

#3

APR 12 2007

ORDINANCE NO. 3892

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, TO AUTHORIZE AND APPROVE THE GRANTING OF A NO COST POWER DISTRIBUTION EASEMENT TO SALT RIVER PROJECT FOR THE PURPOSE OF INSTALLING AND MAINTAINING ELECTRICAL FACILITIES TO A NEW BUILDING CONTAINING PRIVATE HANGARS CONSTRUCTED ON CITY-OWNED PROPERTY AS PART OF THE DEVELOPMENT OF CHANDLER MUNICIPAL AIRPORT.

WHEREAS, electric service is required for the operation of new airport hangars at Chandler Municipal Airport; and

WHEREAS, Salt River Project has been requested by the City of Chandler to provide electric service to the new airport hangars on City-owned property; and

WHEREAS, a power distribution easement is required to provide such services; and

WHEREAS, the City of Chandler is willing to grant this power easement to Salt River Project to accommodate the equipment for electrical power,

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 is authorized to approve the granting of a power distribution easement to Salt River Project, through, over, under and across that certain property described in attached Easement Exhibit "A" and 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 document and this Ordinance 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. 3892 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:

CITY ATTORNEY

GAB

EXHIBIT "A"
LEGAL DESCRIPTION

THAT PORTION OF THE WEST HALF OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 11, FROM WHICH THE NORTH QUARTER OF SAID SECTION BEARS NORTH 00°14'21" WEST A DISTANCE OF 2643.53 FEET;

THENCE NORTH 00°14'21" WEST A DISTANCE OF 352.77 FEET ALONG THE NORTH-SOUTH MID SECTION LINE OF SAID SECTION 11;

THENCE DEPARTING SAID MID SECTION LINE ALONG A BEARING OF SOUTH 49°40'16" WEST A DISTANCE OF 949.45 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 49°40'16" EAST A DISTANCE OF 174.47 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY, FROM WHICH THE RADIUS POINT BEARS SOUTH 40°19'44" EAST A DISTANCE OF 650.00 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 216.19 FEET THROUGH A CENTRAL ANGLE OF 19°03'24";

THENCE NORTH 68°43'40" EAST A DISTANCE OF 117.76 FEET;

THENCE SOUTH 40°19'44" EAST A DISTANCE OF 56.11 FEET;

THENCE SOUTH 49°40'16" WEST A DISTANCE OF 507.00 FEET;

THENCE NORTH 40°19'44" WEST A DISTANCE OF 121.18 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY, FROM WHICH THE RADIUS POINT BEARS NORTH 49°40'16" EAST A DISTANCE OF 9.00 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 14.14 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" TO THE POINT OF BEGINNING.

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT

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

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 303-31-061

R/W # 2186 Agt. Tierra
Job # KEB-4163
W MT C JRO

CITY OF CHANDLER, an Arizona 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. Grantee is hereby authorized to permit others to use the Easement Parcel for additional Facilities jointly with or separately from the Grantee for their purposes.

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:

That portion of the West half of Section 11, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona and more particularly described in the Condominium Plat for "CHANDLER AERO LEASEHOLD CONDOMINIUM" and more particularly described in Book 859 of Maps, Page 17, records of Maricopa County Arizona, Document No. 2006-1109951.

Easement Parcel:

Said easement being 8.00 feet in width, lying 4.00 feet on each side of the centerline (centerline of 8.00 foot easement), as delineated/depicted on the attached EXHIBIT "A", including equipment pad areas, as prepared by Hess – Rountree, Inc., dated October, 7, 2006, and by reference 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.

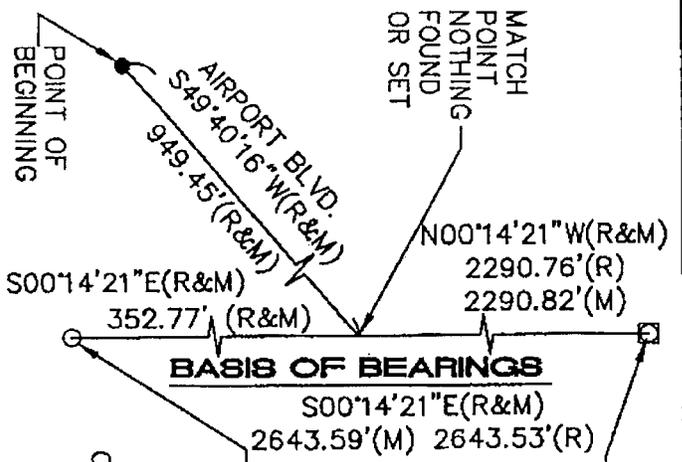
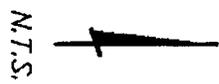
The covenants and agreements herein set forth shall extend and inure in favor and to the benefit of and shall be binding on the heirs, administrators, executors, personal representatives, legal representatives, successors (including successors in ownership and estate), assigns and lessees of the Grantor and Grantee.

