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AUG 14 2014



**Chandler • Arizona**  
*Where Values Make The Difference*

**MEMORANDUM    Transportation & Development – Council Memo No. RE15-111**

**DATE:**            AUGUST 14, 2014

**TO:**                MAYOR AND COUNCIL

**THRU:**            RICH DLUGAS, CITY MANAGER <sup>RD</sup>  
MARSHA REED, ASSISTANT CITY MANAGER <sup>MR</sup>  
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR <sup>DZ</sup>  
DANIEL W. COOK, INTERIM CITY ENGINEER <sup>DK</sup> <sup>TB</sup>

**FROM:**            ERICH KUNTZE, REAL ESTATE COORDINATOR <sup>EK</sup>

**SUBJECT:**        INTRODUCTION AND TENTATIVE ADOPTION OF ORDINANCE NO. 4550 GRANTING AN EIGHT (8) FOOT WIDE PUBLIC UTILITY EASEMENT TO THE CITY OF CHANDLER, IN TRUST FOR THE PUBLIC, LOCATED ON THE EAST SIDE OF DOBSON ROAD BETWEEN CHANDLER BOULEVARD AND BOSTON STREET

RECOMMENDATION:    Staff recommends introduction and tentative adoption of Ordinance No. 4550 granting an eight (8) foot wide public utility easement to the City of Chandler, in trust for the public, located on the east side of Dobson Road between Chandler Boulevard and Boston Street.

BACKGROUND/DISCUSSION:    As part of the Chandler Boulevard and Dobson Road Improvement Project, the City of Chandler acquired a parcel of land on the east side of Dobson Road between Chandler Boulevard and Boston Street for water retention purposes. Premier Cardiovascular Center, the owner of the remainder portion of the parcel, received approval from the City for a Minor Land Division (MLD) on May 22, 2014. In order to accommodate development of the Premier Cardiovascular Center property, it is necessary for the City to grant an eight (8) foot wide public utility easement along the western boundary of its property. This easement will benefit the public and development of additional parcels to the south and east.

Staff has reviewed and approved the legal descriptions for the requested easement.

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FINANCIAL IMPLICATIONS:

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

PROPOSED MOTION: Move City Council introduce and tentatively adopt Ordinance No. 4550 granting an eight (8) foot wide public utility easement to the City of Chandler, in trust for the public, located on the east side of Dobson Road between Chandler Boulevard and Boston Street.

Attachments: Map  
Ordinance No. 4550  
Public Utility Easement



# GRANT AN 8' WIDE PUBLIC UTILITY EASEMENT TO THE CITY OF CHANDLER IN TRUST FOR THE PUBLIC FOR UTILITY PURPOSES



MEMO NO. RE15-111

ORDINANCE NO. 4550

8' PUBLIC UTILITY EASEMENT



**ORDINANCE NO. 4550**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, TO AUTHORIZE AND APPROVE GRANTING AN 8' WIDE PUBLIC UTILITY EASEMENT TO THE CITY OF CHANDLER, IN TRUST FOR THE PUBLIC, LOCATED ON THE EAST SIDE OF DOBSON ROAD BETWEEN CHANDLER BOULEVARD AND BOSTON STREET.

WHEREAS, the City of Chandler owns a parcel of land on the east side of Dobson Road between Chandler Boulevard and Boston Street; and

WHEREAS, the City of Chandler to accommodate development of adjacent parcels to the south; and

WHEREAS, the City of Chandler is willing to grant the public utility easement to the City of Chandler, in trust for the public.

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 granting a public utility easement, 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 creation of said public utility 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 \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**CERTIFICATION**

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4550 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY *GAB*

When recorded, mail to:  
City Clerk's Office  
City of Chandler  
Mail Stop 606  
P.O. Box 4008  
Chandler, AZ 85244-4008

Section 32, Township 1 South, Range 5 East

This document is exempt from Affidavit and Fee requirements pursuant to A.R.S. §11-1134.A.2.

