

#9

OCT 23 2014



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM Transportation & Development - Council Memo No. RE15-011

DATE: OCTOBER 23, 2014

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
MARSHA REED, ASSISTANT CITY MANAGER *MR*
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*
DANIEL W. COOK, INTERIM CITY ENGINEER *DWC*

FROM: ERICH KUNTZE, REAL ESTATE COORDINATOR *EK*

SUBJECT: RESOLUTION NO. 4798 AUTHORIZING AND APPROVING THE EXTINGUISHMENT OF A PORTION OF A 30-FOOT WIDE ROADWAY, WATER, SEWER, ACCESS, AND PUBLIC UTILITIES EASEMENT LOCATED ON LOT 1 OF THE SAN TAN COMMERCE CENTER AT THE SOUTHEAST CORNER OF CORONADO STREET AND CHANDLER BOULEVARD, CHANDLER, ARIZONA

RECOMMENDATION: Staff recommends City Council pass and adopt Resolution No. 4798 authorizing and approving the extinguishment of a portion of a 30-foot wide roadway, water, sewer, access, and public utilities easement located on Lot 1 of the San Tan Commerce Center at the southeast corner of Coronado Street and Chandler Boulevard, Chandler, Arizona.

BACKGROUND/DISCUSSION: On November 17, 2011, Chandler City Council approved a development agreement between the City and RG-101, LLC (Rockefeller), for the property at the southeast corner of Price Road and Chandler Boulevard. Part of this agreement requires the City to obtain and/or provide any easements required for the development from adjacent property owners. As part of the project, it is necessary for Salt River Project (SRP) to relocate 69 kV power facilities along the western property line partially onto an adjacent parcel. To accommodate the relocation and future servicing of these facilities, the City acquired a separate 20-foot wide power transmission easement for SRP from the adjacent parcel to the east. The easement area acquired for SRP overlays a portion of an existing 30-foot wide roadway, water, sewer, access, and public utilities easement. In order to proceed with the relocation of the 69 kV lines, SRP is requiring the City extinguish the portion of the 30-foot wide easement shared with the new SRP easement. RG-101, LLC, is providing a separate public utility easement along the west side of the new Coronado Street alignment for any utilities that may require relocation as a result of this extinguishment.

RE15-011
October 23, 2014
Page Two

Staff has reviewed this request and legal description for the area in question and recommends City Council approve the extinguishment in order for SRP to relocate their facilities so construction of the RG-101, LLC, project can move forward.

FINANCIAL IMPLICATIONS:

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

PROPOSED MOTION: Move City Council pass and adopt Resolution No. 4798 authorizing and approving the extinguishment of a portion of a 30-foot wide roadway, water, sewer, access, and public utilities easement located on Lot 1 of the San Tan Commerce Center at the southeast corner of Coronado Street and Chandler Boulevard, Chandler, Arizona.

Attachments: Location Map
Resolution No. 4798

RESOLUTION NO. 4798

A RESOLUTION OF THE COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING THE EXTINGUISHMENT OF A PORTION OF A 30-FOOT WIDE ROADWAY, WATER, SEWER, ACCESS, AND PUBLIC UTILITIES EASEMENT LOCATED ON LOT 1 OF THE SAN TAN COMMERCE CENTER AT THE SOUTHEAST CORNER OF CORONADO STREET AND CHANDLER BOULEVARD, CHANDLER, ARIZONA.

WHEREAS, the City of Chandler entered into a development agreement with RG-101, LLC, for the development of the southeast corner of Price Road and Chandler Boulevard, and;

WHEREAS, in order for construction of the project to proceed it is necessary for Salt River Project to relocate its 69 kV transmission lines located along the east side on the RG-101, LLC, property, and;

WHEREAS, in order to relocate the 69 kV transmission lines Salt River Project is requiring that the City extinguish a portion of an existing 30-foot wide roadway, water, sewer, access, and public utilities easement on Lot 1 of the San Tan Commerce Center, located at the southeast corner of Coronado Street and Chandler Boulevard, Chandler, Arizona,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. That the City of Chandler is authorized to extinguish a portion of the 30-foot wide roadway, water, sewer, access, and public utilities easement on Lot 1 of the San Tan Commerce Center located at the southeast corner of Coronado Street and Chandler Boulevard described in Exhibit "A" (Legal Description) attached hereto.