The individual executing this document represents and warrants: (i) that he or she is authorized to do so on behalf of Grantor; (ii) that he or she has full legal power and authority to bind Grantor in accordance with the terms herein and, if necessary, has obtained all required consents or delegations of such power and authority (whether from any partner, owner, spouse, shareholder, director, member, manager, creditor, investor, developer, governmental authority, judicial or administrative body, association, or other person or entity); and (iii) that the execution, delivery, and performance by Grantor of this document and all others relating to the easement will not constitute a default under any agreement to which Grantor is a party. The individual executing this document shall indemnify, defend and hold harmless Grantee for, from and against any and all losses, costs, expenses, liabilities, claims, demands, and actions of any kind or nature, including court costs and attorneys' fees, arising or accruing as a result of the falsity of any of his or her representations and warranties contained in this document.

EXHIBIT A

NORTH QUARTER CORNER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 5 EAST. FOUND BRASS CAP IN HANDHOLE.

APPROVED
10/11/06 *CAW*

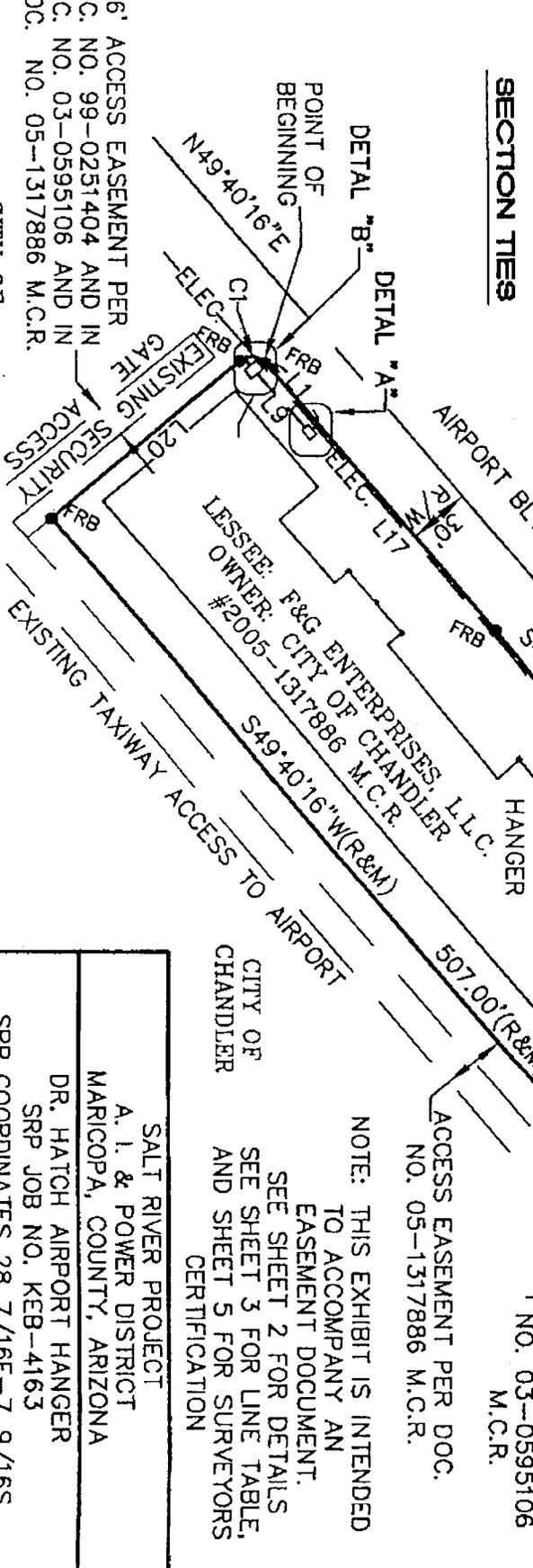


BASIS OF BEARINGS

S00°14'21\"/>

CENTER OF SECTION SECTION 11, TOWNSHIP 2 SOUTH, RANGE 5 EAST. FOUND NAIL IN PAVEMENT. POINT OF COMMENCEMENT.

