

A second irrigation line to be abandoned and deactivated runs from the same SRP irrigation structure in the northwest corner of the intersection to the south-southeast about 120 feet to the south side of Chandler Boulevard. This 24-inch irrigation line was serving SRP shareholder lands to the southwest of the intersection and was likely taken out of service about 25 years ago when that area developed.

FINANCIAL IMPLICATIONS: The City of Chandler will be responsible for the removal of the SRP irrigation pipe as part of the Chandler Boulevard and Alma School Road intersection project. In the future, if a SRP shareholder entitled to irrigation water from this irrigation pipe can adequately demonstrate the capability to take irrigation water at their property as reasonably determined by SRP, the City is required to provide the necessary easement and pay all costs for the replacement facility.

PROPOSED MOTION: Move City Council pass and adopt Resolution No. 4990 approving a deactivation agreement with Salt River Valley Water Users Association (SRP) for deactivation and removal of unused SRP irrigation lines in the intersection of Chandler Boulevard and Alma School Road, and authorizing the City Engineer or designee to execute the agreement on behalf of the City.

ATTACHMENTS:

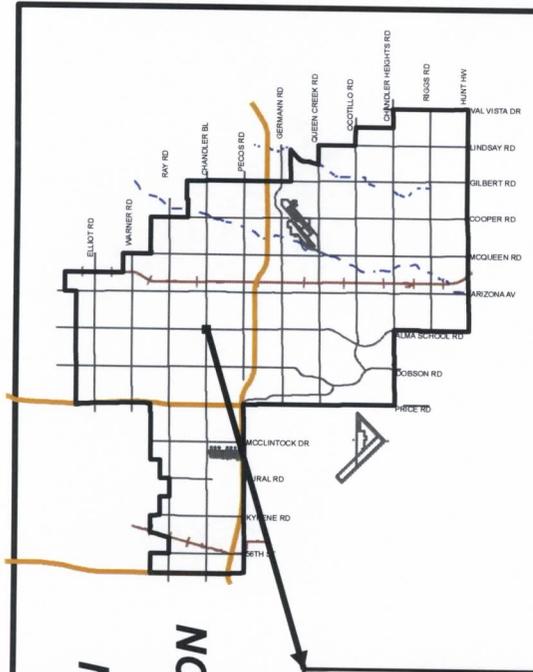
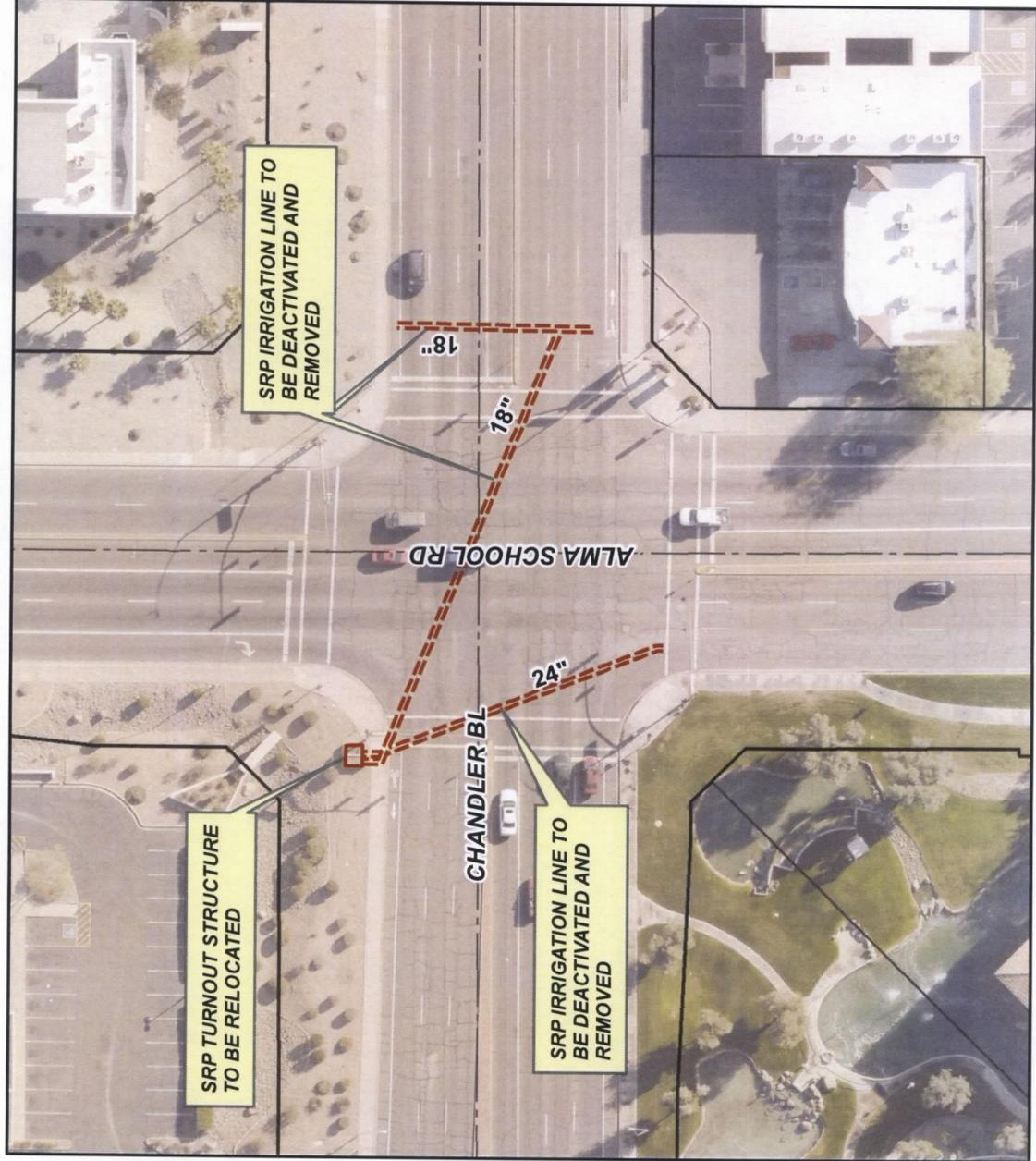
Resolution No. 4990