Section 2. The document used to release the Easement shall be in the form as approved by the City Attorney.

Section 3. That the Mayor of the City of Chandler is authorized to execute and deliver all documents necessary to effect the extinguishment of the above described easement.

Section 4. The City Clerk is authorized to record all documents necessary to release said Easement.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this
_____ day of _____, 2014.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4798 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 *SAB*

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

RELEASE OF EASEMENT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, CITY OF CHANDLER, an Arizona municipal corporation ("City"), does hereby release and extinguish any and all interest that it may have in that certain real property described in Exhibit "A" attached hereto and made a part hereof, arising by virtue of the execution and recording of said easement. This Release of Easement is not intended to release any interest that City may have in any portion of the subject real property arising by virtue of any other instrument recorded with the Maricopa County Recorder, including without limitation, any deed, easement other than the aforementioned easement, or final order of condemnation.

Dated this ____ day of _____, 2014.

CITY OF CHANDLER, an Arizona municipal
corporation

By: _____
Its: _____

STATE OF ARIZONA)
) ss.
County of Maricopa)

On this, the ____ day of _____, 2014, before me, the undersigned, a Notary Public, personally appeared _____, who acknowledged himself/herself to be the _____ of the City of Chandler, an Arizona municipal corporation, and that he/she as such officer of the municipal corporation being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the municipal corporation as such officer.

Notary Public

APPROVED AS TO FORM:

City Attorney WAG

EXHIBIT "A"

LEGAL DESCRIPTION

A portion of Lot 1, "San Tan Commerce Center Final Plat", as recorded in Book 456, Page 43, records of Maricopa County, Arizona, located within a portion of the northeast quarter of the northwest quarter of Section 31, Township 1 South, Range 5 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being described as follows:

COMMENCING at a brass cap in handhole found at the northwest corner of said Section 31, from which a brass cap found at the north quarter corner thereof bears North 89°30'16" East, 2587.11 feet; thence along the north line of the northwest quarter of said Section 31, North 89°30'16" East, 1232.20 feet to an iron rod found at the northwest corner of the northeast quarter of said northwest quarter; thence along the west line of said northeast quarter of the northwest quarter, South 00°19'44" East, 65.00 feet to the northwest corner of said Lot 1; thence along the west line of said Lot 1, South 00°19'44" East, 287.81 feet to the POINT OF BEGINNING;

thence leaving said west line, North 12°04'03" East, 65.03 feet;

thence South 09°25'41" East, 38.19 feet to a point on a line 20.00 feet east of and parallel with the west line of said Lot 1;

thence along said parallel line, South 00°19'44" East, 604.84 feet;

thence South 03°01'10" West, 205.47 feet to a point on the south line of said Lot 1;

thence along said south line, South 89°30'07" West, 8.00 feet to the southwest corner of said Lot 1;