**PUBLIC UTILITIES EASEMENT**

For and in consideration of the sum of Ten and no/100 dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged,

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

("Grantor") do/does hereby grant and convey unto the **CITY OF CHANDLER, an Arizona municipal corporation, in trust for the public for utility purposes** ("Grantee"), an Easement for Public Utilities with the right of ingress and egress for the purpose of installation, operation, maintenance and replacement over, under and across the real property situated in Maricopa County, Arizona and described in **Exhibit A** (Legal Description) and depicted in **Exhibit B** (Drawing), attached hereto and made a part hereof (the "Property").

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014

GRANTOR:  
City of Chandler, an Arizona municipal corporation

By: \_\_\_\_\_  
Its: Mayor

Approved as to Form

\_\_\_\_\_  
City Attorney *GAB*

STATE OF ARIZONA        )  
  )ss.  
County of Maricopa        )

The foregoing PUBLIC UTILITY EASEMENT was personally acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_ the \_\_\_\_\_ of \_\_\_\_\_, for and on behalf of such company.

\_\_\_\_\_  
Notary Public

My Commission Expires:

**A.R.S. § 41-313(C) DISCLOSURES**

Description of document this notarial certificate is being attached to:	
Type/Title	Public Utilities Easement
Date of Document	
Number of Pages	(which includes Exhibits "A" and "B")
Add'l Signers (other than those named in the notarial certificate.)	None



P.O. Box 2170, Chandler, AZ 85244  
Daniel D. Armijo, RLS (480) 244-7630  
Brian D. Warren, LSIT (480) 243-4287

June 10, 2014  
AWLS #13-038

### Public Utility Easement

A portion of that certain parcel described in Document No. 2009-0238968, Maricopa County Records (M.C.R.), lying within the northwest quarter of Section 32, Township 1 South, Range 5 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

**Commencing** at the west quarter corner of said Section 32, a brass cap in handhole, from which the northwest corner of said section, a brass cap in handhole, bears North 00 degrees 08 minutes 10 seconds West, a distance of 2658.58 feet;

**Thence** along the west line of said Section, North 00 degrees 08 minutes 10 seconds West, a distance of 1523.56 feet;

**Thence** leaving said west line, North 89 degrees 51 minutes 50 seconds East, a distance of 62.03 feet, to the easterly right-of-way line of Dobson Road and to the **Point of Beginning**;

**Thence** along said easterly right-of-way line, North 06 degrees 02 minutes 29 seconds West, a distance of 68.33 feet;

**Thence** North 00 degrees 08 minutes 10 seconds West, a distance of 127.35 feet, to the northerly line of said parcel described in Document No. 2009-0238968, M.C.R.;

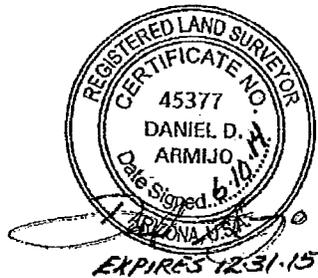
**Thence** leaving said easterly right-of-way line, along said northerly line, North 89 degrees 54 minutes 51 seconds East, a distance of 8.00 feet;

