

#7

APR 12 2007



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM

Real Estate Council Memo No. RE07-197

DATE: APRIL 12, 2007

TO: MAYOR AND COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER *WMP*
DAVE SIEGEL, MUNICIPAL UTILITIES DIRECTOR *DS*
ROBERT MULVEY, ASSISTANT MUNICIPAL UTILITIES DIRECTOR *RM*

FROM: MIKE NORMAND, ACTING ASSISTANT PUBLIC WORKS *MN*
DIRECTOR/TRANSPORTATION & OPERATIONS

SUBJECT: ORDINANCE NO. 3878 GRANTING A NO COST POWER DISTRIBUTION EASEMENT TO SALT RIVER PROJECT (SRP) TO REPLACE AN EXISTING DETERIORATING UNDERGROUND FACILITY, LOCATED ON CITY-OWNED PROPERTY (APN #302-07-628A), SOUTH OF THE CONSOLIDATED (WESTERN) CANAL AND NORTH OF SUMMIT PLACE IN PARKWOOD ESTATES, CHANDLER, ARIZONA

RECOMMENDATION: Staff recommends Council approve Ordinance No. 3873, granting a no cost Power Distribution Easement to Salt River Project (SRP) to replace an existing deteriorating underground facility, located on City-owned property (APN #302-07-628A), south of the consolidated (western) canal and north of Summit Place in Parkwood Estates, Chandler, Arizona.

BACKGROUND/DISCUSSION: In 1992, the City of Chandler granted SRP an easement for electrical facilities for the water production facility located on the subject property. Although these electrical facilities are fairly new, the portions of the electrical system that directly feed the site are old, outdated direct buried lines that are on a radial feed system that is now obsolete.

SRP is changing out all the old conductors with new electrical lines laid in conduit and looping the system during this project. Without this upgrade, the electrical system that feeds the water production facility will continue to experience outages as the aging portion that feeds the site continues to deteriorate.

Because a portion of the line is direct buried, SRP will be unable to stay within the existing easement, as this would require cutting power to the site for an extended period of time while the update takes place. The existing switching cabinet, which is approximately 17.50 sq.ft. (highlighted on the attached drawing), is going to be removed from the property. Because of the removal of this pad, there is only a small portion of the existing easement that will no longer be needed. The new line will be spliced into the existing line that is needed and that portion of the existing easement will remain. SRP has agreed to quit claim back to the City that portion of the existing easement that will no longer be needed. The new easement is approximately 8 feet wide and 19.03 feet in length.

FINANCIAL IMPLICATIONS:

Cost: NA
Savings: NA
Long Term Costs: NA

PROPOSED MOTION: Move that Council tentatively approve Ordinance No. 3878 and authorize the Mayor to execute all documents necessary to grant a no cost Power Distribution Easement to Salt River Project (SRP), to replace an existing deteriorating SRP underground facility, located on City-owned property (APN #302-07-628A), south of the Consolidated (western) Canal and north of Summit Place in Parkwood Estates, in Chandler, Arizona.

Attachments: Ordinance No. 3878
Easement
Drawing
Map

ORDINANCE NO. 3878

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 (SRP), TO REPLACE AN EXISTING DETERIORATING SRP UNDERGROUND FACILITY, LOCATED ON CITY-OWNED PROPERTY (APN# 302-07-628A) SOUTH OF THE CONSOLIDATED (WESTERN) CANAL AND NORTH OF SUMMIT PLACE IN PARKWOOD ESTATES, IN CHANDLER, ARIZONA

WHEREAS, a power distribution easement is necessary to replace an existing deteriorating SRP underground facility; and

WHEREAS, the City of Chandler is willing to grant an approximately 8 foot wide by 19.03 feet long power distribution easement to Salt River Project to replace an existing deteriorating SRP underground facility; 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 is authorized to approve the granting of a no cost power distribution easement to Salt River Project, through, over, under, and across that certain property described in Exhibit "A", attached hereto and made a part hereof by reference.

Section 2. That the granting of the no cost 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 on behalf of the City.

