

#7

MAY 26 2011



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM Real Estate – Council Memo No. RE11-198

DATE: MAY 26, 2011

TO: MAYOR AND COUNCIL

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

FROM: ERICH KUNTZE, REAL ESTATE COORDINATOR *EK*

SUBJECT: ORDINANCE NO. 4306 GRANTING A NO COST POWER DISTRIBUTION EASEMENT TO SALT RIVER PROJECT (SRP) AT THE MCQUEEN ROAD AND BALSAM DRIVE INTERSECTION AS PART OF THE MCQUEEN ROAD FROM QUEEN CREEK ROAD TO RIGGS ROAD IMPROVEMENT PROJECT ST-0810.

RECOMMENDATION: Staff recommends introduction and tentative approval of Ordinance No. 4306 granting a no cost power distribution easement to Salt River Project (SRP) at the McQueen Road and Balsam Drive Intersection as part of the McQueen Road from Queen Creek Road to Riggs Road Improvement Project ST-0810.

BACKGROUND/DISCUSSION: As part of the improvement of McQueen Road from Queen Creek Road to Riggs Road, SRP was required to relocate some of its power facilities along the east side of McQueen Road. As a result, SRP requires a new power distribution easement for the relocated power line. The easement will be at no cost as it was required by a City project and benefits the Public. Construction on this project has been completed.

Staff has reviewed and confirms that SRP has prior rights at this location. Staff has also reviewed and approved the legal descriptions for the requested easement.

FINANCIAL IMPLICATIONS:

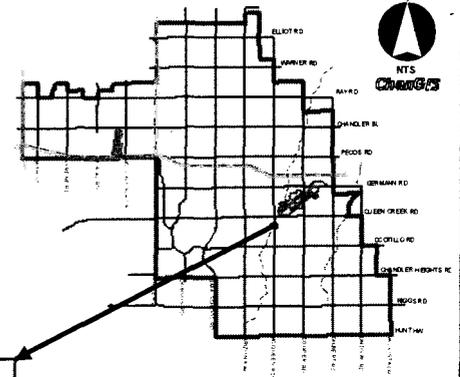
Cost: N/A
Savings: N/A
Long Term Costs: N/A

PROPOSED MOTION: Move that Council introduce and tentatively approve Ordinance No. 4306 granting a no cost power distribution easement to Salt River Project (SRP) at the McQueen Road and Balsam Drive Intersection as part of the McQueen Road from Queen Creek Road to Riggs Road Improvement Project ST-0810.

Attachments: Map
Ordinance No. 4306
SRP Easement



GRANTING A POWER DISTRIBUTION EASEMENT TO SALT RIVER PROJECT



 SRP ELECTRIC EASEMENT



MEMO NO. RE11-198
ORDINANCE NO. 4306

ORDINANCE NO. 4306

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, TO AUTHORIZE AND APPROVE GRANTING A POWER DISTRIBUTION EASEMENT AT NO COST TO SALT RIVER PROJECT (SRP) AT THE MCQUEEN ROAD AND BALSAM ROAD INTERSECTION TO ACCOMMODATE CONSTRUCTION OF THE MCQUEEN ROAD IMPROVEMENT PROJECT FROM QUEEN CREEK ROAD TO RIGGS ROAD ST-0810.

WHEREAS, the City of Chandler has completed construction of the first phase of the improvements to McQueen Road between Queen Creek Road and Riggs Road; and

WHEREAS, the improvements required that Salt River Project (SRP) relocate some of its existing power facilities in this area; and

WHEREAS, Salt River Project requires a new power distribution easement for its relocated facilities; and

WHEREAS, the City of Chandler is willing to grant the easement at no cost to Salt River Project.

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 power easement at no cost to Salt River Project, through, over, under 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 power distribution 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 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. 4306 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.

