

#5

FEB 14 2013



MEMORANDUM Real Estate – Council Memo No. RE13-086

DATE: FEBRUARY 14, 2013

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER ^{DD}
PAT MCDERMOTT, ASSISTANT CITY MANAGER
DAVE SIEGEL, MUNICIPAL UTILITIES DIRECTOR ^{DS}

FROM: ERICH KUNTZE, REAL ESTATE COORDINATOR ^{ES}

SUBJECT: ORDINANCE NO. 4423 - GRANTING A NO COST POWER DISTRIBUTION EASEMENT TO SALT RIVER PROJECT (SRP) FOR THE BRINE REDUCTION FACILITY AT THE SOUTHEAST CORNER OF PRICE AND APPLEBY ROADS.

RECOMMENDATION: Staff recommends introduction and tentative approval of Ordinance No. 4423 granting a no cost power distribution easement to Salt River Project (SRP) for the brine reduction facility at the southeast corner of Price and Appleby roads in Chandler, Arizona.

BACKGROUND/DISCUSSION: As part of the improvements to the City's brine reduction facility at the southeast corner of Price and Appleby roads it is necessary to provide an additional feeder line. As a result, SRP requires a power distribution easement at this location. The easement will be at no cost as it was required by a City project and benefits the Public.

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

Council Meeting of 2/14/13
RE13-086
Page 2

PROPOSED MOTION: Move Council introduce and tentatively approve Ordinance No. 4423 granting a no cost power distribution easement to Salt River Project (SRP) for the brine reduction facility at the southeast corner of Price and Appleby roads in Chandler, Arizona.

Attachments: Map
Ordinance No. 4423
SRP Easement

ORDINANCE NO. 4423

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) FOR THE BRINE REDUCTION FACILITY AT THE SOUTHEAST CORNER OF PRICE ROAD AND APPLEBY ROAD IN CHANDLER, ARIZONA.

WHEREAS, the City of Chandler is making improvements to its Reverse Osmosis Facility located at the southeast corner of Price Road and Appleby Road; and

WHEREAS, the project requires Salt River Project (SRP) to provide power facilities to this facility; and

WHEREAS, Salt River Project requires a power distribution easement for its 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 _____, 2013.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council this _____ day of _____, 2013.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4423 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2013, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY 

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT

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

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel #303-37-001J
GLO Lot 3 Sec 18, T2S, R5E

Agt. KB
Job # KEP-208
AMP #81541073
W KB C [Signature]

**CITY OF CHANDLER,
a 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:

GLO LOT 3 within Section 18, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, more particularly described in Instrument No. 2006-0585055, Official Records of Maricopa County, Arizona.

Easement Parcel:

Said easement delineated on Exhibit "A" (CITY OF CHANDLER BRINE REDUCTION FACILITY, SRP Job No. KEP-208), prepared by Salt River Project A.I. & Power District, dated DEC 18, 2012, said Exhibit "A" attached hereto and 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.

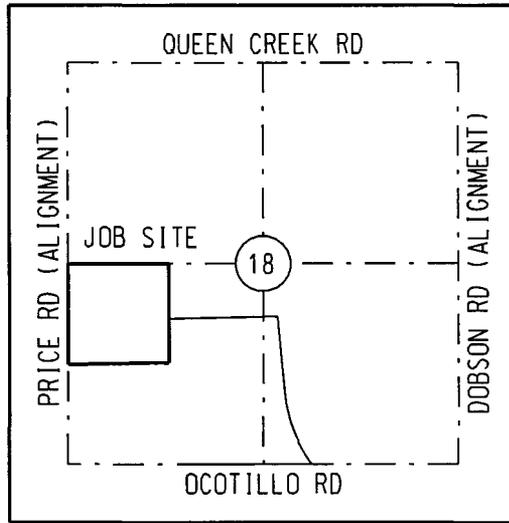
Grantor shall not construct, install or place, or permit to be constructed, installed or placed any building or other structure, plant any trees, drill any well, store materials of any kind, or alter ground level by cut or fill, within the area of the Easement Parcel.

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.