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

ATTEST:

CITY CLERK

MAYOR

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

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 3878 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"

**CITY OF CHANDLER,
a Municipal corporation**

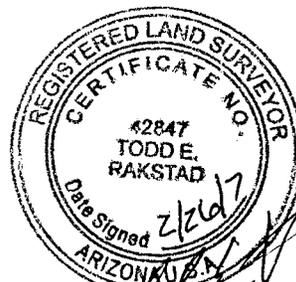
GRANTOR'S PROPERTY:

All that part of the Southeast quarter of Section Eight (8), Township One (1) South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described in Warranty Deed Instrument # 84-240038 records of Maricopa County, Arizona.

EASEMENT PARCEL:

Said easement being 8.00 feet in width, lying 4.00 feet on each side of the following described centerline:

COMMENCING the Northwest corner of the above described Grantor's Property; thence North 88 degrees 16 minutes 01 seconds East (assumed bearing) along the North line of said Grantor's Property a distance of 9.14 feet to the **POINT OF BEGINNING** of the herein described easement; thence South 01 degree 29 minutes 40 seconds East a distance of 15.09 feet; thence South 45 degrees 30 minutes 24 seconds West a distance of 3.94 feet to a terminus within an existing easement area per recording # 92-0382236 records of Maricopa County, Arizona.



WHEN RECORDED MAIL TO:

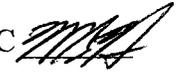
SALT RIVER PROJECT
Land Department/PAB350
P. O. Box 52025
Phoenix, Arizona 85072-2025

Customer Copy

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 302-07-628A

R/W # 2417 Agt. JMM
Job # KER-518

W  C 

**CITY OF CHANDLER,
a 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:

EXHIBIT "A"

Grantor's Property:

All that part of the Southeast quarter of Section Eight (8), Township One (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 East quarter corner of said Section 8; thence South 88 degrees 16 minutes 28 seconds West along the East-West midsection line Section 8 a distance of 1965.06 feet; thence South 00 degrees 59 minutes 28 seconds East a distance of 135.00 feet to the **TRUE POINT OF BEGINNING**; thence continuing South 00 degrees 59 minutes 28 seconds East a distance of 266.89 feet; thence North 88 degrees 16 minutes 28 seconds East a distance of 256.32 feet; thence North 26 degrees 34 minutes 28 seconds East a distance of 303.09 feet; thence South 88 degrees 16 minutes 28 seconds West along a line parallel with and 135.00 feet Southerly of said East-West mid-section line of Section 8 a distance of 396.59 feet to the **TRUE POINT OF BEGINNING**.

Easement Parcel:

Said easement being 8.00 feet in width, lying 4.00 feet on each side of the following described centerline:

COMMENCING the Northwest corner of the above described Grantor's Property; thence North 88 degrees 16 minutes 28 seconds East (assumed bearing) along the North line of said Grantor's Property a distance of 9.13 feet to the **POINT OF BEGINNING** of the herein described easement; thence South 01 degree 29 minutes 40 seconds East a distance of 15.09 feet; thence South 45 degrees 30 minutes 24 seconds West a distance of 3.94 feet to a terminus within an existing easement area per recording # 92-0382236 records of Maricopa County, Arizona.

**This portion intentionally
Left blank**

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.

**This portion intentionally
Left blank**

EXHIBIT "A"