Location Map

SRP Deactivation Agreement



APPROVING A DEACTIVATION AGREEMENT WITH SALT RIVER VALLEY WATER USERS ASSOCIATION (SRV) FOR DEACTIVATION AND REMOVAL OF AN UNUSED SRP IRRIGATION LINE IN THE INTERSECTION OF CHANDLER BL AND ALMA SCHOOL RD



MEMO NO. TDA17-017

RESOLUTION NO. 4990

- - - EXISTING SRP IRRIGATION LINE
- EXISTING SRP STRUCTURE



RESOLUTION NO. 4990

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, APPROVING A DEACTIVATION AGREEMENT WITH SALT RIVER VALLEY WATER USERS' ASSOCIATION ("SRP"); AND AUTHORIZING THE CITY ENGINEER OR A DESIGNEE TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

WHEREAS, as part of an intersection improvement project, it will be necessary to remove the SRP irrigation delivery pipeline and drain pipeline located within the intersection of Chandler Boulevard and Alma School Road; and

WHEREAS, there are no current SRP shareholders entitled to irrigation delivery who are served through these particular pipelines; and

WHEREAS, SRP is agreeable to the removal of the pipelines provided that the City executes a deactivation agreement so that SRP can reestablish its lines in the event that the lines are necessary in the future to serve any such shareholder entitled to irrigation delivery;

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

Section 1. The City of Chandler is authorized to enter into a deactivation agreement with SRP substantially in the form attached hereto as Exhibit A.

Section 2. The deactivation agreement shall be in a form approved by the Chandler City Attorney.