CITY OF CHANDLER



16' ACCESS EASEMENT PER DOC. NO. 99-0251404 AND IN DOC. NO. 03-0595106 AND IN DOC. NO. 05-1317886 M.C.R.

SE SECTION 11 T2S R5E

SALT RIVER PROJECT
A. I. & POWER DISTRICT
MARICOPA COUNTY, ARIZONA
DR. HATCH AIRPORT HANGER
SRP JOB NO. KEB-4163
SRP COORDINATES 28 7/16E-7 9/16S
N.T.S. SHEET 1 OF 5

NOTE: THIS EXHIBIT IS INTENDED TO ACCOMPANY AN EASEMENT DOCUMENT. SEE SHEET 2 FOR DETAILS. SEE SHEET 3 FOR LINE TABLE. SEE SHEET 5 FOR SURVEYORS CERTIFICATION

ACCESS EASEMENT PER DOC. NO. 05-1317886 M.C.R.

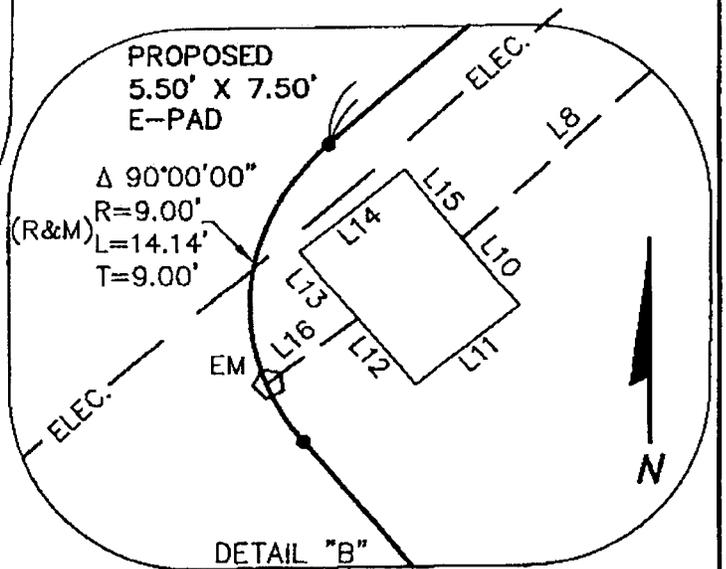
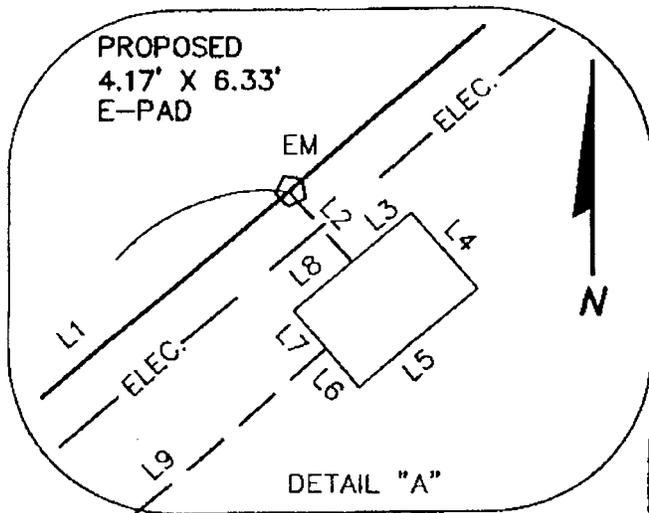
16' ACCESS EASEMENT PER DOC. NO. 99-0251404 AND DOC. NO. 03-0595106 M.C.R.