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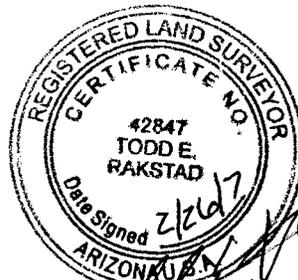
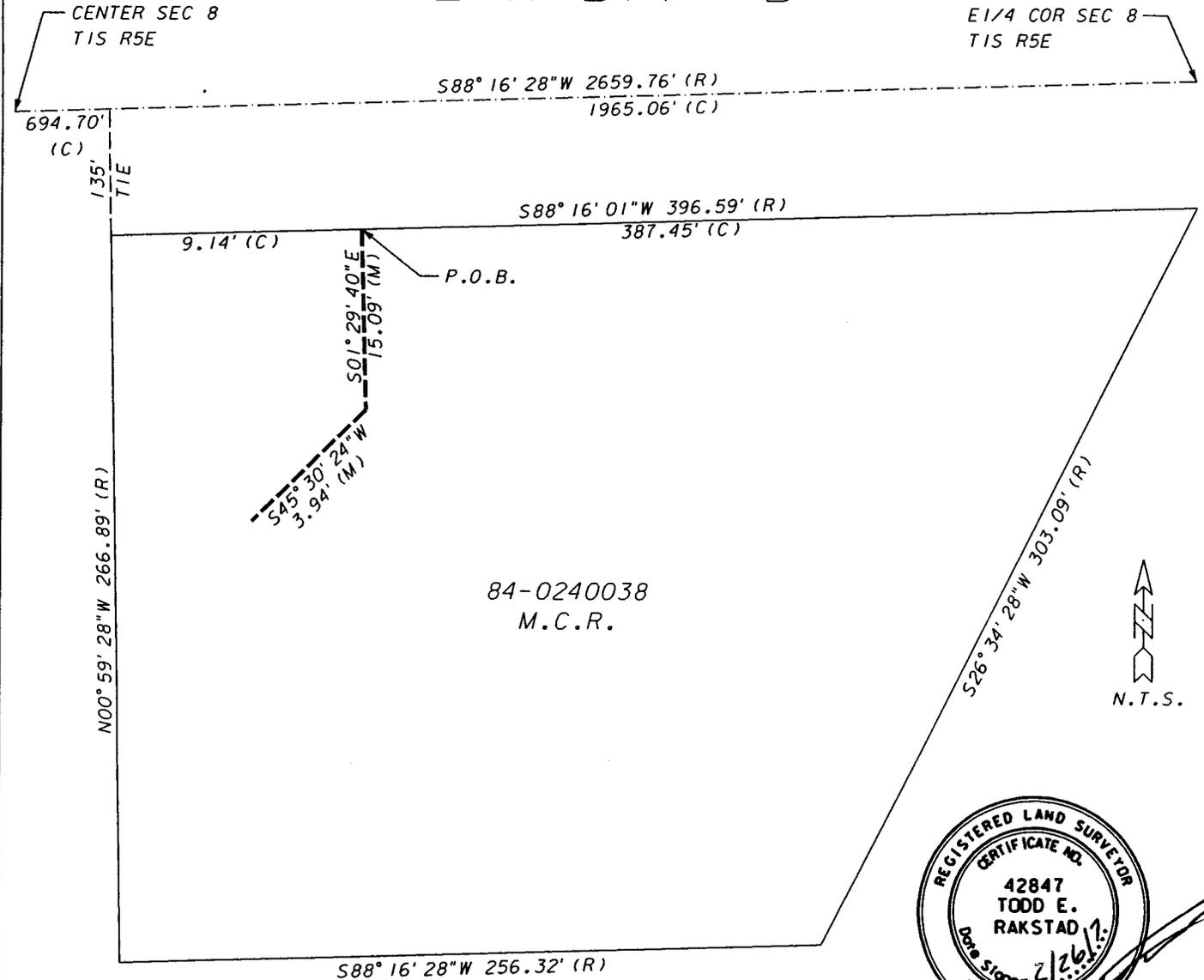


EXHIBIT "B"



LEGEND

- SECTION AND CENTERLINE
- PROPERTY LINE
- CENTERLINE OF 8' EASEMENT
- EQUIPMENT PAD - 3.63' X 4.82' UNLESS OTHERWISE NOTED ARE PART OF THE EASEMENT

NOTE: THIS EXHIBIT IS INTENDED TO ACCOMPANY AN EASEMENT. IT IS NOT A SURVEY AND SHOULD NOT BE CONSTRUCTED AS SUCH.

EQUIPMENT PAD(S) ARE A PART OF THE EASEMENT UNLESS OTHERWISE NOTED.

CAUTION

THE EASEMENT LOCATION AS 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. SEQ., ARIZONA BLUE STAKE LAW, PRIOR TO ANY EXCAVATION.

SRP JOB NO.:
KER-518

SALT RIVER PROJECT A.I. & POWER DISTRICT MARICOPA COUNTY, ARIZONA			
BOC SUMMIT PLACE SE1/4 SEC8 T1S R5E UNDERGROUND ELECTRIC POWER LINE RIGHT-OF-WAY			
DESIGNED	TURNER	AGENT	MESSINA
DRAWN	SALIH	APPROVED:	
DATE	02-11-07		
SCALE	N.T.S.	SHEET	1 OF 1

