

#2

APR 14 2011



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM Real Estate – Council Memo No. RE11-117

DATE: APRIL 14, 2011

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, ACTING CITY MANAGER *RD*
PAT MCDERMOTT, ASSISTANT CITY MANAGER *PM*
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*
DANIEL W. COOK, TRANSPORTATION MANAGER *DW*
SHEINA HUGHES, CITY ENGINEER *SH*

FROM: ERICH KUNTZE, REAL ESTATE COORDINATOR *EK*

SUBJECT: ORDINANCE NO. 4281 GRANTING A NO COST 6 FOOT WIDE EASEMENT FOR A GAS LINE TO SOUTHWEST GAS CORPORATION (SGC) TO RELOCATE ONE OF ITS GAS LINES LOCATED NEAR THE NORTHEAST CORNER OF ALMA SCHOOL ROAD AND RAY ROAD.

RECOMMENDATION: Staff recommends introduction and tentative approval of Ordinance No. 4281 granting a no cost 6 foot wide easement for a gas line to Southwest Gas Corporation (SGC) to relocate one of its gas lines located near the northeast corner of Alma School Road and Ray Road.

BACKGROUND/DISCUSSION: SGC has existing gas pipe lines and other facilities at the Alma School Road and Ray Road intersection. As part of the Alma School and Ray Road Intersection Improvement Project ST-0704, SGC will be required to move portions of its existing facilities. In addition, SGC has indicated that they are willing to relocate an existing gas line that divides City owned property at the northeast corner of the intersection. Doing so will improve the ability to develop the parcel in the future. In consideration of receiving an easement for the new location, SGC has agreed to move the gas line at no cost to the City of Chandler.

Relocating the gas line benefits the City and the Public. Staff has reviewed and approved the legal descriptions for the new easement.

