

OCT 22 2007

**ORDINANCE NO. 3958**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, TO AUTHORIZE AND APPROVE THE GRANTING OF AND IRRIGATION EASEMENT TO SALT RIVER PROJECT (SRP) TO RELOCATE IRRIGATION FACILITES ALONG WARNER ROAD EAST AND WEST OF DOBSON ROAD.

WHEREAS, an irrigation easement is necessary to relocate irrigation facilities in conjunction with the construction of the Dobson Road and Warner Road Intersection Improvements, Project No. ST0401; and

WHEREAS, the City of Chandler is willing to grant a 20 foot wide irrigation easement to SRP to relocate irrigation facilities along Warner Road located east and west of Dobson Road; 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 an irrigation easement to SRP, through, over, under, and across that certain property described in Exhibits "A, B and C", attached hereto and made a part hereof by reference.

Section 2. That the granting of the irrigation 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 TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this 20<sup>th</sup> day of September 2007.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this 22nd day of October 2007.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 3958 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 22<sup>nd</sup> day of October 2007, and that a quorum was present thereat.

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY

PUBLISHED in the Arizona Republic on October 31 and November 7, 2007.

**EXHIBIT "A"**

**LEGAL DESCRIPTION  
Irrigation Easement**

That portion of the Northeast quarter of Section 19, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said portion being more particularly described as follows:

A 20.00 foot wide strip of land lying 10.00 feet on each side of the following described centerline.

Commencing at the Northeast corner of said Section 19;

Thence, S88°40'16"W a distance of 39.89 feet along the North line of the Northeast quarter of said Section 19;

Thence, S01°19'44"E a distance of 67.30 feet to the POINT OF BEGINNING of said centerline;

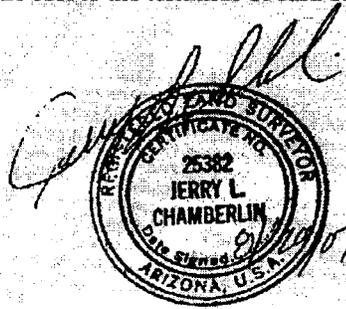
Thence, N68°21'04"W a distance of 44.32 feet;

Thence, S88°40'16"W a distance of 289.70 feet;

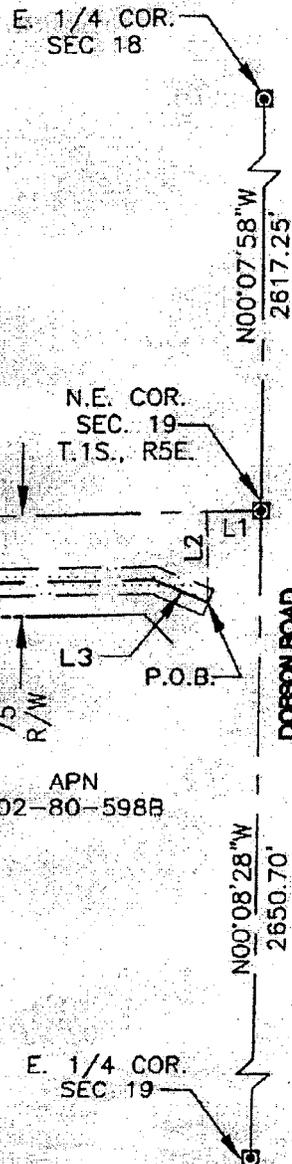
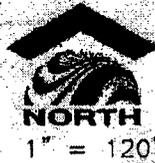
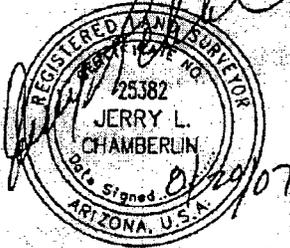
Thence, N84°12'14"W a distance of 112.87 feet;

Thence, S88°40'16"W a distance of 323.20 feet to the terminus of said centerline.

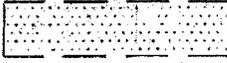
Contains an area of 15,402 square feet.



**EXHIBIT "A"**



LINE TABLE		
LINE	LENGTH	BEARING
L1	39.89	S88°40'16"W
L2	67.30	S01°19'44"E
L3	44.32	N68°21'04"W
L4	289.70	S88°40'16"W
L5	112.87	N84°12'14"W
L6	323.20	S88°40'16"W

 NEW EASEMENT AREA=15,402 SQ.FT.



