

#10
MAR 05 2007



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MEMORANDUM Real Estate - Council Memo No. RE 07-176

DATE: MARCH 5, 2007

TO: MAYOR AND COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER *WMP*
DANIEL W. COOK, PUBLIC WORKS DIRECTOR *DWC*
MIKE NORMAND, ACTING ASSISTANT PUBLIC WORKS DIRECTOR *MN*
/TRANSPORTATION & OPERATIONS
ELIZABETH M. HUNING, ASSISTANT PUBLIC WORKS *Elizabeth M. Huning*
DIRECTOR/ CITY ENGINEER

FROM: ERICH KUNTZE, REAL ESTATE OPERATIONS COORDINATOR *EK*

SUBJECT: ORDINANCE NO. 3871 GRANTING A TRANSMISSION EASEMENT AND AERIAL EASEMENT TO SALT RIVER PROJECT AT NO COST, TO ACCOMMODATE THE RELOCATION OF 69 KILOVOLT (kV) ELECTRICAL FACILITIES, LOCATED AT THE INTERSECTION OF GILBERT ROAD AND QUEEN CREEK ROAD.

RECOMMENDATION: Staff recommends introduction and tentative approval of Ordinance No. 3871 granting a transmission easement and aerial easement to Salt River Project (SRP), at no cost, to accommodate the relocation of 69 kilovolt (kV) electrical facilities at the intersection of Gilbert Road and Queen Creek Road.

BACKGROUND/DISCUSSION: As part of the development of Carmel Village Plaza, a commercial retail project, it is necessary for SRP to relocate their 69 kV power poles and lines at the southwest corner of Gilbert Road and Queen Creek Road. The relocation of the 69kV line to the south will allow these poles to tie into the existing, previously relocated poles on the east and west parcels adjacent to this project. The relocation will also benefit the future widening of Queen Creek Road by the City. The poles and power lines to be relocated require that SRP request an offsite transmission easement ten feet in width, with five feet on either side of the pole line, plus an aerial easement of ten additional feet in width on each side of the pole line. The new transmission and aerial easement areas will be contained in a legal description as approved by the Public Works Director. The new overhead aerial easements will cover the new pole locations and power lines. The easement will also grant access to SRP for maintenance of the electrical facilities.

BACKGROUND/DISCUSSION-Continued:

Staff has confirmed that Salt River Project has prior rights based on documentation provided.

FINANCIAL IMPLICATIONS: None

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

PROPOSED MOTION: Move that Council introduce and tentatively approve Ordinance No. 3871 granting a transmission easement and aerial easement to Salt River Project (SRP) at no cost, to accommodate the relocation of 69 kilovolt (kV) electrical facilities, located at the intersection of Gilbert Road and Queen Creek Road.

Attachments: Location/Site Map
Ordinance No. 3871

ORDINANCE NO. 3871

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, TO AUTHORIZE AND APPROVE GRANTING OF A TRANSMISSION AND AERIAL EASEMENT TO SALT RIVER PROJECT, AT NO COST, TO ACCOMMODATE THE RELOCATION OF 69 KILOVOLT (kV) ELECTRICAL FACILITIES, LOCATED AT THE INTERSECTION OF GILBERT ROAD AND QUEEN CREEK ROAD.

WHEREAS, Salt River Project requires an offsite transmission easement and aerial easement in order to relocate the 69 kV electrical facilities at the intersection of Gilbert Road and Queen Creek Road; and

WHEREAS, the City of Chandler is willing to grant an offsite transmission easement to Salt River Project, at no cost, to accommodate the relocation of 69 kV electrical facilities in conjunction with the development of Carmel Village Plaza; and

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 transmission easement and aerial easement to Salt River Project, through, over, under and across that certain property described in a legal description to be approved by the Public Works Director.

Section 2. That the granting of said easements shall be in the form approved by the City Attorney.

Section 3. That the Mayor of the City of Chandler, Arizona, is hereby authorized to execute the easement documents on behalf of the City.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this ____ day of _____, 2007.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council this _____ day of _____, 2007.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 3871 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2007, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

GAB
CITY ATTORNEY

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT

Land Department/PAB400
PO Box 52025
Phoenix, Arizona 85072-2025

EASEMENT

Maricopa County
Queen Creek Road Right of Way
Sec. 13, T2S, R5E

R/W# 1408 Agt. WB
Job # XA3-3705
W _____ C _____

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

for and in consideration of the sum of Ten Dollars, 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 successors and assigns, the right, easement and privilege of placing, erecting, constructing, repairing, replacing, maintaining and using, a line of poles with wires suspended thereon and all necessary and proper guys, anchorage, crossarms, braces, and other fixtures for use in connection therewith, over and across the following described property;

SEE EXHIBITS "A" and "B" ATTACHED HERETO AND MADE A PART HEREOF

together with the right of ingress and egress to permit the economical operation and maintenance of said transmission line and together with the right to permit the attachment of the wires and fixtures of any other company. Except for the Grantee and Grantee's purposes, other Companies wires and fixture attachments will be subject to applicable permit and planning requirements of the City of Chandler.

The said easement to include the right to cut back and trim such portion of the branches and tops of trees now growing or that may hereafter grow upon the above described premises, as may extend over said right of way, so as to prevent the same from interfering with the efficient maintenance and operation of said transmission line.

In the event the right, privilege and easement herein granted shall be abandoned and permanently cease to be used for the purpose herein granted, all rights herein granted shall cease and revert to the grantors, their heirs, or assigns.

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 excavation. Notice is also hereby given that any activity performed within the Easement Property and aerial activities within 15 feet of electrical lines and facilities shall comply with applicable safety standards and the Arizona Overhead Powerline Safety Law, Arizona Revised Statutes 40-360.41-45.