Section 3. The City Engineer or a designee is authorized to execute and deliver the deactivation agreement on behalf of the City of Chandler.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this _____ day of _____, 2016.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4990 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2016, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *GAB*

DEACTIVATION AGREEMENT

THIS AGREEMENT is made and entered into on the last date on which the parties complete execution of this Deactivation Agreement, by and between the CITY OF CHANDLER, a municipal corporation of the State of Arizona, hereinafter, called the "CITY," and the SALT RIVER VALLEY WATER USERS' ASSOCIATION, an Arizona Corporation, hereinafter called "SRP."

WITNESSETH:

WHEREAS, it is proposed that the intersection within Chandler Boulevard and Alma School Road to be developed by the CITY, and;

WHEREAS, as part of the intersection development project it will be necessary for the removal of SRP's irrigation delivery pipeling and drain pipeling. (hereinafter referred to as "the Facility") located within the intersection of Chandler Boulevard and Alma School Road in Section 32 & 33; Township 1 South; Range 5 East: G&SRB&M, and;

WHEREAS, CITY to remove Facility at its sole expense as a condition of entering into this Agreement, and;

WHEREAS, the Facility is not presently in service;

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, it is agreed as follows:

1. SRP shall abandon its use of the Facility.
2. The CITY shall cause the removal of the Facility and have the remaining pipeline plug out side City's right-of-way, at its sole expense.
3. If at any time any shareholder entitled to irrigation delivery to this abandoned Facility demonstrates adequate capability to deliver irrigation water to this Facility at his property, as reasonably determined by SRP, then the CITY shall, upon request by SRP, provide an easement for and pay all costs for a replacement Facility.
4. SRP shall assume responsibility for design and construction of the replacement Facility, if required, and shall at all times hold the CITY harmless for any loss or damage arising out of the design, construction, or SRP's use of any new replacement Facility.

5. All notices, demands or requests upon any party to this Agreement shall be in writing and shall be delivered or sent by mail addresses as follows:

If to City: City of Chandler
Attention: City Engineer
215 E Buffalo Street, Suite 101
Chandler, Arizona 85244-4008

If to SRP: Salt River Project
Water Engineering
Mail Station: PAB 103
P.O. Box 52025
Phoenix, Arizona 85072-2025

IN WITNESS WHEREOF, the parties hereto have executed this Contract on the day and year as stated below.

CITY OF CHANDLER, an Arizona
municipal corporation,

By _____
Dan Cook, City Engineer

Date _____

ATTEST:

APPROVED AS TO FORM:

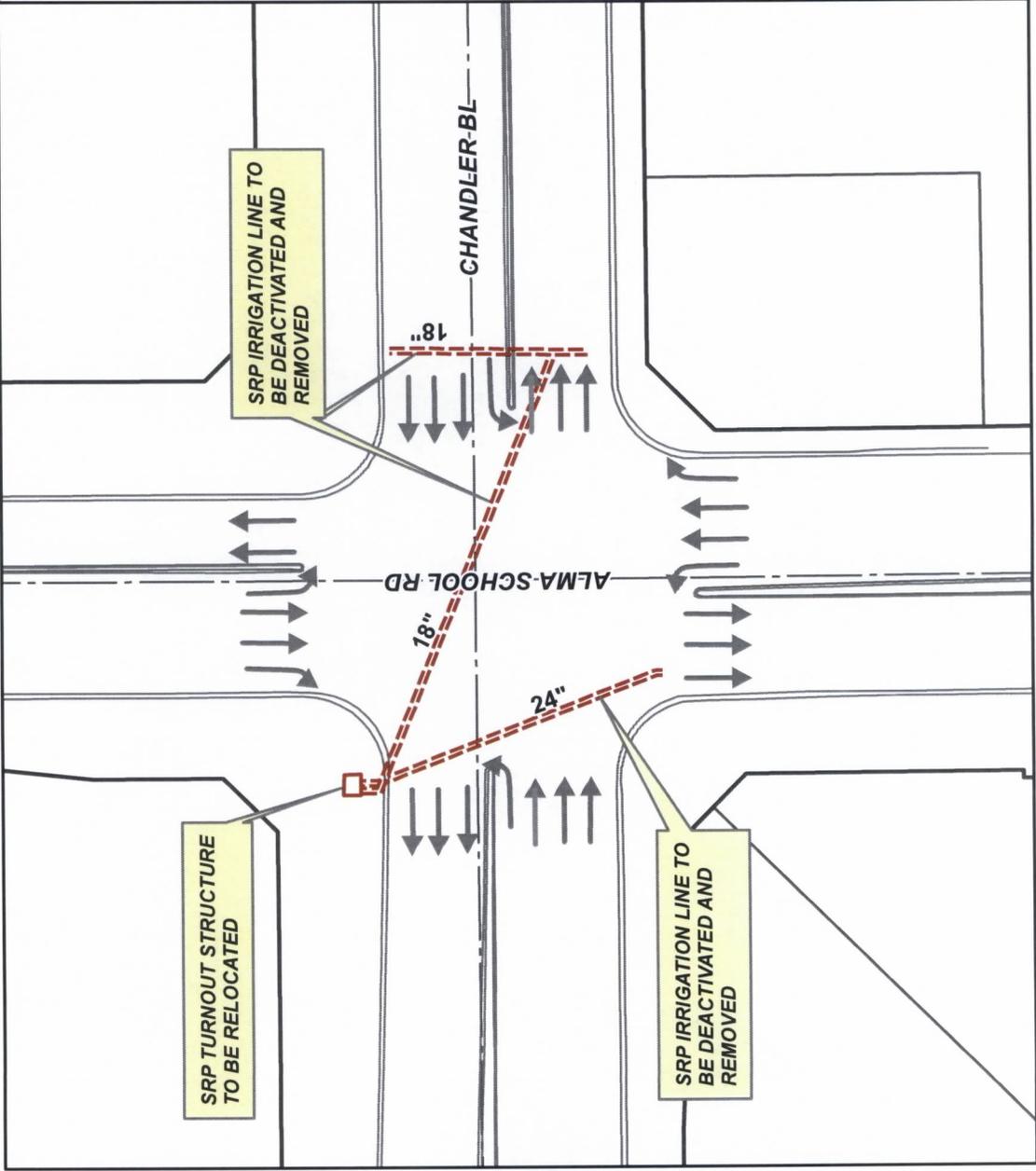
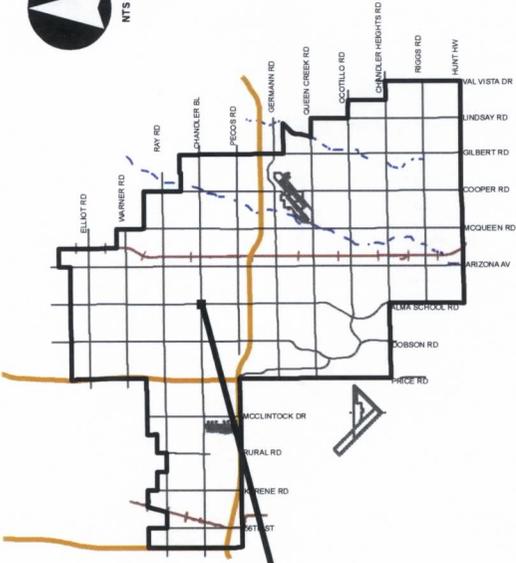
City Attorney *GAB*

SALT RIVER VALLEY WATER USERS'
ASSOCIATION, an Arizona Corporation,

By _____
Robert E. Larchick
Director Water Engineering & Transmission

Date _____

SRP DEACTIVATION AGREEMENT CHANDLER BOULEVARD AND ALMA SCHOOL ROAD



- EXISTING SRP IRRIGATION LINE
- EXISTING SRP STRUCTURE

APPROVED BY CITY OF CHANDLER
RESOLUTION NUMBER 4990