**Stantec Consulting Inc.**  
 8211 South 48th Street  
 Phoenix, Arizona 85044 USA  
 Phone: (602) 438-2200 Fax: (602) 431-9562

**EXHIBIT TO ACCOMPANY A  
 LEGAL DESCRIPTION FOR SRP  
 EASEMENT ACQUISITION**

DATE: 08/03/07 PROJECT NUMBER  
 DSN.: \_\_\_\_\_ 81930006  
 DRN.: JRC  
 CHK.: JLC **Page 2 of 6**

**EXHIBIT "A"**

**LEGAL DESCRIPTION**  
**Irrigation Easement**

That portion of the Northwest quarter of Section 20, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said portion being more particularly described as follows:

A 20.00 foot wide strip of land lying 10.00 feet on each side of the following described centerline.

Commencing at the Northwest corner of said Section 20.

Thence, S89°48'37"E a distance of 386.60 feet along the North line of the Northwest quarter of said Section 20;

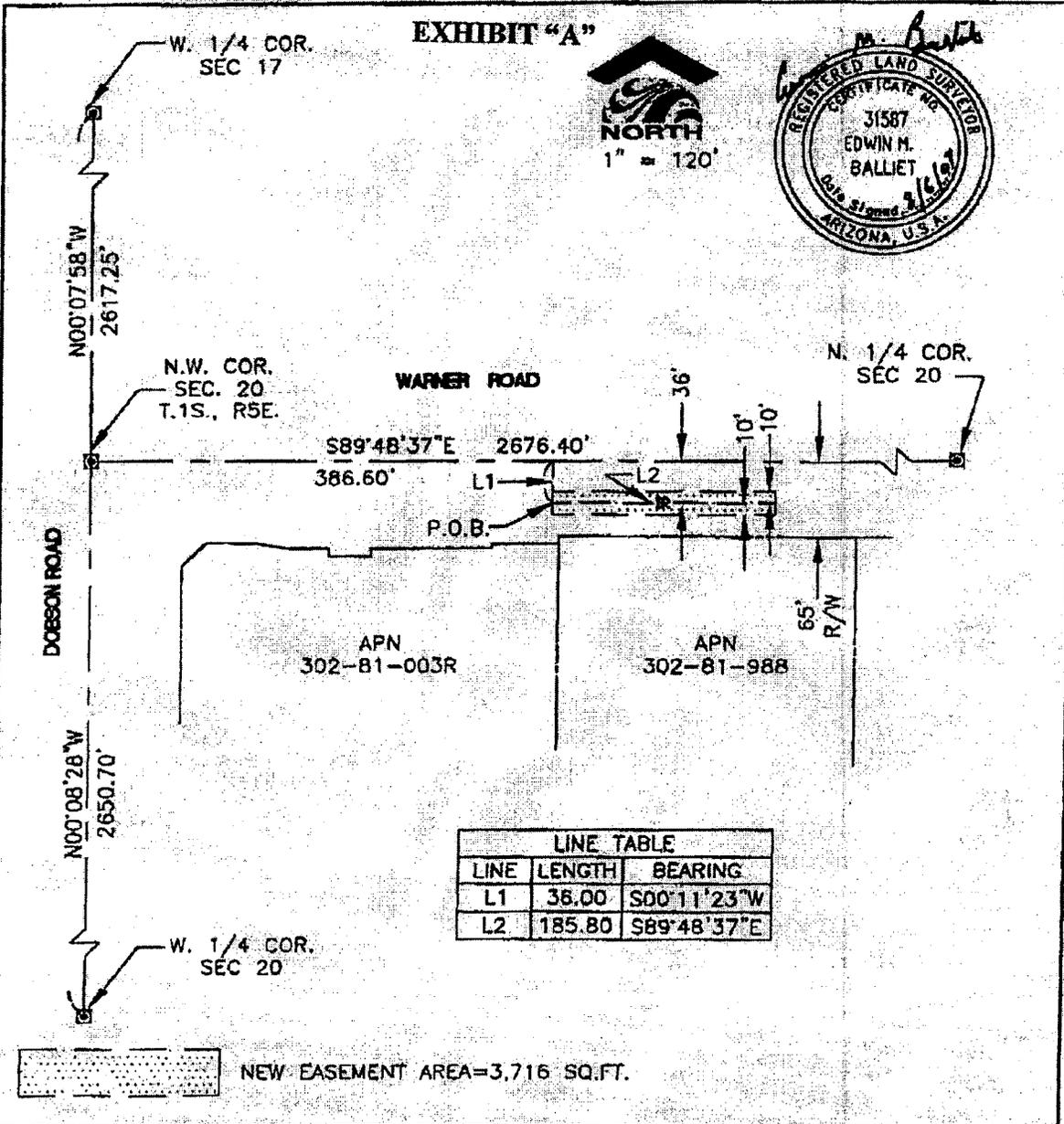
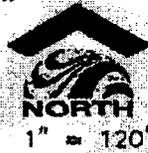
Thence, S00°11'23"W a distance of 36.00 feet to the POINT OF BEGINNING of said centerline;

