INCLUDING ANY EASEMENTS OF RECORD.

THE BASIS OF BEARING FOR THE ABOVE DESCRIPTION IS S0°17'34"E FOR THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, CITY OF CHANDLER, MARICOPA COUNTY, ARIZONA AS SHOWN ON THE RECORD OF SURVEY PLSS SUBDIVISION -MARICOPA COUNTY GEODETIC DENSIFICATION AND CADASTRAL SURVEY (GDACS) RECORDED IN BOOK 589, PAGE 48, MARICOPA COUNTY RECORDS.

Sheet 2 of 4

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*Professional Land
Surveyor AZ No. 33868*

Digitally signed by Troy A.
Ray RLS
DN: cn=Troy A. Ray RLS,
o=Ritoch-Powell &
Associates, Inc.,
email=troy@ritochpowell.com, c=US
Date: 2015.07.28 09:18:48 -0700

**Troy A.
Ray RLS**

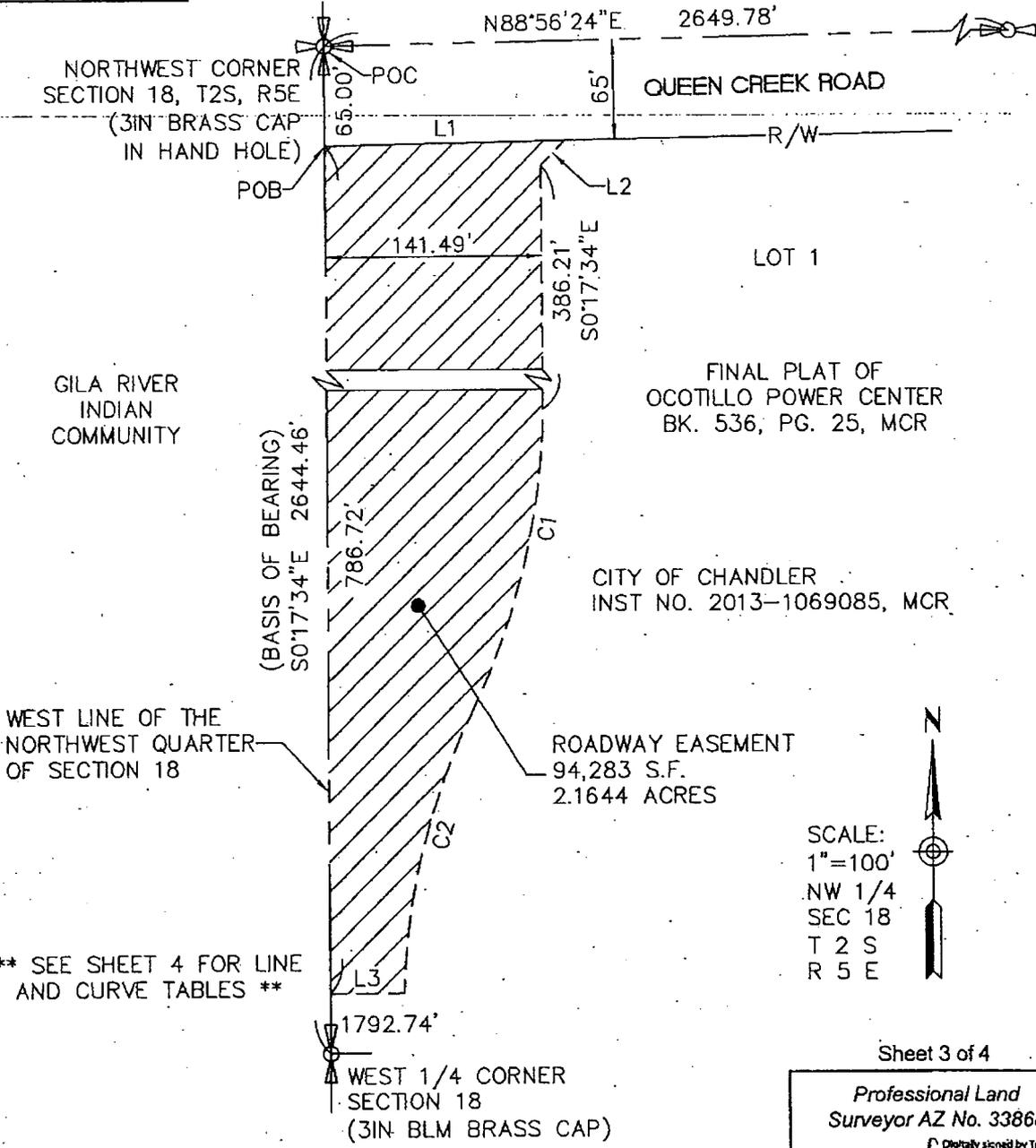
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EXHIBIT A SKETCH

