

#4
APR 12 2012

ORDINANCE NO. 4358

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 SOUTHWEST CORNER OF GILBERT ROAD AND OCOTILLO ROAD AS PART OF THE GILBERT ROAD IMPROVEMENT PROJECT FROM QUEEN CREEK ROAD TO HUNT HIGHWAY ST-0809.

WHEREAS, the City of Chandler has started construction of the first phase of the improvements to Gilbert Road between Queen Creek Road and Hunt Highway; and

WHEREAS, the project requires Salt River Project (SRP) to 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 _____, 2012.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council this _____ day of _____, 2012.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4358 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2012, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *GAB*

EXHIBIT "A"

LEGAL DESCRIPTION
FOR
PARCEL NO. 303-44-003-C
GILBERT ROAD-QUEEN CREEK ROAD TO HUNT HIGHWAY
SRP ELECTRIC EASEMENT

That portion of a parcel of land lying in existing City of Chandler right-of-way in front of the parcel as described in Document # 2006-0585055, records of MARICOPA COUNTY, ARIZONA located in the NORTHEAST QUARTER of SECTION 24, TOWNSHIP 2 SOUTH, RANGE 5 EAST of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the SOUTHEAST CORNER OF SAID SECTION 24, being monumented with a Brass Cap in handhole, from which the SOUTH QUARTER CORNER of SAID SECTION 24, being monumented with a Brass Cap in handhole, bears South 89 degrees 16 minutes 29 seconds West a distance of 2628.60 feet, said line being the South line of the Southeast Quarter of Section 24 and the basis of bearings for this description;

Thence along the East line of the Southeast Quarter of Section 24, North 00 degrees 16 minutes 50 seconds West a distance of 2650.04 feet to the calculated position for the East Quarter corner of said Section 24;

Thence along the East line of said Northeast Quarter of Section 24, North 00 degrees 18 minutes 16 seconds West a distance of 1414.43 feet to a point;

Thence South 89 degrees 41 minutes 44 seconds West a distance of 56.33 feet to a point, said point being the POINT OF BEGINNING;

Thence South 88 degrees 16 minutes 41 seconds West a distance of 8.00 feet to a point on a non-tangent curve to the left being concave Easterly and having a radius of 1865.00 feet bearing North 88 degrees 09 minutes 18 seconds East;

Thence along said curve, through a central angle of 01 degrees 32 minutes 25 seconds, an arc distance of 50.14 feet to a point on a line parallel with and 65.00 feet distant from said East line of the Northeast Quarter, said line being the existing West right-of-way line of Gilbert Road;

Thence along said existing West right-of-way line, North 00 degrees 18 minutes 16 seconds West a distance of 917.55 feet to an angle point therein;

Thence continuing along said existing West right-of-way line, South 89 degrees 41 minutes 44 seconds West a distance of 10.00 feet to an angle point therein, said point also being on a line parallel with and 75.00 feet distant from said East line of the Northeast Quarter;

Thence continuing along said existing West right-of-way line, North 00 degrees 18 minutes 16 seconds West a distance of 165.20 feet to a point;

Thence North 89 degrees 07 minutes 37 seconds East a distance of 8.00 feet to a point on a line parallel with and 67.00 feet distant from said East line of the Northeast Quarter;

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✓

Thence along last-mentioned parallel line, South 00 degrees 18 minutes 16 seconds East a distance of 149.28 feet to a point;

Thence North 89 degrees 41 minutes 44 seconds East a distance of 10.00 feet to a point on a line parallel with and 57.00 feet distant from said East line of the Northeast Quarter;

Thence along last-mentioned parallel line, South 00 degrees 18 minutes 16 seconds East a distance of 933.55 feet to a point on a tangent curve to the left being concave Easterly and having a radius of 1857.00 feet;

Thence along said curve, through a central angle of 01 degrees 32 minutes 27 seconds, an arc distance of 49.94 feet to the POINT OF BEGINNING;

Containing an area of 9,223 SQUARE FEET or 0.212 ACRES, more or less.