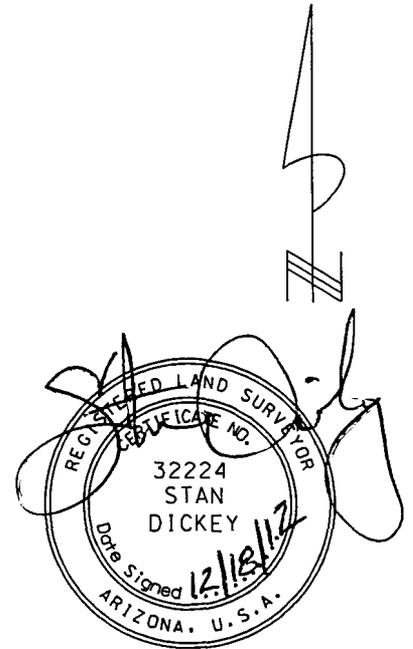
In the event Grantee records a document to formally abandon the easement granted herein, all Grantee's rights hereunder shall cease, except the right to remove any and all property placed upon the Easement Parcel within a reasonable time subsequent to such abandonment.

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.

EXHIBIT "A"



VICINITY MAP (N.T.S.)
T2S R5E
G&SRM



REGISTRATION
EXPIRES: 03-31-13

ABBREVIATION TABLE

APN	ASSESSORS PARCEL NUMBER
C	CALCULATED
FND	FOUND
BLM	BUREAU OF LAND MANAGEMENT
M.C.R.	MARICOPA COUNTY RECORDER
M	MEASURED
R	RECORDED
NTS	NOT TO SCALE
CO	CITY OF
LVI	LAST VISUAL INSPECTION
POB	POINT OF BEGINNING
DOC	DOCUMENT
GLO	GENERAL LAND OFFICE

LEGEND

- SECTION AND CENTERLINE
- PROPERTY LINE
- ADJOINERS PROPERTY LINE
- CENTERLINE OF 10' EASEMENT
- CENTERLINE OF 8' EASEMENT
- ◆ SECTION CORNER AS NOTED
- ELECTRIC METERING CABINET

UNDERGROUND ELECTRIC POWER LINE RIGHT-OF-WAY MARICOPA COUNTY, ARIZONA

CAUTION

THE EASEMENT LOCATION AS HEREON DELINEATED 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 40-380.21, ET. SEQ., ARIZONA BLUE STAKE LAW, PRIOR TO ANY EXCAVATION.

NOTES

THIS EXHIBIT IS INTENDED TO ACCOMPANY AN EASEMENT. ALL PARCELS SHOWN WERE PLOTTED FROM RECORD INFORMATION, AND NO ATTEMPT HAS BEEN MADE TO VERIFY THE LOCATION OF ANY BOUNDARIES SHOWN. THIS IS NOT AN ARIZONA BOUNDARY SURVEY.

ALL ELECTRIC LINES SHOWN ARE MEASURED TO THE WINDOW OF THE EQUIPMENT PAD UNLESS OTHERWISE NOTED.

SALT RIVER PROJECT
AGRICULTURAL IMPROVEMENT & POWER DISTRICT



SURVEY DIVISION
LAND DEPARTMENT

SRP JOB NUMBER: KEP-208	SCALE: NTS
AMP W/O NUMBER: 81541073	SHEET: 1 OF 3
AGENT: K. BOCKMANN	SHEET SIZE: 8.5"x11"
DRAWN: J. GREIFE	REVISION: <i>02/12/12</i>
CHECKED BY: K. GOREHAM	CREW CHIEF: N. BAFALOUKOS
DATE: DEC. 18, 2012	FIELD DATE: DEC. 11, 2012