NORTH 1/4 CORNER SECTION 18
(3IN BRASS CAP IN HAND HOLE)



** SEE SHEET 4 FOR LINE
AND CURVE TABLES **

N

SCALE:
1"=100'
NW 1/4
SEC 18
T 2 S
R 5 E

Sheet 3 of 4

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Troy A. Ray RLS
Digitally signed by Troy A. Ray RLS,
DN: cn=Troy A. Ray RLS,
o=Rittoch-Powell &
Associates, OLLC,
email=troy@rittochpowell.com, c=US
Date: 2015.07.28 09:19:03 -0700

(Expires 6/30/17)
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Chandler, Arizona
Where Values Make The Difference

EXHIBIT A

SKETCH

LINE TABLE		
LINE	BEARING	LENGTH
L1	N88°56'24"E	157.15'
L2	S43°53'20"W	22.45'
L3	S89°42'26"W	48.25'

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CHD BRNG
C1	26°16'17"	460.73'	211.26'	S12°50'35"W
C2	24°27'59"	444.12'	189.65'	S13°44'44"W

Sheet 4 of 4

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com, c=US
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-0700

(Expires 6/30/17)
ELECTRONIC SEAL
<http://www.bls.state.az.us/>

ROADWAY EASEMENT:

NORTH: 822701.01916' EAST: 707248.76078'

SEGMENT #1 : LINE

COURSE: N88°56'24"E LENGTH: 157.15'
NORTH: 822703.92635' EAST: 707405.88388'

SEGMENT #2 : LINE

COURSE: S43°53'20"W LENGTH: 22.45'
NORTH: 822687.74696' EAST: 707390.32015'

SEGMENT #3 : LINE

COURSE: S00°17'34"E LENGTH: 386.21'
NORTH: 822301.54200' EAST: 707392.29365'

SEGMENT #4 : CURVE

LENGTH: 211.26' RADIUS: 460.73'
DELTA: 026°16'17" TANGENT: 107.52'
CHORD: 209.41' COURSE: S12°50'35"W
COURSE IN: S89°42'26"W COURSE OUT: S64°01'16"W
RP NORTH: 822299.18771' EAST: 706931.56966'
END NORTH: 822097.37089' EAST: 707345.74574'

SEGMENT #5 : CURVE

LENGTH: 189.65' RADIUS: 444.12'
DELTA: 024°27'59" TANGENT: 96.29'
CHORD: 188.21' COURSE: S13°44'44"W
COURSE IN: S64°01'16"E COURSE OUT: N88°29'15"W
RP NORTH: 821902.82859' EAST: 707744.98986'
END NORTH: 821914.55113' EAST: 707301.02506'

SEGMENT #6 : LINE

COURSE: S89°42'26"W LENGTH: 48.25'
NORTH: 821914.30458' EAST: 707252.77569'

SEGMENT #7 : LINE

COURSE: N00°17'34"W LENGTH: 786.72'
NORTH: 822701.01431' EAST: 707248.75562'

PERIMETER: 1801.68' AREA: 94,283.33 SQ. FT. (2.1644 ACRES)
ERROR CLOSURE: 0.00708 COURSE: S46°45'24"W
ERROR NORTH: -0.004853 EAST: -0.005160

PRECISION 1: 254,011.30

Professional Land
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Ray RLS
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(Expires 6/30/17)
ELECTRONIC SEAL
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When recorded, mail to:
City Clerk
City of Chandler
Mail Stop 606, P.O. Box 4008
Chandler, AZ 85244-4008

APN: 303-37-959
Section 18, Township 2 South, Range 5 East

This document is exempt from Affidavit and Fee requirements pursuant to A.R.S. §11-1134(A)(2).

EASEMENT FOR VEHICULAR INGRESS AND EGRESS

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, the CITY OF CHANDLER, an Arizona municipal corporation ("Grantor"), being the owner of that certain real property situated in Maricopa County, Arizona, and more particularly described in Exhibit A, attached hereto and incorporated herein by this reference (the "Grantor's Property"), does hereby grant and convey to the INTEL CORPORATION, a Delaware corporation ("Grantee"), a non-exclusive, permanent easement over, along and upon that certain portion of the Grantor's Property described in Exhibit B, attached hereto and incorporated herein by this reference (the "Easement Property"), for the purpose of providing ingress and egress to and from Queen Creek Road, a public roadway abutting the Grantor's Property on the north, to and from that certain real property owned by Grantee, which is located some distance south of Grantor's Property and more particularly described in Exhibit C, attached hereto and incorporated herein by this reference (the "Intel Property").