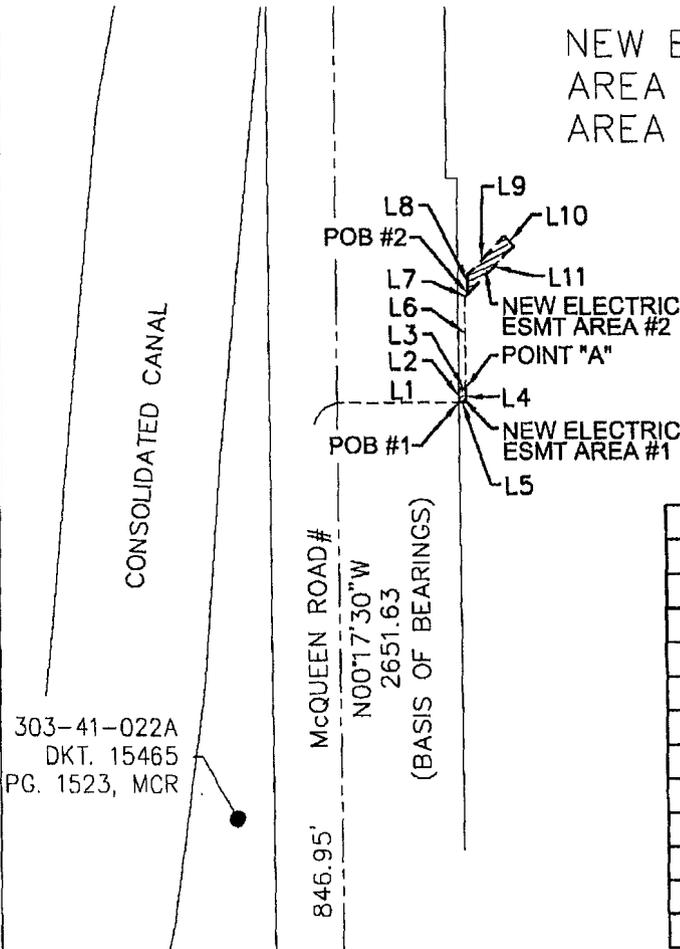
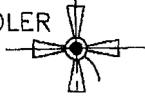
CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *BAB*

SRP ELECTRIC EASEMENT ACROSS PARCEL 303-42-022E EXHIBIT A SKETCH

3" CITY OF CHANDLER
BCHH AT NW
COR SEC 14



NEW ELECTRIC ESMT
AREA #1 = 32.00 S.F.
AREA #2 = 285.37 S.F.

SCALE:
1"=100'
NW 1/4
SEC 14
T 2 S
R 5 E

APN #303-42-022E
CHANDLER AIRPORT PROPERTY
INVESTORS LIMITED PARTNERSHIP
INST No. 2007-1213643, MCR

#=RIGHT-OF-WAY REFERENCE

#INST No. #07-1213644, MCR

#INST No. #07-1100884, MCR

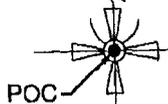
#BK. 1 OF ROAD MAPS, PG.41, MCR

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N89°42'30"E	71.00'
L2	N00°17'30"W	8.00'
L3	S89°59'47"E	4.00'
L4	S00°17'30"E	8.00'
L5	N89°59'47"W	4.00'
L6	N00°17'30"W	53.40'
L7	N44°19'14"E	2.85'
L8	N00°12'40"W	11.41'
L9	N44°19'14"E	31.61'
L10	S45°40'46"E	8.00'
L11	S44°19'14"W	39.74'

303-41-022A
DKT. 15465
PG. 1523, MCR

McQUEEN ROAD #1
N00°17'30"W
2651.63
(BASIS OF BEARINGS)

846.95'



3" CITY OF CHANDLER
BCHH AT W 1/4
COR SEC 14

**McQUEEN ROAD IMPROVEMENTS
PROJECT No.: 28012
NEW SRP ELECTRIC EASEMENT**

Date: 3/30/11

Preparing Firm: **RITTOCH-POWELL & ASSOCIATES, INC.**
3838 N. Central Ave., Suite 1250
Phoenix, AZ 85012
Ph: 602-263-1177
Fax: 602-277-6286