CITY OF CHANDLER

EXHIBIT 'A'

LEGEND

- FOUND BRASS CAP IN HANDHOLE
- _{BC} FOUND BRASS CAP FLUSH
- _{SRB} SET 1/2" X 18" REBAR WITH PLASTIC CAP STAMPED RLS 22265 ATTACHED THERETO.
- _{FRB} FOUND 1/2 REBAR NO TAG
- _{FRB} FOUND 1/2 REBAR W/CAP STAMPED RLS 22265.
- FOUND 1/2 REBAR W/TAG STAMPED RLS 17271,
- M.C.R. MARICOPA COUNTY RECORDS
- M.C.A. MARICOPA COUNTY ASSESSOR PARCEL NUMBER
- R/W RIGHT-OF-WAY
- G. & S. R. M. GILA AND SALT RIVER MERIDIAN
- EM ELECTRIC MARKER
- P.U.E. PUBLIC UTILITY EASEMENT
- STUB-UP
- SU
- PROPERTY LINE
- ——— SECTION AND CENTERLINE
- - - - - CENTERLINE OF 8' PROPOSED ELECTRIC EASEMENT
- SPLICE POINT
- ——— ELEC. ——— EXISTING ELECTRIC
- EASEMENT LINE
- E-PAD EQUIPMENT PAD



NOTE:

THIS EXHIBIT IS INTENDED TO ACCOMPANY AN EASEMENT DOCUMENT.

SALT RIVER PROJECT
 A. I. & POWER DISTRICT
 MARICOPA, COUNTY, ARIZONA
 DR. HATCH AIRPORT HANGER
 SRP JOB NO. KEB-4163
 SRP COORDINATES 28 7/16E-7 9/16S
 N.T.S. SHEET 2 OF 5

EXHIBIT 'A'

SURVEYOR'S NOTES:

1. FOUND MONUMENTS ARE AS DESCRIBED HEREON.
2. ALL MONUMENTS SET BY THIS SURVEYOR ARE IDENTIFIED AS BEING A 1/2 INCH X 18 INCH REBAR WITH BRASS TAG STAMPED RLS 22265 ATTACHED THERETO, UNLESS OTHERWISE NOTED HEREON.
4. (M) = AS MEASURED BY THIS SURVEYOR.
5. (R) = MEASUREMENTS PER DOCUMENTS RECORDED IN THE MARICOPA COUNTY, ARIZONA, RECORDER'S OFFICE (M.C.R.) AS FOLLOWS:
 - A. "LEGAL DESCRIPTION" CONTAINED IN DOCUMENT RECORDED DOCUMENT NUMBER 2005-1317886 M.C.R.
6. ALL BEARINGS AND DISTANCES ON THE SURVEY ARE RECORD AND MEASURED UNLESS NOTED OTHERWISE.

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	TANGENT
(R&M) C1	216.19'	650.00'	19°03'24"	216.19'
(R&M) C2	14.14'	9.00'	90°00'00"	9.00'

LINE TABLE		
LINE	LENGTH	BEARING
L1	40.00'	N49°40'16"E
L2	3.93'	S41°19'20"E
L3	3.17'	N49°40'16"E
L4	4.17'	S40°19'44"E
L5	6.33'	S49°40'16"W
L6	2.09'	N40°19'44"W
L7	2.09'	N40°19'44"W
L8	3.17'	N49°40'16"E
L9	35.29'	S48°48'19"W
L10	3.75'	S38°49'52"E
L11	5.50'	S51°10'08"W
L12	3.75'	N38°49'52"W
L13	3.75'	N38°49'52"W
L14	5.50'	N51°10'08"E
L15	3.75'	S38°49'52"E
L16	4.68'	S52°03'04"E
(R&M) L17	174.47'	S49°40'16"W
(R&M) L18	117.76'	N68°43'40"E
(R&M) L19	56.11'	S40°22'44"E
(R&M) L20	121.18'	N40°22'38"W

SALT RIVER PROJECT A. I. & POWER DISTRICT MARICOPA, COUNTY, ARIZONA
DR. HATCH AIRPORT HANGER SRP JOB NO. KEB-4163 SRP COORDINATES 28 7/16E-7 9/16S
N.T.S. SHEET 3 OF 5

LEGAL DESCRIPTION

EXHIBIT 'A'

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SURVEYOR'S DECLARATIONS REGARDING THIS SURVEY:

1. THE INFORMATION SHOWN HEREON WAS COMPILED WITHOUT BENEFIT OF A TITLE SEARCH AND THEREFORE DOES NOT NECESSARILY REFLECT THE TRUE CONDITIONS OF THE PREMISES WITH RESPECT TO EASEMENTS, RIGHTS-OF-WAY, AGREEMENTS, ETC. OF PUBLIC RECORD.
2. NO ATTEMPT HAS BEEN MADE TO SHOW ON THIS SURVEY ANY FUTURE RIGHTS-OF-WAY, FUTURE EASEMENTS, OR FUTURE DEDICATIONS THAT ANY MUNICIPALITY OR GOVERNMENTAL AGENCY MAY REQUIRE, EXCEPT AS NOTED HEREON.
3. SURVEYED FOR PROPOSED UNDERGROUND ON 8-12-2006, UNDER THE SUPERVISION OF RUSSELL A. JOHNSON, RLS 22265. FIELD PERSONAL KIDEN SHEPPARD AND CHRIS JOHNSON.

SALT RIVER PROJECT A. I. & POWER DISTRICT MARICOPA, COUNTY, ARIZONA
SOUTHWEST AMBULANCE ME BLDG. 1-4 SRP JOB NO. KEB-3213 SRP COORDINATES 26 11/16E-0 1/16N
N.T.S. SHEET 4 OF 5

EXHIBIT 'A'

CAUTION:

THE EASEMENT LOCATED 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. SWQ., ARIZONA BLUE STAKE LAW, PRIOR TO ANY EXCAVATION.

BASIS OF BEARINGS:

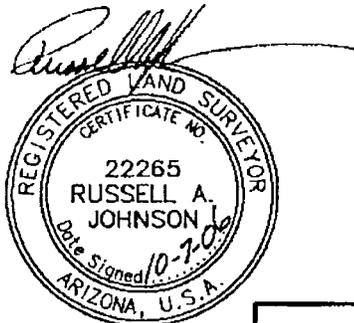
THE BEARING OF NORTH 00°14'21" WEST AS SHOWN ON THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, FROM LEGAL DESCRIPTION CONTAINED INSTRUMENT RECORDED IN DOCUMENT NUMBER 2005-1317886, RECORDS OF MARICOPA COUNTY, ARIZONA.

SUPPORTING DOCUMENTS:

1. PLAT OF "CHANDLER LEASEHOLD CONDOMINIUM"
BOOK 497 OF MAPS, PAGE 28, M.C.R.
2. MCR # 2005-1317886

SURVEYOR'S CERTIFICATION:

"THESE RESULTS ARE BASED ON DATA GATHERED FROM FIELD SURVEY MEASUREMENTS WORKED PERFORMED UNDER MY OVERALL DIRECTION. THE PURPOSE OF SAID RESULTS OF SURVEY IS TO BECOME THE BASIS FOR THE PREPARATION OF SRP ELECTRIC AND/OR IRRIGATION UTILITY LAND RIGHTS, DOCUMENTS, AND EXHIBITS, AND IT WAS CREATED AND/OR GATHERED SOLELY TO MEET THAT SPECIFIC PURPOSE. USAGE BY OTHERS FOR ANY OTHER PURPOSE MAY NOT BE APPROPRIATE. IT IS ENTIRELY THE RESPONSIBILITY OF ANY OTHER USERS TO DETERMINE ITS SUITABILITY FOR ANOTHER PURPOSE.



NOTE:

EQUIPMENT PAD (S) ARE A PART OF THE EASEMENT UNLESS OTHERWISE NOTED. DISTANCE SHOWN ARE TO THE CENTER OF THE EQUIPMENT PAD.

RUSSELL A. JOHNSON, R.L.S.
ARIZONA REG. NO. 22265

HESS - ROUNTREE, INC.
CONSULTING ENGINEERS & LAND SURVEYORS

9831 SOUTH 51ST STREET, SUITE C110
PHOENIX, ARIZONA 85044 (480)496-0244

041208SKE.DWG

SALT RIVER PROJECT
A. I. & POWER DISTRICT
MARICOPA, COUNTY, ARIZONA

DR. HATCH AIRPORT HANGER
SRP JOB NO. KEB-4163
SRP COORDINATES 28 7/16E-7 9/16S

N.T.S. SHEET 5 OF 5