The easement granted herein is intended to compliment (a) that easement for vehicular ingress and egress granted to Grantee by Bryant Stooks, a married man, as his sole and separate property ("Stooks"), who is the prior owner of the Grantor's Property, which easement was recorded with the Maricopa County Recorder as Instrument No. 1997-0230551, on April 9, 1997; (b) that easement for vehicular ingress and egress granted to Grantee by Grantor over, along and upon certain real property separately owned and acquired by Grantor, which abuts the south line of Grantor's Property, which easement was recorded with the Maricopa County Recorder as Instrument No. 1997-0230553, on April 9, 1997, and re-recorded as Instrument No. 2000-0387652, on May 22, 2000; and (c) that certain Access Drive Construction and Maintenance Agreement entered into between and among Grantor, Grantee and Stooks on or about March 3, 1997, and recorded with the Maricopa County Recorder as Instrument No. 1997-0230554, on April 9, 1997, together with a First Amendment to Access Drive Construction and Maintenance Agreement, dated January 3, 2016, entered into by and between the three parties, modifying the Agreement, and which has not been recorded, but which is on file in the office of the Chandler City Clerk (the "Access Drive Agreement").

The easement granted herein is subject to the following covenants, restrictions and conditions:

1. The easement is granted solely for the use of persons authorized to be upon the Intel Property, and in no event shall the easement be construed as one for general public right-of-way purposes.

2. The easement is subject to all existing easements and encumbrances of record not otherwise extinguished or released and is non-exclusive, provided that later granted easements shall be subject to Grantee's rights and uses provided for herein.

3. Grantee is not precluded from cutting back and trimming such portions of the branches and tops of trees and other vegetation as may extend over the Easement Property from any abutting land, including land owned by Grantor, so as to prevent the same from interfering with the right of ingress and egress granted by this easement.

4. The easement granted herein runs with the land, and the easement and all covenants, restrictions and conditions hereof shall be binding upon Grantor, its successors and assigns, and shall inure to the benefit of Grantee, its successors and assigns.

5. In the event the easement granted herein shall be abandoned and permanently cease to be used for the purposes stated herein, then all rights granted by this easement shall cease and revert to Grantor, its successors and assigns.

6. Grantor shall warrant and defend the rights, easements and privileges herein granted and the priority of this easement against all persons whomsoever, subject only to the matters set forth herein and in Exhibit D, attached hereto and incorporated herein by this reference.

7. Grantor hereby reserves the right to use the Easement Property in any manner that will not prevent or interfere with the exercise by Grantee of the rights granted herein, including the right to use the Easement Property for access by Grantor, its agents, employees and contractors, to public facilities operated by Grantor on the Grantor's Property. Grantor shall have the right to grant other non-exclusive easements over, along or upon the Easement Property; provided, however, that any such easement shall be subject to the easement granted herein.

8. The purpose of this easement is in part to allow for modification and realignment of the Access Drive as described in the Access Drive Agreement. Accordingly, Grantor, in accordance with the City of Chandler's obligations under the Access Drive Agreement, shall continue to maintain in good order, condition and repair the improvements that compose the Access Drive, as modified and realigned; however, Grantor shall not be responsible for any maintenance or repair of the Access Drive improvements resulting from damage caused by misuse of the Access Drive improvements by Grantee, its agents, employees, or contractors, or any licensee, tenant, invitee, or party otherwise in possession and use of Intel's Property.

[EXECUTION DATE AND SIGNATURE BLOCK ARE ON THE NEXT PAGE.]

DATED this ____ day of _____, 2016.

GRANTOR: The City of Chandler, an Arizona municipal corporation

By: _____

Its: _____

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing Easement for Vehicular Ingress and Egress was acknowledged before me this ____ day of _____, 2016, by _____, as the _____ of the City of Chandler, an Arizona municipal corporation, for the municipal corporation, being authorized so to do.

Notary Public

My commission expires:

APPROVED AS TO FORM

CITY ATTORNEY GAB

EXHIBIT A
Legal Description of Grantor's Property

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

Lot 1, OCOTILLO POWER CENTER, according to Book 536 of Maps, page 25, records of the Maricopa County, Arizona.