See Exhibit "B"



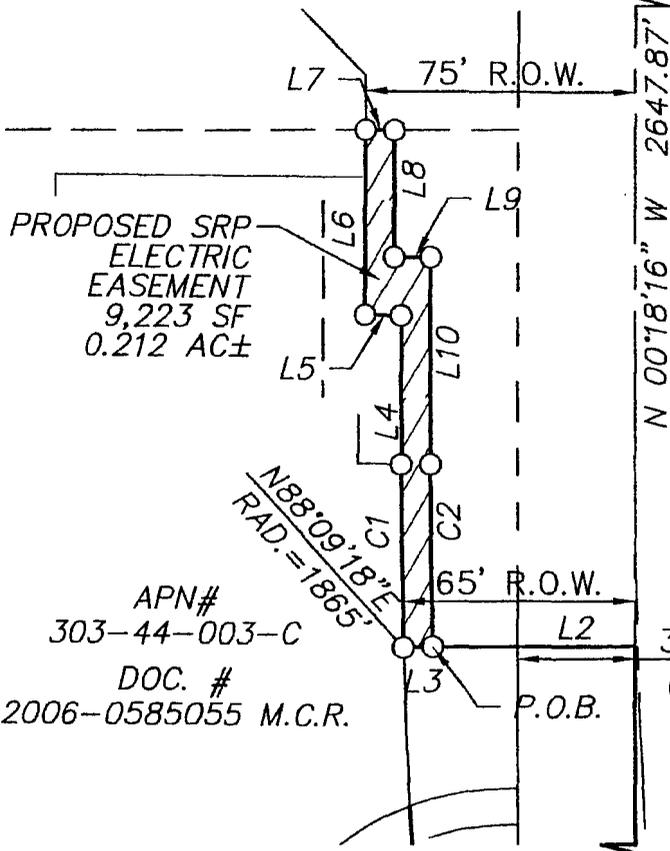
Note: The legal description above is based on recorded documents such as the subject parcel's deed, adjacent parcel deeds and/or plats. It is not based on a boundary survey of the subject parcel.

EXHIBIT "B"

PROPOSED SRP
ELECTRIC EASEMENT
303-44-003-C
CITY OF CHANDLER

FOUND PK NAIL
& STRADDLERS
NE COR. SEC. 24,
T.2S., R.5E.
OCOTILLO ROAD

CURVE	RADIUS	ARC LEN	DELTA ANG
C1	1865.00'	50.14'	01°32'25"
C2	1857.00'	49.94'	01°32'27"



LINE	BEARING	DISTANCE
L1	N 00°18'16" W	1414.43'
L2	S 89°41'44" W	56.33'
L3	S 88°16'41" W	8.00'
L4	N 00°18'16" W	917.55'
L5	S 89°41'44" W	10.00'
L6	N 00°18'16" W	165.20'
L7	N 89°07'37" E	8.00'
L8	S 00°18'16" E	149.28'
L9	N 89°41'44" E	10.00'
L10	S 00°18'16" E	933.55'

PROPOSED SRP
ELECTRIC
EASEMENT
9,223 SF
0.212 AC±

APN#
303-44-003-C
DOC. #
2006-0585055 M.C.R.

GILBERT ROAD

BROOKS FARM ROAD

CHANDLER HEIGHTS ROAD

SCALE: N.T.S.

NOTE: THIS EXHIBIT IS BASED ON RECORDED DOCUMENTS SUCH AS THE SUBJECT PARCEL'S DEED, AND ADJOINING DEEDS AND/OR PLATS. IT IS NOT BASED ON A BOUNDARY SURVEY OF THE SUBJECT PARCEL.

FND. BCHH
SE COR. SEC. 24,
T.2S., R.5E.

LEGEND

PROPOSED SRP ELECTRIC EASEMENT

BASIS OF BEARING

THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 24
BEARING S 89°16'29" W

Entellus™

2255 N. 44th Street Suite 125
Phoenix, AZ 85008.3279
Tel 602.244.2566
Fax 602.244.8947
Website: www.Entellus.com

CITY OF CHANDLER

GILBERT ROAD
SECTION 24, T.2S., R.5E.

PROPOSED SRP ELECTRIC EASEMENT

DATE: 1/16/12 | REV'D:
DRAWN BY: BC|CHK'D: DGF | PG: 3 OF 3
FILE: 303-44-003-C.DWG

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT
Land Department/PAB350
P. O. Box 52025
Phoenix, Arizona 85072-2025

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 303-44-003C
NE1/4, Sec. 24, T2S, R5E

Agt. SCF
Job # KE2-2811
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:

That portion of land lying in existing City Of Chandler right-of-way located in the Northeast Quarter of Section 24, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Easement Parcel:

Said easement as described on Exhibits a and B, 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.

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