Council Meeting of 4/14/11
RE11-117
Page 2

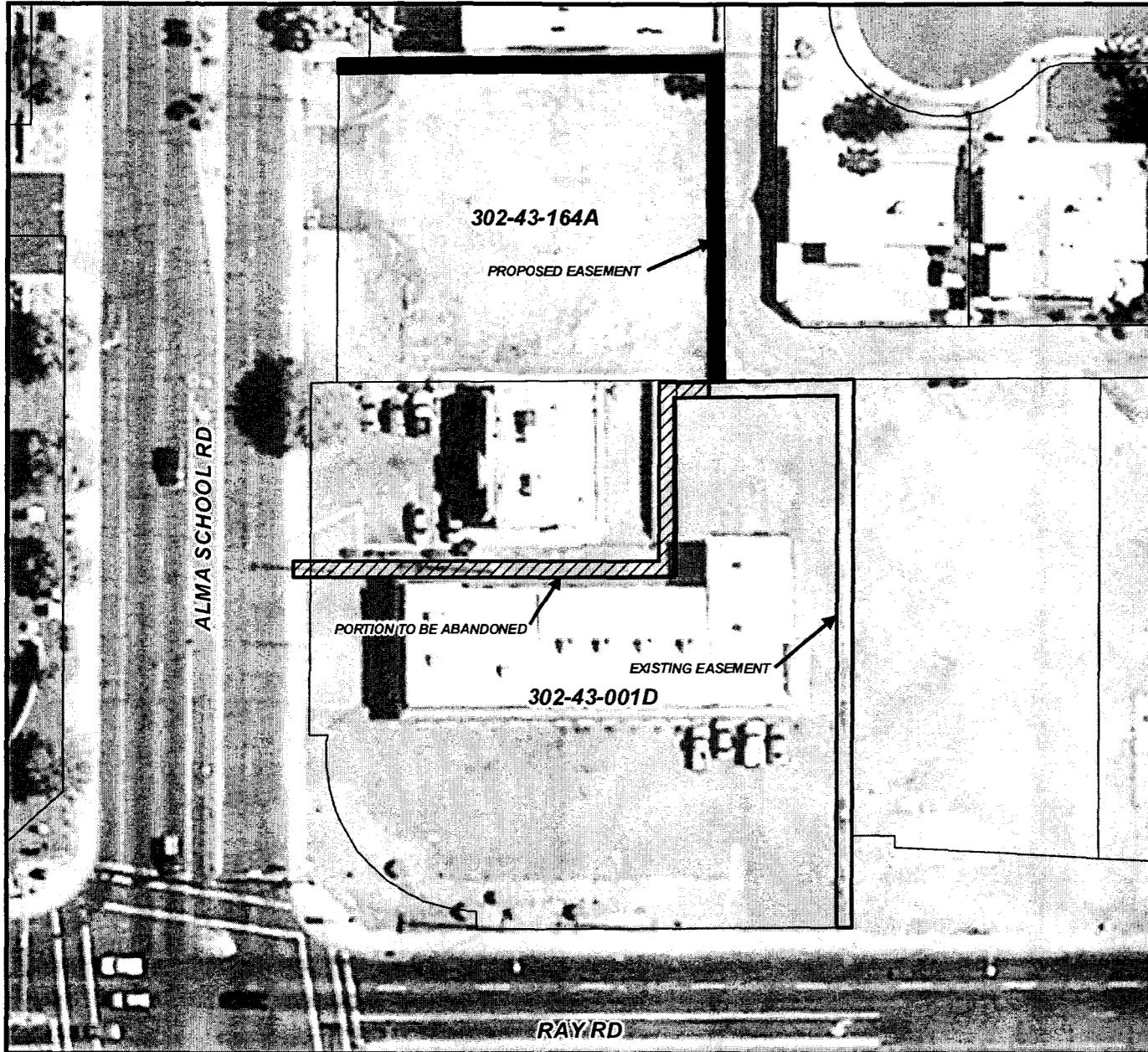
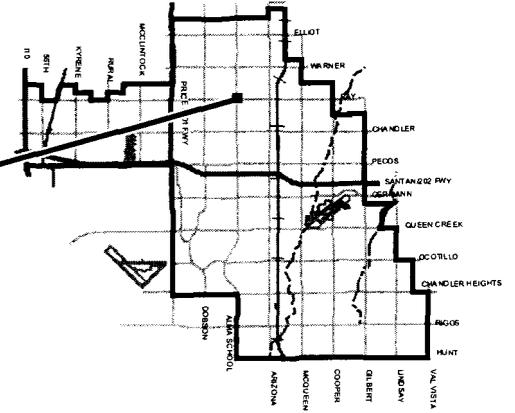
FINANCIAL IMPLICATIONS:

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

PROPOSED MOTION: Move that Council introduce and tentatively approve Ordinance No. 4281 granting a no cost 6 foot wide easement for a gas line to Southwest Gas Corporation (SGC) to relocate one of its gas lines located near the northeast corner of Alma School Road and Ray Road.

Attachments: Map
Ordinance No. 4281
SGC Easement

GRANT A 6 FOOT WIDE EASEMENT TO SOUTHWEST GAS CORPORATION



MEMO NO. RE11-117

ORDINANCE NO. 4281

6' WIDE EASEMENT

-  EXISTING EASEMENT
-  PORTION TO BE ABANDONED
-  PROPOSED EASEMENT

ORDINANCE NO. 4281

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, TO AUTHORIZE AND APPROVE GRANTING A NO COST SIX (6) FOOT WIDE EASEMENT FOR A GAS LINE TO SOUTHWEST GAS CORPORATION TO RELOCATE ONE OF ITS GAS LINES LOCATED NEAR THE NORTHEAST CORNER OF ALMA SCHOOL ROAD AND RAY ROAD.

WHEREAS, the City of Chandler owns several parcels of land located at the northeast corner of Alma School Road and Ray Road that have an existing 6 foot wide Utility Easement for a gas line dividing said parcels; and

WHEREAS, Southwest Gas Corporation is willing to relocate said gas line at no cost to the City; and

WHEREAS, once the gas line has been relocated into a new easement Southwest Gas Corporation will abandon the portion of its existing easement that divides the City owned parcels; and

WHEREAS, the relocation of said gas line will benefit the City, the Public and the future development of said parcels; and

WHEREAS, the City of Chandler is willing to grant a 6 foot wide easement for a gas line to Southwest Gas Corporation, at no cost, to allow for the relocation of the existing gas line at this location.