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EXHIBIT A LEGAL DESCRIPTION

A ROADWAY EASEMENT OVER LOT 1 AS SHOWN ON THE FINAL PLAT OF OCOTILLO POWER CENTER RECORDED IN BOOK 536, PAGE 25 MARICOPA COUNTY RECORDS (MCR) AND AS CONVEYED TO THE CITY OF CHANDLER BY DEED OF RECORD IN INSTRUMENT NUMBER 2013-1069085, MARICOPA COUNTY RECORDS (MCR) AND LOCATED IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA & SALT RIVER MERIDIAN, CITY OF CHANDLER, MARICOPA COUNTY, ARIZONA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 18 (3 INCH BRASS CAP IN HANDHOLE) FROM WHICH POINT THE WEST QUARTER CORNER THEREOF (3 INCH BLM BRASS CAP) BEARS S0°17'34"E A DISTANCE OF 2644.46 FEET;

THENCE S0°17'34"E, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 65.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF QUEEN CREEK ROAD. SAID POINT BEING THE POINT OF BEGINNING;

THENCE N88°56'24"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 157.15 FEET;

THENCE ACROSS SAID CITY OF CHANDLER TRACT THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

- 1.) S43°53'20"W A DISTANCE OF 22.45 FEET;
- 2.) S00°17'34"E, ALONG A LINE 141.49 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 386.21 FEET;
- 3.) 211.26 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, WITH A RADIUS OF 460.73 FEET, HAVING A CENTRAL ANGLE OF 26°16'17" AND A CHORD BEARING S12°50'35"W TO A POINT OF REVERSE CURVATURE;
- 4.) 189.65 FEET ALONG THE ARC OF A CURVE TO THE LEFT, WITH A RADIUS OF 444.12 FEET, HAVING A CENTRAL ANGLE OF 24°27'59" AND A CHORD BEARING S13°44'44"W;
- 5.) S89°42'26"W A DISTANCE OF 48.25 FEET TO A POINT ON SAID WEST LINE OF THE NORTHWEST QUARTER;

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THE BASIS OF BEARING FOR THE ABOVE DESCRIPTION IS S0°17'34"E FOR THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, CITY OF CHANDLER, MARICOPA COUNTY, ARIZONA AS SHOWN ON THE RECORD OF SURVEY PLSS SUBDIVISION -MARICOPA COUNTY GEODETIC DENSIFICATION AND CADASTRAL SURVEY (GDACS) RECORDED IN BOOK 589, PAGE 48, MARICOPA COUNTY RECORDS.

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**(Expires 6/30/17)
ELECTRONIC SEAL**