CITY OF CHANDLER
BRINE REDUCTION FACILITY
GLO LOT 3, SECTION 18
T.2 S., R.5 E
24.1 EAST - 8.7 SOUTH

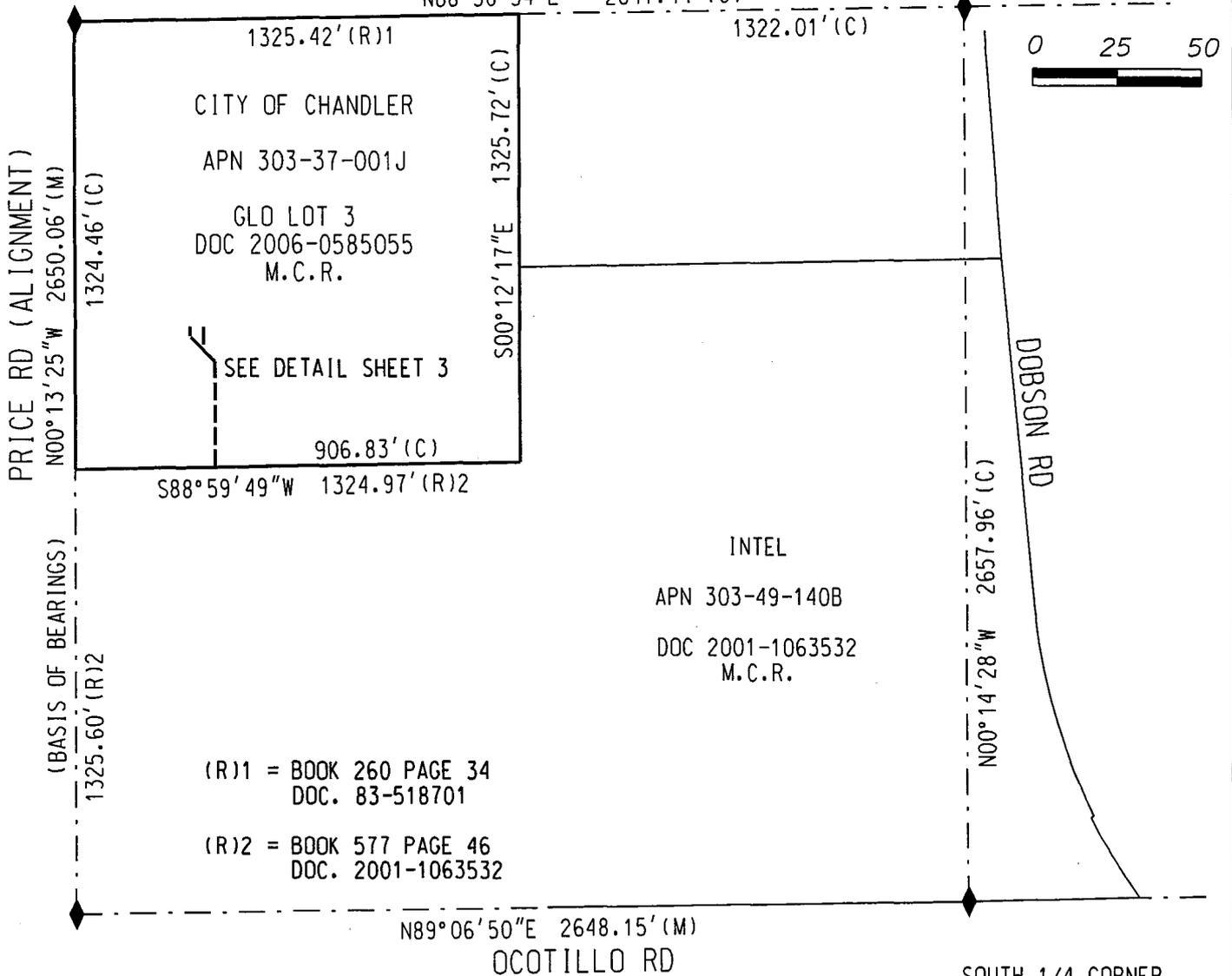
EXHIBIT "A"

WEST 1/4 CORNER
SEC 18, T2S, R5E
FND 3" BLM BRASS CAP
(LVI 11/28/2012)

CENTER CORNER
SEC 18, T2S, R5E
CALCULATED POSITION
NOTHING FOUND



APPLEBY RD (ALIGNMENT)
N88°56'34"E 2647.44'(C)



SOUTHWEST CORNER
SEC 18, T2S, R5E
FND 3" BLM BRASS CAP
(LVI 1/31/2012)