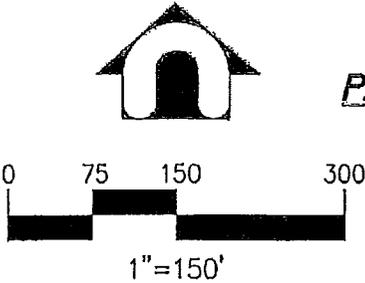
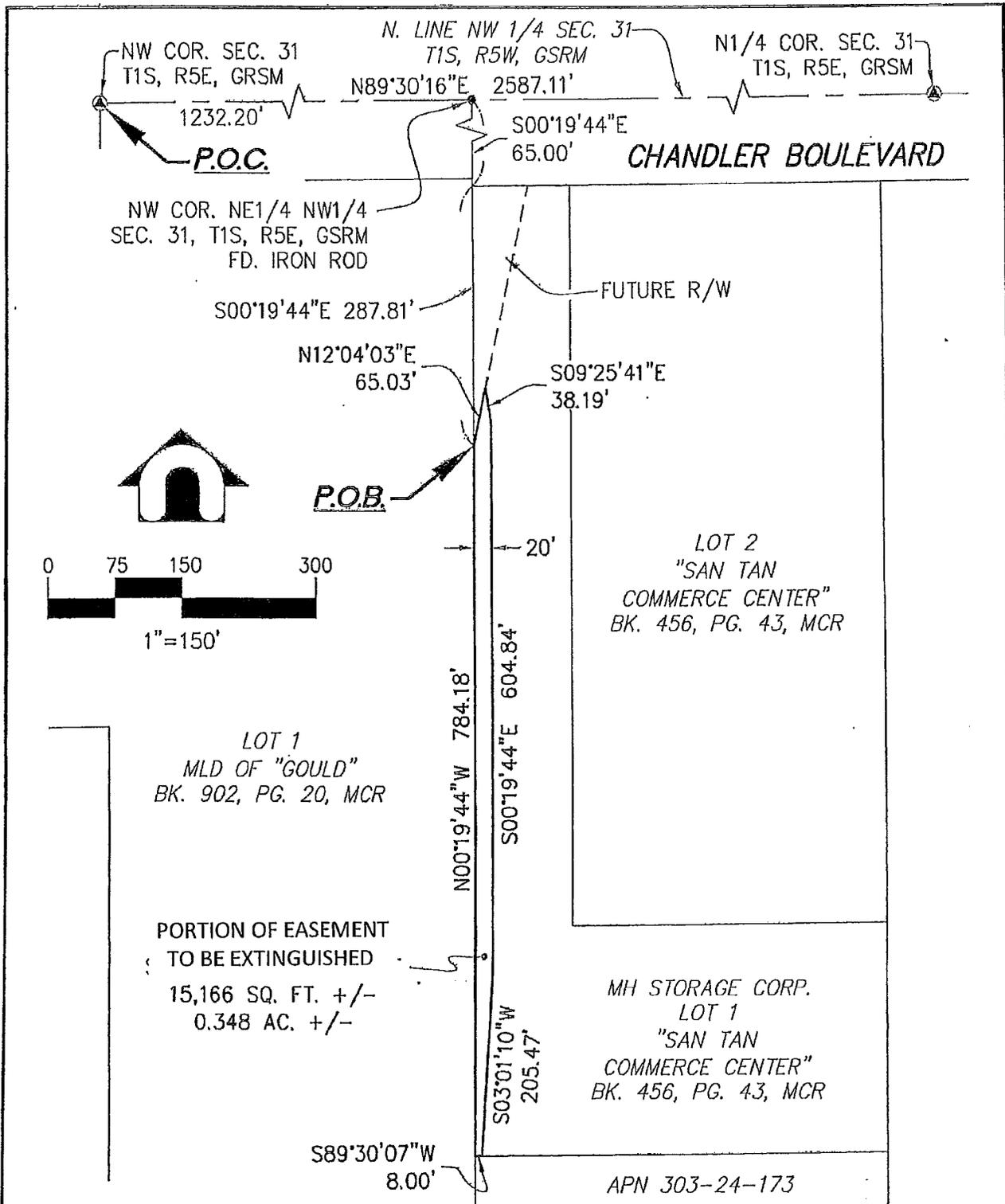
thence along the west line of said Lot 1, North 00°19'44" West, 784.18 feet to the POINT OF BEGINNING.

Said parcel containing 15,166 square feet or 0.348 acres, more or less.



EXPIRES: 6/30/15

7/15/13



DATE: 07/2013

SCALE; 1"=150'
SHEET
1 OF 1



**DAVID EVANS
AND ASSOCIATES INC.**
4600 East Washington Street, Suite 430
Phoenix Arizona 85034
Phone: 602.678.5151