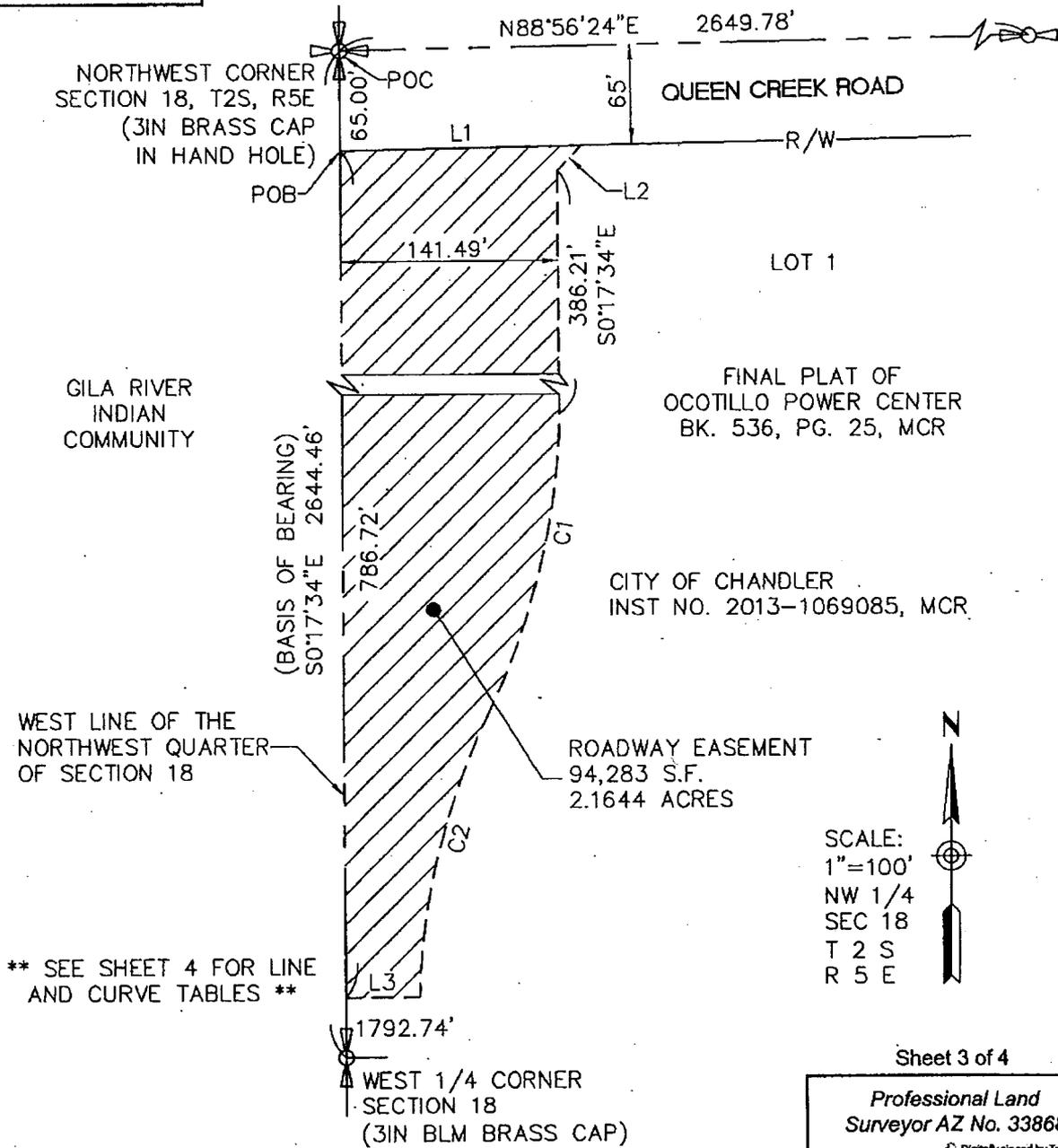
<http://www.bls.state.az.us/>



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Where Values Make The Difference

EXHIBIT A SKETCH

NORTH 1/4 CORNER SECTION 18
(3IN BRASS CAP IN HAND HOLE)



Sheet 3 of 4

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SKETCH

LINE TABLE		
LINE	BEARING	LENGTH
L1	N88°56'24"E	157.15'
L2	S43°53'20"W	22.45'
L3	S89°42'26"W	48.25'

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CHD BRNG
C1	26°16'17"	460.73'	211.26'	S12°50'35"W
C2	24°27'59"	444.12'	189.65'	S13°44'44"W

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Associates, ou,
email=troy@ritochpowell.
com, c=US
Date: 2015.07.28 09:19:20
-0700

(Expires 6/30/17)
ELECTRONIC SEAL
<http://www.btr.state.az.us/>

ROADWAY EASEMENT:

NORTH: 822701.01916' EAST: 707248.76078'

SEGMENT #1 : LINE

COURSE: N88°56'24"E LENGTH: 157.15'
NORTH: 822703.92635' EAST: 707405.88388'

SEGMENT #2 : LINE

COURSE: S43°53'20"W LENGTH: 22.45'
NORTH: 822687.74696' EAST: 707390.32015'

SEGMENT #3 : LINE

COURSE: S00°17'34"E LENGTH: 386.21'
NORTH: 822301.54200' EAST: 707392.29365'

SEGMENT #4 : CURVE

LENGTH: 211.26' RADIUS: 460.73'
DELTA: 026°16'17" TANGENT: 107.52'
CHORD: 209.41' COURSE: S12°50'35"W
COURSE IN: S89°42'26"W COURSE OUT: S64°01'16"E
RP NORTH: 822299.18771' EAST: 706931.56966'
END NORTH: 822097.37089' EAST: 707345.74574'

SEGMENT #5 : CURVE

LENGTH: 189.65' RADIUS: 444.12'
DELTA: 024°27'59" TANGENT: 96.29'
CHORD: 188.21' COURSE: S13°44'44"W
COURSE IN: S64°01'16"E COURSE OUT: N88°29'15"W
RP NORTH: 821902.82859' EAST: 707744.98986'
END NORTH: 821914.55113' EAST: 707301.02506'

SEGMENT #6 : LINE

COURSE: S89°42'26"W LENGTH: 48.25'
NORTH: 821914.30458' EAST: 707252.77569'

SEGMENT #7 : LINE

COURSE: N00°17'34"W LENGTH: 786.72'
NORTH: 822701.01431' EAST: 707248.75562'

PERIMETER: 1801.68' AREA: 94,283.33 SQ. FT. (2.1644 ACRES)
ERROR CLOSURE: 0.00708 COURSE: S46°45'24"W
ERROR NORTH: -0.004853 EAST: -0.005160