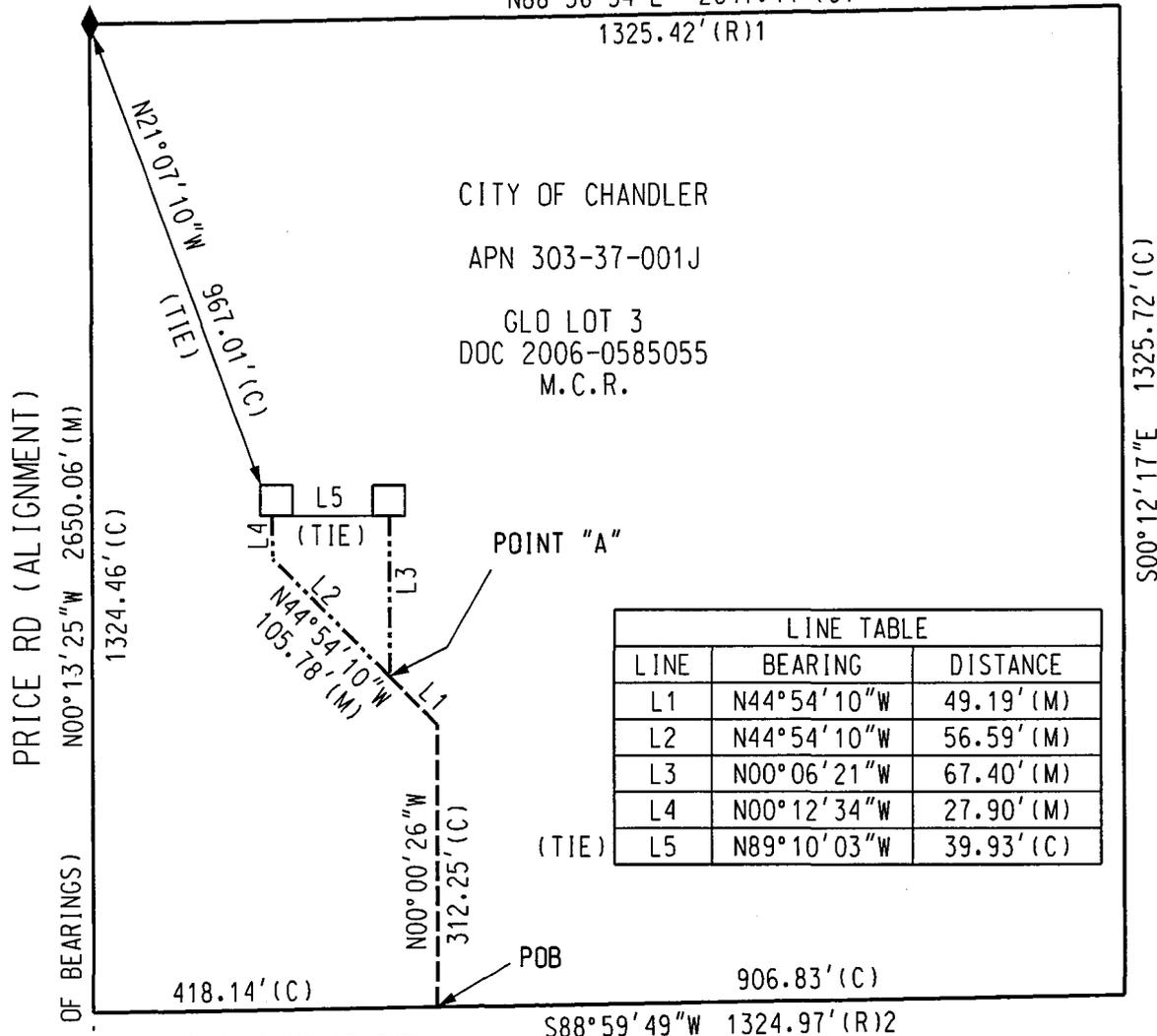
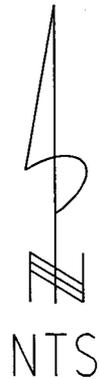
SOUTH 1/4 CORNER
SEC 18, T2S, R5E
FND 3" CO CHANDLER
BRASS CAP FLUSH
(LVI 11/28/2012)

SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER DISTRICT		 SURVEY DIVISION LAND DEPARTMENT
SRP JOB NUMBER: KEP-208	SCALE: 1" = 500'	
AMP W/D NUMBER: 81541073	SHEET: 2 OF 3	CITY OF CHANDLER BRINE REDUCTION FACILITY GLO LOT 3, SECTION 18 T.2 S., R.5 E 24.1 EAST - 8.7 SOUTH
AGENT: K. BOCKMANN	SHEET SIZE: 8.5"x11"	
DRAWN: J. GREIFE	REVISION: <i>02/12/12</i>	
CHECKED BY: K. GOREHAM	CREW CHIEF: N. BAFALOUKOS	
DATE: DEC. 18, 2012	FIELD DATE: DEC. 11, 2012	

EXHIBIT "A"

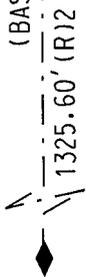
WEST 1/4 CORNER
SEC 18, T2S, R5E
FND 3" BLM BRASS CAP
(LVI 11/28/2012)

APPLEBY RD (ALIGNMENT)
N88°56'34"E 2647.44'(C)



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N44°54'10"W	49.19'(M)
L2	N44°54'10"W	56.59'(M)
L3	N00°06'21"W	67.40'(M)
L4	N00°12'34"W	27.90'(M)
L5	N89°10'03"W	39.93'(C)