Thence, S89°48'37"E a distance of 185.80 feet to the terminus of said centerline.

Contains an area of 3.716 square feet.



EXHIBIT "A"



Stantec Consulting Inc.

8211 South 48th Street  
Phoenix, Arizona 85044 USA

Stantec

Phone: (602) 438-2200 Fax: (602) 431-9562

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1/07-08-06 09:06PM By: eballiet

EXHIBIT TO ACCOMPANY A  
LEGAL DESCRIPTION FOR SRP  
EASEMENT ACQUISITION

DATE: 08/08/07

DSN:

DRN: JRC

CHK: EMB

PROJECT NUMBER

81830005

Page 4 of 6

**EXHIBIT "A"**

**LEGAL DESCRIPTION  
Irrigation Easement**

That portion of the Northwest quarter of Section 20, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said portion being more particularly described as follows:

A 20.00 foot wide strip of land lying 10.00 feet on each side of the following described centerline.

Commencing at the Northwest corner of said Section 20;

Thence, S89°48'37"E a distance of 654.90 feet along the North line of the Northwest quarter of said Section 20;

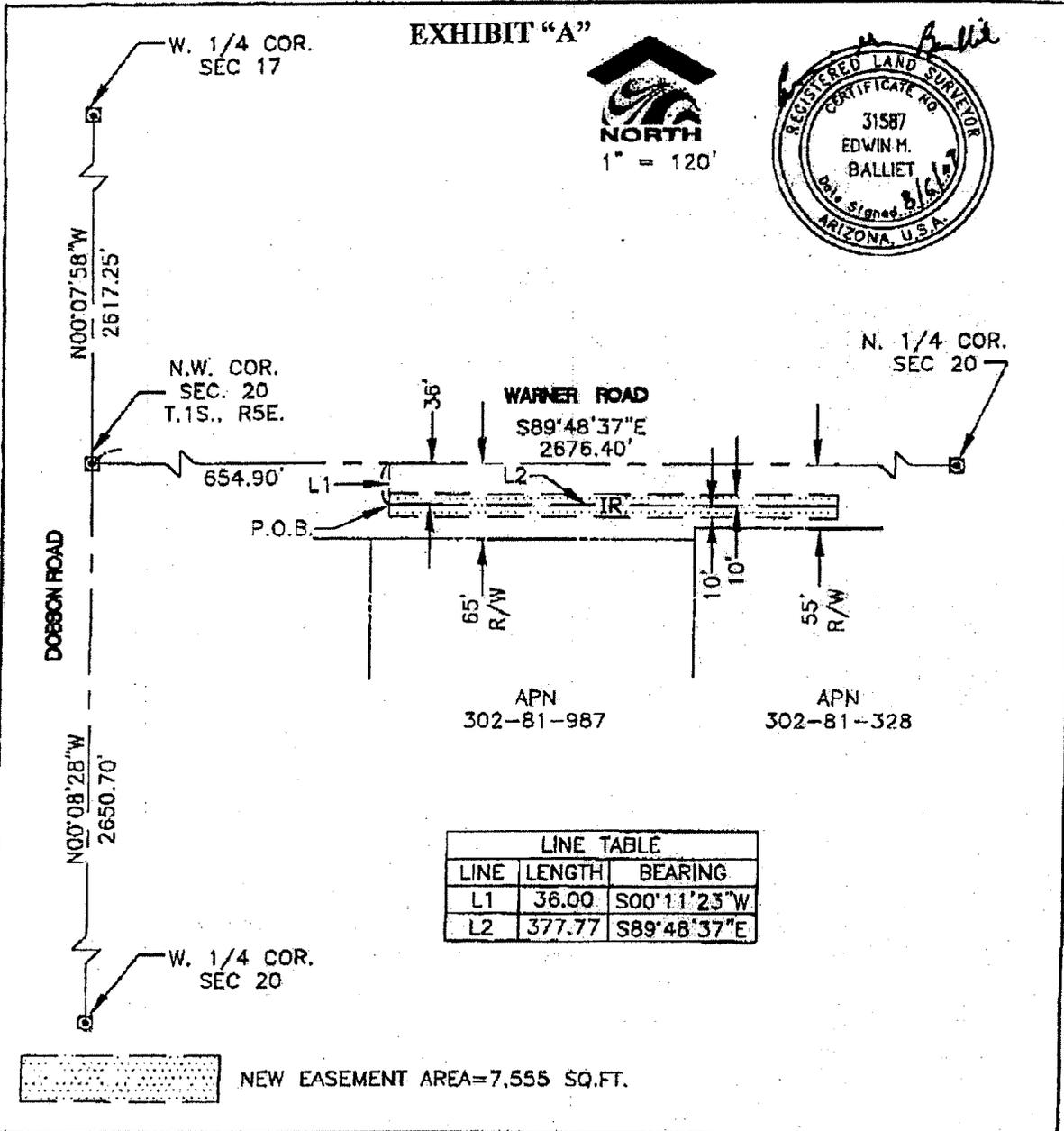
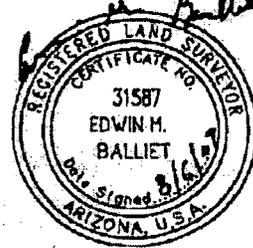
Thence, S00°11'23"W a distance of 36.00 feet to the POINT OF BEGINNING of said centerline;

