

When recorded return to:
Clerk of the Board
P.O. Box 827
Florence AZ 85132

RESOLUTION NO. _____

A RESOLUTION OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS ACCEPTING A DRAINAGE EASEMENT FROM L&D-GANTZEL & BELLA VISTA, L.L.C.

WHEREAS, on November 26, 2024, a Drainage Easement (“Easement”) was executed by L&D-Gantzel & Bella Vista, L.L.C., an Arizona limited liability company, (Grantor”) granting a non-exclusive drainage easement to the public, a copy of which is attached hereto as Exhibit A; with attachments and

WHEREAS, it is in the best interests of Pinal County that the Drainage Easement be accepted by the Pinal County Board of Supervisors for non-exclusive drainage purposes.

THEREFORE, BE IT RESOLVED by the Pinal County Board of Supervisors that the Drainage Easement is hereby accepted.

THEREFORE, BE IT FURTHER RESOLVED, that this Resolution shall become effective upon recording of said Resolution with the Office of the County Recorder, Pinal County, Arizona.

PASSED AND ADOPTED this _____ day of _____, 2024, by the PINAL COUNTY BOARD OF SUPERVISORS.

Chairman of the Board

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:

Deputy County Attorney

EXHIBIT A

[Drainage Easement - Fee# 2024-092407]



DATE/TIME: 12/02/2024 1514
FEE: \$0.00
PAGES: 5
FEE NUMBER: 2024-092407

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5R

DRAINAGE EASEMENT

EXEMPT: A.R.S. § 11-1134(A)(2)

THAT, **L&D-GANTZEL & BELLA VISTA, L.L.C., an Arizona limited liability company**, as Grantor, does hereby grant and convey to the public a non-exclusive drainage easement upon, over, across and through that certain parcel of land situated in Pinal County, Arizona, and described in the attached Exhibit A and made part hereof.

The drainage easement shall be for any drainage purpose including without limitation retention, detention, conveyance and blockage of surface water flows. No use by the Grantor of the area subject to the Drainage Easement shall prohibit or interfere with the drainage use by the public. No use shall be permitted within the drainage easement which would prohibit or interfere with the drainage use.

Maintenance of the drainage easement shall be the responsibility of the Grantor. Should Grantor not adequately maintain the drainage easement, the governing entity having jurisdiction over the area which the drainage easement is located, will allow the Grantor thirty (30) day written notice to perform the appropriate maintenance. However, if the drainage easement is deemed a threat to the health or safety of the public, Pinal County will immediately enter upon and maintain the drainage easement, and charge Grantor reasonable cost for the maintenance. Grantor shall have the responsibility to construct, operate, maintain, remove and replace all pipes, mains and water drainage, storage systems and facilities necessary in connection therewith.

All provisions herein shall be binding upon the heirs, successors and assigns of the Grantor.

DATED this 26th day of November, 2024.

Signature of **GRANTOR**:

L&D-Gantzel & Bella Vista, L.L.C., an Arizona limited liability company

By: Levine Investments Limited Partnership, an Arizona limited partnership, Member

By: Keim, Inc., an Arizona Corporation, General Partner

By: [Signature]
Andrew M. Cohn, Authorized Representative

By: **DI-BELLA Vista & Gantzel, LLC**, an Arizona limited liability company

By: Car-Del Limited Partnership, an Arizona limited partnership, Member

By: Germann-GFB II, L.L.C., an Arizona limited liability company, General Partner

By: *Gary D. Davidson*
Gary D. Davidson, a married man dealing with his sole and separate property, Member

State of ARIZONA)
County of Maricopa) ss.

The foregoing Drainage Easement was acknowledged before me this 26th day of November, 2024, by Andrew M. Cohn and Gary D. Davidson, in their aforementioned capacities on behalf of L&D-Gantzel & Bella Vista, L.L.C., an Arizona limited liability company, for and on behalf thereof.



LINDSAY DAVIDSON
Notary Public - Arizona
Maricopa Co. / #671390
Expires 07/31/2028

Lindsay Davidson
Notary Public

My Commission Expires: 07/31/2028

EXHIBIT A
Legal Description – See following pages

November 18, 2024
3 Engineering Job No. 2068

**DRAINAGE EASEMENT
LEGAL DESCRIPTION**

THAT PORTION OF LOT 4 OF THE MINOR LAND DIVISION RECORDED IN FEE NUMBER 2023-087253, RECORDS OF PINAL COUNTY, ARIZONA, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 4;
THENCE NORTH 00°15'30" WEST ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 70.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF EAST BELLA VISTA ROAD PER DOCUMENT 2024-050070, RECORDS OF SAID COUNTY;

THENCE NORTH 89°33'37" EAST ALONG SAID NORTH LINE, A DISTANCE OF 303.35 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 255.84 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 12.00 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 82.28 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 13.00 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 58.00 FEET;

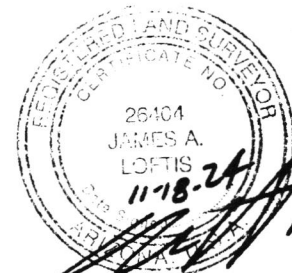
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 13.00 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 64.09 FEET TO THE EAST LINE OF SAID LOT 4;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 3.04 FEET TO AN ANGLE POINT ON SAID EAST LINE;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID EAST LINE A DISTANCE OF 51.41 FEET TO SAID NORTH RIGHT-OF-WAY LINE;

THENCE SOUTH 89 DEGREES 33 MINUTES 37 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 8.96 FEET TO THE **POINT OF BEGINNING**.



FEE NUMBER 2024-019472



FEE NUMBER 2024-045891

LOT 3

LOT 4

FEE NUMBER 2023-087253 P.C.R.

S 1/4 COR. SEC. 17
FD. BRASS CAP
IN HANDHOLE
PCHD

P.O.C.
SW COR.
LOT 4



SCALE: 1" = 60'



N90° 00' 00" E
12.00'

N00° 00' 00" W 255.84'

S00° 00' 00" E
82.28'

N90° 00' 00" E
13.00'

S00° 00' 00" E
58.00'

E. LINE
LOT 4

N90° 00' 00" W
13.00'

S00° 00' 00" E
64.09'

N90° 00' 00" W
3.04'

S00° 00' 00" E
51.41'

N. RIGHT-OF-WAY LINE

T.P.O.B.

N89° 33' 37" E 303.35'

S89° 33' 37" W
8.96'

70' R/W
PER
DOC. 2024-
050070

1985.04'

N00° 15' 30" W
70.00'

703.95'

N89° 33' 37" E 2688.99'

E. BELLA VISTA ROAD

SE COR. SEC. 17
FD. BRASS CAP
IN HANDHOLE
NO I.D.

N. GANTZEL ROAD

LEGAL EXHIBIT

DRAINAGE EASEMENT

3e engineering
planning civil engineering surveying

3 ENGINEERING, LLC
6370 E. THOMAS ROAD, SUITE # 200 - SCOTTSDALE, ARIZONA 85251
PHONE: (602) 334-4387 - FAX: (602) 490-3230
WWW.ENGINEERING.COM

DATE: 11/18/24
PROJECT NO.: 2068