(BASIS OF BEARINGS)
WEST LINE OF THE
SOUTHWEST QUARTER
OF SAID SECTION 18



SOUTHWEST CORNER
SEC 18, T2S, R5E
FND 3" BLM BRASS CAP
(LVI 1/31/2012)

BASIS OF BEARINGS NAD 83
ARIZONA STATE PLANE
COORDINATE SYSTEM ZONE 202

SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER DISTRICT		SURVEY DIVISION LAND DEPARTMENT
SRP JOB NUMBER: KEP-208	SCALE: NTS	
AMP W/D NUMBER: 81541073	SHEET: 3 OF 3	CITY OF CHANDLER BRINE REDUCTION FACILITY GLO LOT 3, SECTION 18 T.2 S., R.5 E 24.1 EAST - 8.7 SOUTH
AGENT: K. BOCKMANN	SHEET SIZE: 8.5"x11"	
DRAWN: J. GREIFE	REVISION: 0 <i>per/rev</i>	
CHECKED BY: <u>K. GOREHAM</u>	CREW CHIEF: N. BAFALOUKOS	
DATE: DEC. 18, 2012	FIELD DATE: DEC. 11, 2012	

EXHIBIT "A"

LEGAL DESCRIPTION
SALT RIVER PROJECT AGRICULTURAL
IMPROVEMENT AND POWER DISTRICT

Underground Power Easement
SRP Job No.: KEP-208 81541073

Date: December 18, 2012
Document 2006-0585055
APN 303-37-001J

SRP Job Name: City of Chandler Brine Reduction Facility GLO Lot 3, Section 18, T 2 S., R 5 E

A strip of land 10.00 feet in width, 5.00 feet on each side of the following described centerline located in GLO Lot 3, Section 18, T2S, R5E, Gila and Salt River Meridian, Maricopa County, Arizona, said centerline being more particularly described as follows:

COMMENCING at the southwest corner of the said Section 18, a found Bureau of Land Management brass cap, from which the west one quarter corner of Section 18, a found Bureau of Land Management brass cap, bears North 00 degrees 13 minutes 25 seconds West, Basis of Bearings, a distance of 2650.06 feet (measured);

thence along the west line of the southwest quarter of said section 18, North 00 degrees 13 minutes 25 seconds West, a distance of 1325.60 feet to the southwest corner of document 2006-0585055 County of Maricopa Recorder (M.C.R.);

thence departing said west line and along the south boundary of said document, North 88 degrees 59 minutes 49 seconds East, a distance of 418.14 feet to the above mentioned centerline of a 10.00 foot easement, and the **POINT OF BEGINNING**;

thence departing said south boundary, North 00 degrees 00 minutes 26 seconds West, a distance of 312.25 feet;

thence North 44 degrees 54 minutes 10 seconds West, a distance of 49.19 feet to a point here after known as **POINT "A"** and the terminus of this strip.

Together with an easement 8.00 feet in width, 4.00 feet on each side of the following described centerline:

commencing at the aforementioned **POINT "A"**;

thence North 00 degrees 06 minutes 21 seconds West, a distance of 67.40 feet to a terminus point being the window of the Electric Metering Cabinet.

Together with an easement 8.00 feet in width, 4.00 feet on each side of the following described centerline:

commencing at the aforementioned **POINT "A"**;

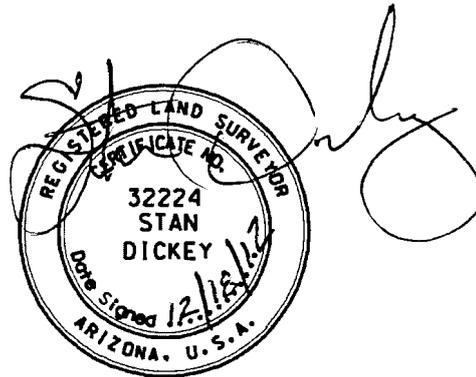
thence North 44 degrees 54 minutes 10 seconds West, a distance of 56.59 feet;

thence North 00 degrees 12 minutes 34 seconds West, a distance of 27.90 feet to a terminus point being the window of the Electric Metering Cabinet, said terminus point being South 21 degrees 07 minutes 10 seconds East, a distance of 967.01 feet from the above mentioned west one quarter corner.

Sidelines being lengthened or shortened to form vertices at all angle points.

This document describes multiple easements, each interdependent on the other and should be reproduced in its entirety.

End of description.



REGISTRATION
EXPIRES: 03-31-13