PRECISION 1: 254,011.30

Professional Land
Surveyor AZ No. 33868

Troy A.
Ray RLS
One on-Troy A. Ray RLS,
c/o-Ritch-Powell &
Associates, PLLC
email-troy@ritchypowell.com, ORLS

Ray RLS
Date: 2015.07.28 09:19:34
-0700
(Expires 6/30/17)

ELECTRONIC SEAL
<http://www.br.state.az.us/>

PARCEL NO. 1:

That part of the Southwest quarter of Section 18, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona more particularly described as follows:

COMMENCING at the Southwest corner of said Section 18 also being the POINT OF BEGINNING;

thence North 00 degrees 58 minutes 51 seconds East along the West section line of said Section 18 a distance of 1325.15 feet to the Northwest corner of the Southwest quarter of the Southwest quarter of said Section 18;

thence South 89 degrees 47 minutes 55 seconds East a distance of 1324.97 feet to the Northeast corner of said Southwest quarter of the Southwest quarter;

thence North 01 degrees 00 minutes 13 seconds East a distance of 966.38 feet to a point;

thence South 89 degrees 54 minutes 53 seconds East a distance of 1290.62 feet to a point on the North-South mid-section line of said Section 18;

thence South 00 degrees 10 minutes 31 seconds West along said mid-section line a distance of 2299.19 feet to the South quarter corner of said Section 18;

thence North 89 degrees 41 minutes 05 seconds West along the South line of the Southwest quarter of said Section 18 a distance of 2648.20 feet to the POINT OF BEGINNING.

EXCEPT the following described property:

Part of Section 18, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 18;

thence North 00 degrees 10 minutes 31 seconds East, along the North-South mid-section line 1809.19 feet to the TRUE POINT OF BEGINNING.

thence North 89 degrees 54 minutes 53 seconds West, parallel with the South line of the property described in Document No. 89-456086, records of Maricopa County, 535.00 feet;

thence North 00 degrees 10 minutes 31 seconds East, parallel with the North-south mid-section line of said Section 18, 390.00 feet to a point on the South line of said property described in Document No. 89-456086, records of Maricopa County;

thence South 89 degrees 54 minutes 53 seconds East, along the said South property line described in Document No. 89-456086, records of Maricopa County, 535.00 feet to a point on the North-South mid-section line of said Section 18;

EXHIBIT C

thence South 00 degrees 10 minutes 31 seconds West along said North-South mid-section line, 390.00 feet to the TRUE POINT OF BEGINNING, as conveyed to the City of Chandler in Document No. 84-0809819;

RESERVING unto INTEL CORPORATION an Easement for ingress and egress and private utilities over the Northerly 15.00 feet of the above described property.

PARCEL NO. 2:

That part of Section 19, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona more particularly described as follows:

COMMENCING at the Northwest corner of said Section 19 also being the POINT OF BEGINNING;

thence South 89 degrees 41 minutes 05 seconds East along the North line of the Northwest quarter of said Section 19 a distance of 2648.20 feet to the North quarter corner of said Section 19;

thence North 89 degrees 50 minutes 56 seconds East along the North line of the Northeast quarter of said Section 19 a distance of 277.34 feet to a point;

thence departing said North line South 04 degrees 08 minutes 15 seconds East a distance of 9.06 feet to the point of curvature of a curve whose radius point bears South 85 degrees 51 minutes 45 seconds West a distance of 2435.00 feet;

thence Southerly along the arc of said curve concave Westerly subtending an angle of 09 degrees 58 minutes 15 seconds an arc distance of 423.75 feet to a point of non-tangency;

thence South 89 degrees 45 minutes 15 seconds East a distance of 2366.70 feet to a point on the East line of said Section 19;

thence South 01 degrees 30 minutes 06 seconds West along said East line a distance of 2192.32 feet to the East quarter corner of said Section 19;

thence continuing South 01 degrees 30 minutes 06 seconds West along said East line a distance of 2648.04 feet to the Southeast corner of said Section 19;

thence South 89 degrees 59 minutes 38 seconds West along the South line of the Southeast quarter of said Section 19 a distance of 2620.06 feet to the South quarter corner of said section;

thence South 89 degrees 58 minutes 49 seconds West along the South line of the Southwest quarter of said Section 19 a distance of 2620.44 feet to the Southwest corner of said Section;

thence North 00 degrees 51 minutes 19 seconds East along the West line of said Southwest quarter a distance of 2648.44 feet to the West quarter corner of said Section 19;

thence North 00 degrees 53 minutes 33 seconds East along the West line of the Northwest quarter of said Section 19 a distance of 2648.26 feet to the POINT OF BEGINNING;