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 a 6 foot wide easement for a gas line to Southwest Gas Corporation through, over, under and across that certain property described and depicted in Exhibits "A" and "B" attached hereto and made a part hereof by this reference.

Section 2. That the granting of said easement 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 document and this Ordinance on behalf of the City.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this _____ day of _____, 2011.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council this _____ day of _____, 2011.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4281 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2011, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *LAG*

APN # 302-43-164A

Recording Requested By/Return To:
Southwest Gas Corporation

Page 1 of 4

		SOUTHWEST GAS CORPORATION	
		GRANT OF EASEMENT	
<i>This form is used to acquire land rights for installation of pipeline(s) and appurtenances.</i>			
Prepared By	<u>MLH</u>	Approved By	<u>Greg Cooper</u>
Sec. <u>21</u>	<u>T 1 S</u>	<u>R 5 E</u>	Meridian <u>G&SRB&M</u>
County <u>MARICOPA</u>	State <u>ARIZONA</u>		
W.R. No. <u>948241</u>	W.O. No. _____		
I (We) <u>City of Chandler, an Arizona municipal corporation</u>			
<p>For and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the undersigned, hereinafter referred to as Grantor(s), does hereby grant, convey, quitclaim and release unto SOUTHWEST GAS CORPORATION, a California Corporation, its successors and assigns hereinafter referred to as Grantee, a perpetual easement <u>6.0</u> feet wide for the installation and maintenance of a natural gas pipeline or pipelines and appurtenances, across, over, under and through the following described property, to wit:</p> <p>SEE ATTACHED EXHIBIT(s)</p> <p>together with the right of ingress and egress to and from the said easement and the right to use existing roads for the purpose of constructing, inspecting, repairing, and maintaining said pipeline or pipelines and appurtenances and the removal or replacement of same, in whole or in part, at will.</p> <p>Grantor agrees that no buildings, structures, fences or trees shall be placed upon, over or under said parcel of land, except for street, road or driveway purposes, which Grantor agrees shall not interfere with Grantee's exercise of the rights herein granted. Grantee agrees to work with due care in the exercise of its rights on the property and to restore it to reasonably the same condition which existed before the work was performed.</p> <p>Except as provided above, Grantee agrees to pay all direct damages which are caused by the Grantee's exercise of the rights herein granted.</p>			
Form 335.0 (05/2008) 581 - Microsoft Word		Link to Form Instructions	

W.R. No. 948241

W.O. No. _____

The undersigned hereby affirms that there is no Social Security Number contained in this document submitted for recording.

TO HAVE AND TO HOLD said easement unto Grantee, its successors and assigns, together with all rights granted hereby.

IN WITNESS WHEREOF, the duly authorized representative of the undersigned has executed this Grant of Easement this

_____ day of _____, 20__

City of Chandler, an Arizona municipal corporation

Grantor _____

Mayor

Grantor _____

ACKNOWLEDGMENT

STATE OF _____)

COUNTY OF _____)

APPROVED AS TO FORM

EAB

On _____, before me, _____
(here insert name of the officer)

a notary public, personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of _____ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT "A"
To
GRANT OF EASEMENT
SOUTHWEST GAS CORPORATION
WR# 948241
PAGE 3 OF 4

APN: 302-43-164A

That portion of Section 21, Township 1 South, Range 5 East, Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

A strip of land 6.00 feet in width, being 3.00 feet on both sides of the center line of the natural gas pipeline(s) lying within the north 6.0 feet and the east 6.0 feet of the southerly 125 feet of Tract D, Barnette Manor, recorded in Book 174 of Maps, Page 32, in the records of Maricopa County, Arizona.

EXHIBIT "B"
WR#948241
CHAN ST0704-201
ALMA SCHOOL RD & RAY RD
CHANDLER, ARIZONA
APN: 302-43-164A