Thence, S89°48'37"E a distance of 377.77 feet to the terminus of said centerline.

Contains an area of 7,555 square feet.



EXHIBIT "A"



LINE TABLE		
LINE	LENGTH	BEARING
L1	36.00	S00°11'23"W
L2	377.77	S89°48'37"E



NEW EASEMENT AREA=7,555 SQ.FT.



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 Phoenix, Arizona 85044 USA  
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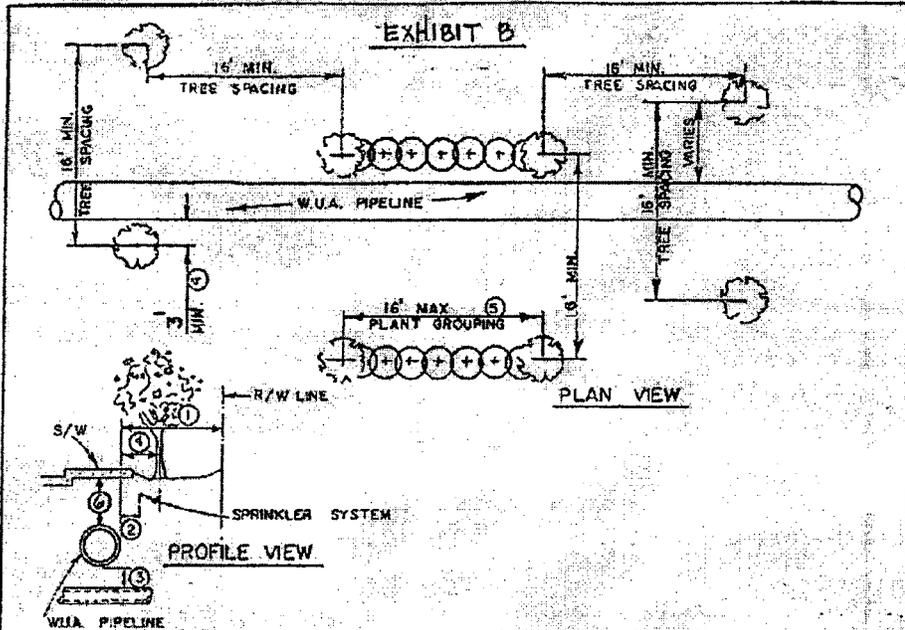
**EXHIBIT TO ACCOMPANY A  
 LEGAL DESCRIPTION FOR SRP  
 EASEMENT ACQUISITION**