EXCEPT the following described property:

Being a portion of the Northwest quarter of Section 19, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona more particularly described as follows:

COMMENCING at the Northwest corner of said Northwest quarter;

thence South 89 degrees 41 minutes 05 seconds East along the North line of said Northwest quarter a distance of 2387.83 feet;

thence South 00 degrees 18 minutes 55 seconds West a distance of 20.00 feet to the POINT OF BEGINNING;

thence South 89 degrees 41 minutes 05 seconds East parallel to and 20.00 feet South of the North line of said Northwest quarter a distance of 250.00 feet;

thence South 01 degrees 07 minutes 55 seconds West a distance of 250.00 feet;

thence North 89 degrees 41 minutes 05 seconds West a distance of 250.00 feet;

thence North 01 degrees 07 minutes 55 seconds East a distance of 250.00 feet to the POINT OF BEGINNING.

TOGETHER WITH that portion of Dobson Road as dedicated on plat in Book 395 of Maps, page 11, that is vacated on plat in Book 408 of Maps, page 50.

EXCEPT that portion of Dobson Road dedicated on the plat in Book 409 of Maps, page 27.

PARCEL NO. 3:

Being a portion of the Southeast quarter of Section 18, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the Southwest corner of said Southeast quarter of Section 18;

THENCE North 00 degrees 10 minutes 07 seconds East, along the boundary of OCOTILLO, as shown on the MAP OF DEDICATION OF RIGHT-OF-WAY AND EASEMENTS FOR OCOTILLO, Book 303, Page 24, Maricopa County Records, 2299.05 feet;

THENCE South 89 degrees 54 minutes 53 seconds East, 104.33 feet to a point on the Westerly right-of-way line of Price Road, as shown on said Map of Dedication;

THENCE South 04 degrees 08 minutes 15 seconds East, along said right-of-way line, 2304.15 feet to a point on the South line of said Southeast quarter of Section 18;

THENCE South 89 degrees 50 minutes 56 seconds West, along said South line, 277.34 feet to the POINT OF BEGINNING.

Together with that portion of vacated Dobson Road lying Easterly and adjacent to said premises as shown on plat in Book 388 of Maps, page 20 and in Ordinance recorded in Document No. 84-0788848.

PARCEL NO. 4:

A portion of Sections 18 and 19, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 18;

THENCE North 89 degrees 50 minutes 56 seconds East, along the South line of Section 18, 277.34 feet to the TRUE POINT OF BEGINNING.

THENCE continuing North 89 degrees 50 minutes 56 seconds East, along said South line of Section 18, 130.32 feet;

THENCE North 04 degrees 08 minutes 15 seconds West, 46.53 feet;

THENCE North 40 degrees 51 minutes 45 seconds East, 28.28 feet;

THENCE North 85 degrees 51 minutes 45 seconds East, 22.27 feet to a point of curvature of a tangent curve concave Northwesterly having a radius of 850.00 feet;

THENCE Northeasterly along the arc of said curve through a central angle of 14 degrees 39 minutes 39 seconds, 166.32 feet to a point of curvature of a non-tangent curve concave Northeasterly from which the center of said curve bears North 57 degrees 36 minutes 13 seconds East, 1735.00 feet;

THENCE Southeasterly along the arc of said curve through a central angle of 25 degrees 24 minutes 40 seconds, 769.49 feet to a point on the South line of A.P.N. 303-49-001B as described in Recorder's No. 88-637333 records of Maricopa County;

THENCE North 89 degrees 45 minutes 15 seconds West, along said South line, 876.47 feet to a point of curvature of a non-tangent curve concave Westerly from which the center of said curve bears North 84 degrees 10 minutes 00 seconds West, 2,435.00 feet;

THENCE Northerly along the arc of said curve through a central angle of 09 degrees 58 minutes 15 seconds, 423.75 feet to a point of tangency;

THENCE North 04 degrees 08 minutes 15 seconds West, 9.08 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 5:

A portion of Section 18, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 18;

THENCE North 89 degrees 50 minutes 56 seconds East, along the South line of said Section 18; 407.86 feet;

THENCE North 04 degrees 08 minutes 15 seconds West, 188.53 feet to the TRUE POINT OF BEGINNING.

THENCE continuing North 04 degrees 08 minutes 15 seconds West, 38.50 feet;

THENCE South 26 degrees 37 minutes 48 seconds East, 63.32 feet;

THENCE South 85 degrees 51 minutes 45 seconds West, 4.22 feet;

THENCE North 49 degrees 08 minutes 15 seconds West, 28.28 feet to the TRUE POINT OF BEGINNING.