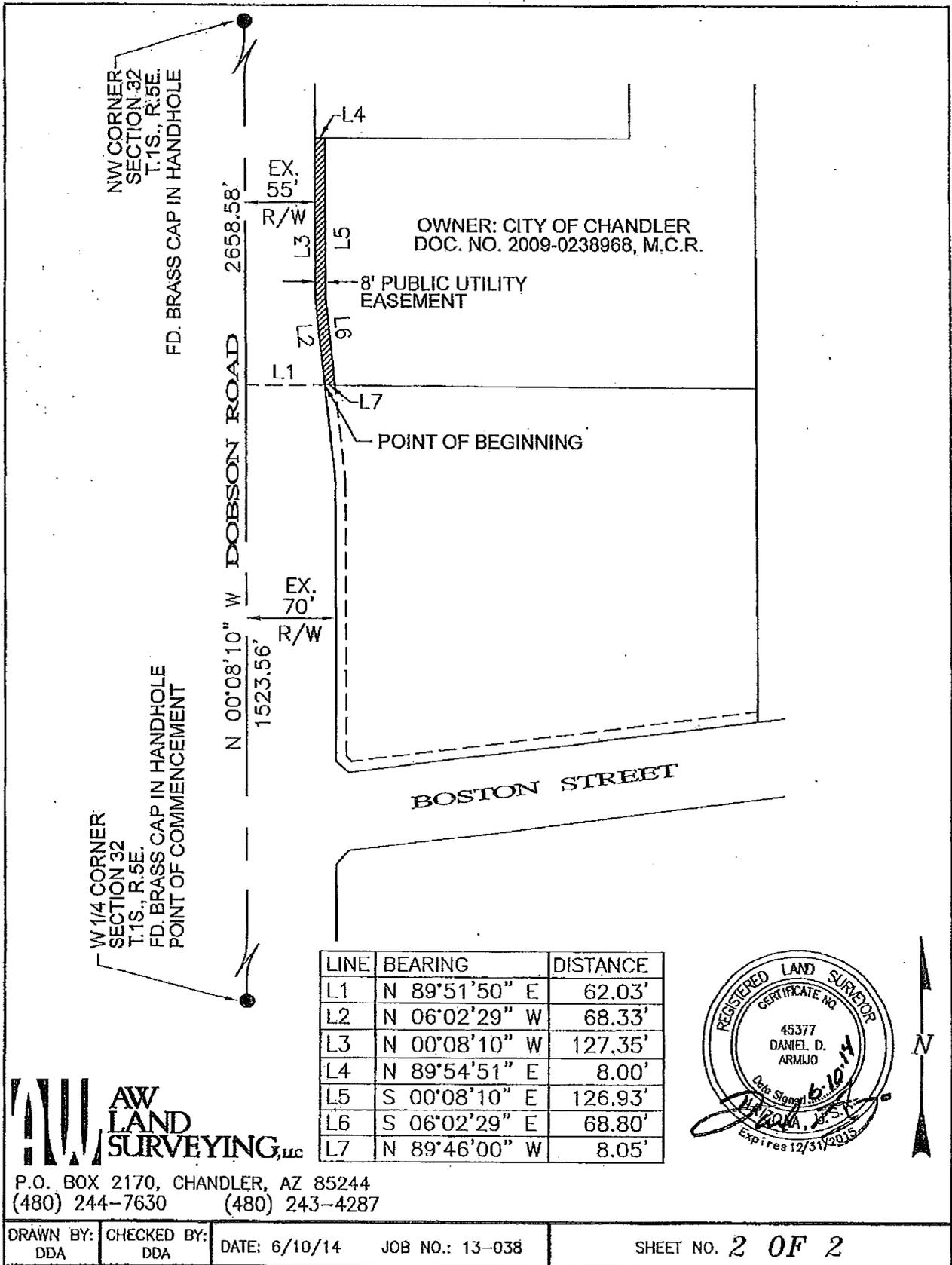
**Thence** leaving said northerly line, South 00 degrees 08 minutes 10 seconds East, a distance of 126.93 feet;

**Thence** South 06 degrees 02 minutes 29 seconds East, a distance of 68.80 feet, to the southerly line of said parcel described in Document No. 2009-0238968, M.C.R.;

**Thence** along said southerly line, North 89 degrees 46 minutes 00 seconds West, a distance of 8.05 feet, to the **Point of Beginning**.

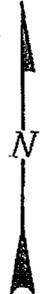
Containing 1,565.6 Square Feet or 0.036 Acres more or less.  
Subject to easements, restrictions and rights of way of record.





OWNER: CITY OF CHANDLER  
DOC. NO. 2009-0238968, M.C.R.

LINE	BEARING	DISTANCE
L1	N 89°51'50" E	62.03'
L2	N 06°02'29" W	68.33'
L3	N 00°08'10" W	127.35'
L4	N 89°54'51" E	8.00'
L5	S 00°08'10" E	126.93'
L6	S 06°02'29" E	68.80'
L7	N 89°46'00" W	8.05'



**AW LAND SURVEYING, LLC**

P.O. BOX 2170, CHANDLER, AZ 85244  
(480) 244-7630 (480) 243-4287

DRAWN BY: DDA CHECKED BY: DDA DATE: 6/10/14 JOB NO.: 13-038 SHEET NO. 2 OF 2