EXPIRES 6/30/2011

SRP ELECTRIC EASEMENT ACROSS PARCEL 303-42-022E EXHIBIT A

LEGAL DESCRIPTION

An electric easement over that tract as conveyed to Chandler Airport Property Investors Limited Partnership by deed of record in Instrument Number 2007-1213643, Maricopa County Records (MCR) and located in the Northwest Quarter of Section 14, Township 2 South, Range 5 East of the Gila & Salt River Meridian, City of Chandler, Maricopa County, Arizona, more particularly described as follows:

Commencing at the west quarter corner of said Section 14 (3" City of Chandler brass cap in hand hole) from which point the northwest corner thereof (3" City of Chandler brass cap in hand hole) bears N 00°17'30" W a distance of 2651.63 feet;

Thence N 00°17'30" W, along the west line of said Northwest Quarter, a distance of 846.95 feet;

Thence N 89°42'30" E, across the right-of-way of McQueen Road, a distance of 71.00 feet to a point on the east line thereof, POINT OF BEGINNING (POB #1);

Thence N 00°17'30" W, along said east right-of-way line, a distance of 8.00 feet;

Thence across said tract the remaining courses and distances:

Thence S 89°59'47" E a distance of 4.00 feet to a point to be known as POINT "A";

Thence S 00°17'30" E, along a line 4.00 feet east of and parallel to said east right-of-way line, a distance of 8.00 feet;

Thence N 89°59'47" W a distance of 4.00 feet to POINT OF BEGINNING (POB #1);

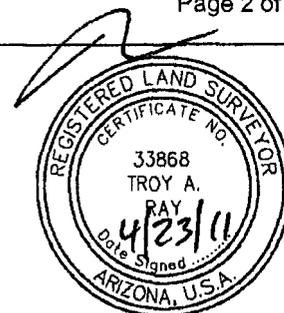
AND;

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Commencing at said POINT "A";

Thence across said tract the remaining courses and distances:

Thence N 00°17'30" W, along a line 4.00 feet east of and parallel to said east right-of-way line, a distance of 53.40 feet;

Thence N 44°19'14" E a distance of 2.85 feet to POINT OF BEGINNING (POB #2);

Thence N 00°12'40" W a distance of 11.41 feet;

Thence N 44°19'14" E a distance of 31.61 feet

Thence S 45°40'46" E a distance of 8.00 feet;

Thence S 44°19'14" W a distance of 39.74 feet to POINT OF BEGINNING (POB #2).

The above described easement contains (#1) 0.0007 acre of land (32.00 s.f.) + 0.0066 acre of land (285.37 s.f.) = 0.0073 acre of land (317.37 s.f.), more or less, including any easements of record.

The basis of bearing for the above description is N 00°17'30" W for the west line of the Northwest Quarter of Section 14, Township 2 South, Range 5 East of the Gila & Salt River Meridian, City of Chandler, Maricopa County, Arizona as shown on the PLSS Subdivision Record of Survey-Maricopa County Geodetic Densification and Cadastral Survey recorded in Book 589, Page 48, Maricopa County Records.

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WHEN RECORDED MAIL TO:

SALT RIVER PROJECT

Land Department/PAB400
P. O. Box 52025
Phoenix, Arizona 85072-2025

POWER DISTRIBUTION EASEMENT

Maricopa County
APN: 303-42-022E
NW4 Sec. 14 T2S R5E

Agt. MNT
Job # KE2-2799
W _____ C _____

**CITY OF CHANDLER,
an Arizona municipal corporation,**

hereinafter called Grantor, for and in consideration of the sum of One Dollar, and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey to **SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT**, an agricultural improvement district organized and existing under the laws of the State of Arizona, its agents, employees, contractors and permittees and its and their respective successors and assigns, hereinafter called the Grantee, a non-exclusive easement in, upon, over, under, across, through and along the lands hereinafter described (such lands hereinafter described being sometimes referred to herein as the "Easement Parcel") to construct, install, reconstruct, replace, remove, repair, operate and maintain underground electrical conductors, conduits, pipes, cables, vaults, pads, switching equipment, enclosures, manholes and transformers and all other appliances, appurtenances and fixtures (collectively "Facilities") for the transmission and distribution of electricity and for all other purposes connected therewith at such locations and elevations, in, upon, over, under, across, through and along the Easement Parcel as Grantee may now or hereafter deem convenient or necessary from time to time, together with the right of ingress and egress to, from, across and along the Grantor's Property.