SCHEDULE B – SECTION II

EXCEPTIONS

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

A. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires for the value of records the estate or interest or mortgage thereon covered by this Commitment.

B. Exceptions and Exclusions from coverage which will appear in the policy or policies to be issued as set forth in Attachment One attached.

1. Intentionally Omitted.

2. The liabilities and obligations imposed upon said Land by reason of: (a) inclusion thereof within the boundaries of the Salt River Project Agricultural Improvement and Power District; (b) membership of the owner thereof in the Salt River Valley Water Users' Association, an Arizona corporation and (c) the terms of any Water Right Application made under the reclamation laws of the United States for the purposes of obtaining water rights for said Land.

3. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: ingress and egress
Recording Date: March 12, 1984
Recording No: 84-101329

4. Matters contained in that certain document

Entitled: Agreement disclosed in Warranty Deed
Dated: April 11, 1984
Executed by: Bogle Farms, Inc., an Arizona corporation
Recording Date: April 11, 1984
Recording No: 84-151826

5. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: underground electrical conduits
Recording Date: January 28, 1985
Recording No: 85-038849

SCHEDULE B – Section II
(Continued)

6. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: April 07, 1986
 Recording No: 86-167478, supplement
 Recorded: December 16, 1986
 Recording No: 86-695210 and
 Re-recorded: November 20, 1987
 Recording No: 87-702652, amendment
 Recorded: October 13, 1987
 Recording No: 87-629100, amendment
 Recorded: March 28, 1988
 Recording No: 88-140795, supplement
 Recorded: October 28, 1988
 Recording No: 88-628240

Liens and charges as set forth in the above mentioned declaration,

Payable to: The Ocotillo Community Association

7. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: overhead and underground power
 Recording Date: September 26, 1986
 Recording No: 86-523514

8. Easements, restrictions, reservations and conditions as set forth on the plat
 3030

Recorded in Book of Maps: 303
 Page: 24 and Affidavit
 Recorded: December 04, 1985
 Recording No: 86-670054

9. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: sanitary sewer and water lines
 Recording Date: December 16, 1986
 Recording No: 86-695163

10. Matters contained in that certain document

Entitled: Agreement for Extension of Sanitary Trunk Sewer Agreement Number 230-115
 Dated: July 01, 1987
 Executed by: City of Chandler, an Arizona municipal corporation and Ocotillo West
 Recording Date: September 08, 1987
 Recording No: 87-561907



SCHEDULE B – Section II
(Continued)

11. Matters contained in that certain document

Entitled: Agreement
Re: Dual Distribution System
Dated: December 28, 1989
Executed by: City of Chandler, an Arizona municipal corporation and Ocotillo West Joint Venture
Recording Date: December 29, 1989
Recording No: 89-600163

12. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: roadway drainage
Recording Date: October 25, 1993
Recording No: 93-0725308

13. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: temporary construction of roadway drainage
Recording Date: October 25, 1993
Recording No: 93-0725309

14. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: ingress and egress
Recording Date: April 09, 1997
Recording No: 97-0230551

15. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: ingress and egress
Recording Date: April 09, 1997
Recording No: 97-0230552

16. Matters contained in that certain document

Entitled: Access Drive Construction and Maintenance Agreement
Dated: March 03, 1997
Executed by: Bryant Stooks, a married man; Intel Corporation, a Delaware corporation and City of Chandler, an Arizona municipal corporation
Recording Date: April 09, 1997
Recording No: 97-0230554

17. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: transmission and distribution of electricity and access road
Recording Date: December 23, 1997
Recording No: 97-0898739



SCHEDULE B – Section II
(Continued)

18. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
- Purpose: a sixteen inch irrigation pipeline
Recording Date: September 21, 1998
Recording No: 98-0839955
19. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
- Purpose: underground power
Recording Date: November 09, 1999
Recording No: 99-1029276
20. Easements, restrictions, reservations and conditions as set forth on the plat
- Recorded in Book of Maps 536
Page 25
21. Matters contained in that certain document
- Entitled: Temporary Right of Entry Authorization
Dated: August 30, 2000
Executed by: W. Bryant Stooks, husband of Kathleen Stooks, who took title as Bryant Stooks, an unmarried man and Intel Corporation, a Delaware corporation
Recording Date: May 11, 2001
Recording No: 2001-0395968
22. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
- Purpose: power distribution
Recording Date: April 15, 2002
Recording No: 20020382359
23. Consent to Conditions/Waiyer for Diminution of Value
- Recorded March 10, 2008
Recording No. 2008-0210308

END OF SCHEDULE B – SECTION II