DATE: 08/06/07 PROJECT NUMBER 81930006  
 OSN.: \_\_\_\_\_  
 DRN.: JRC  
 CHK.: EMB

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 2007-08-06 08:00PM by ebo98f

SRP Job No. RD-81998  
 City of Chandler  
 Exhibit B-1

EXHIBIT B



UNDERGROUND IRRIGATION PIPELINE

- ① MINIMUM 2' CLEARANCE TO POLES, FENCE OR BUILDING IN PUBLIC R/W. AREA MAY BE USED FOR DRIVEWAY, PARKING, SIDEWALK, LAWN OR ALLEY.
- ② MINIMUM 2' CLEARANCE TO UNDERGROUND UTILITY LINES EXCEPT SPRINKLER SYSTEM. CITY RESPONSIBLE FOR REPAIRING SPRINKLER SYSTEM INSTALLED CLOSER THAN 2'. UTILITY EXCAVATION SHALL BE MINIMUM 2' FROM OUTSIDE EDGE OF C.T.P.P.
- ③ UNDER OR OVER CROSSING MINIMUM 1'.
- ④ MINIMUM 3' TO TREES IN PUBLIC R/W. SEE PLAN VIEW FOR OTHER REQUIREMENTS.
- ⑤ PLANT GROUPINGS SHALL NOT EXCEED 16'; GROUPINGS ON SAME SIDE OF PIPE SHALL BE MINIMUM 16' APART.
- ⑥ MAINTAIN 2' OF COVER

ADDED NOTE 6

05-18-00	JWS	GMT	2
REVISED	BY	CHK'D	ISSUE DATE

SALT RIVER VALLEY WATER USERS' ASS'N  
 PHOENIX, ARIZONA

S.R.P. R/W GUIDELINES  
 FOR MUNICIPAL  
 PRIOR RIGHTS AGREEMENT

DESIGNED A.R.	CHECKED G.P.
DRAWN A.R.	RECOMMENDED G.P.
TRACED 5-28-79	APPROVED JWS
SCALE NONE	

6-28-79 IC-8-131 76

ORIGINAL

SRP Job No. 81998  
City of Chandler  
Exhibit B-2

## EXHIBIT B

IF GRANTOR (CITY) INSTALLS TREES, SHRUBBERY OR OTHER PLANTS IN A MANNER INCONSISTENT WITH EXHIBIT B, GRANTEE MAY REQUIRE GRANTOR TO REMOVE THEM AT GRANTOR'S SOLE EXPENSE. FURTHER, GRANTOR SHALL REIMBURSE GRANTEE FOR ALL COSTS INCURRED TO REMEDY ANY DAMAGE TO OR INTERFERENCE WITH ANY IRRIGATION FACILITIES, CAUSED BY ROOTS FROM TREES, SHRUBBERY OR OTHER PLANTS INSTALLED BY OR CAUSED TO BE INSTALLED BY GRANTOR, UNLESS GRANTEE REASONABLY DETERMINES THAT TIME DOES NOT PERMIT, GRANTEE SHALL PROVIDE GRANTOR WITH REASONABLE NOTICE AND A DAMAGE ESTIMATE IN ADVANCE OF INCURRING COSTS TO REMEDY ROOT PROBLEMS. WHENEVER GRANTEE HAS INCURRED SUCH COSTS WITHOUT ADVANCE NOTICE TO GRANTOR, GRANTEE SHALL PROVIDE GRANTOR WITH VISUAL EVIDENCE OF THE DAMAGE ALONG WITH GRANTEE'S REQUEST FOR REIMBURSEMENT WITHIN TEN (10) DAYS OF THE COMPLETION OF THE DAMAGE OF REPAIRS. UNLESS CAUSED BY GRANTEE NEGLIGENCE, GRANTOR SHALL INDEMNIFY AND SAVE HARMLESS GRANTEE AGAINST AND FROM ANY LIABILITY FOR CLAIMS FOR DAMAGE OR INJURY ARISING OUT OF INTERFERENCE WITH OR DAMAGE TO ANY IRRIGATION FACILITIES CAUSED BY ROOTS FROM TREES, SHRUBBERY OR OTHER PLANTS INSTALLED BY OR CAUSED TO BE INSTALLED BY GRANTOR.