The lands in, upon, over, under, across, through and along which this easement is granted are situated in the County of Maricopa, State of Arizona, and are more particularly described as:

Grantor's Property:

A portion of the Northwest quarter of Section 14, Township 2 South, Range 5 East, of the Gila and Salt River Base and Meridian, more particularly described in Instrument No. 2007-1213643, records of Maricopa County, Arizona.

Easement Parcel:

Said easement described and depicted on Exhibit A, attached hereto and by this reference made a part hereof.

CAUTION: Facilities placed within the Easement Parcel may contain high voltage electrical equipment. Notice is hereby given that the location of underground electrical conductors or facilities must be verified as required by Arizona Revised Statutes, Section 40-360.21, et seq., Arizona Blue Stake Law, prior to any excavation.

Grantor shall maintain a clear area that extends 3.00 feet from and around all edges of all transformer pads and other equipment pads, and a clear operational area that extends 12.00 feet immediately in front of all transformer and other equipment openings. No obstruction, trees, shrubs, fixtures or permanent structures shall be placed within said areas.

Grantor shall not construct, install or place, or permit to be constructed, installed or placed any building or other structure, plant any trees, drill any well, store materials of any kind, or alter ground level by cut or fill, within the area of the Easement Parcel.

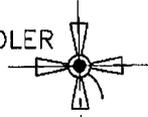
Grantee shall have the right (but not the obligation) to trim, cut and clear away trees, brush or other vegetation on the Easement Parcel whenever in its judgment the same shall be necessary for the convenient and safe exercise of the rights herein granted.

In the event Grantee records a document to formally abandon the easement granted herein, all Grantee's rights hereunder shall cease, except the right to remove any and all property placed upon the Easement Parcel within a reasonable time subsequent to such abandonment.

The covenants and agreements herein set forth shall extend and inure in favor and to the benefit of and shall be binding on the heirs, administrators, executors, personal representatives, legal representatives, successors (including successors in ownership and estate), assigns and lessees of the Grantor and Grantee.

SRP ELECTRIC EASEMENT ACROSS PARCEL 303-42-022E EXHIBIT A SKETCH

3" CITY OF CHANDLER
BCHH AT NW
COR SEC 14



NEW ELECTRIC ESMT
AREA #1 = 32.00 S.F.
AREA #2 = 285.37 S.F.

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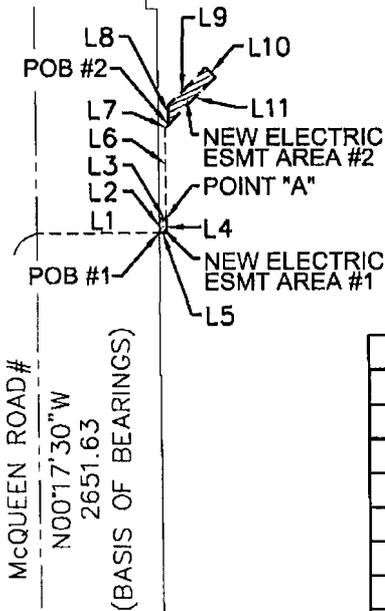
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CONSOLIDATED CANAL



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BCHH AT W 1/4
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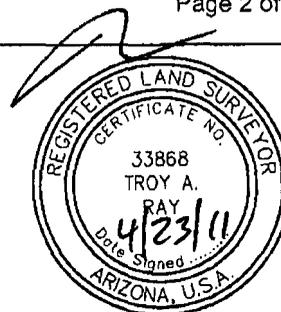
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