

#2
MAR 13 2008

ORDINANCE NO. 4002

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) FOR ELECTRICAL POWER SERVICE TO CITY FACILITIES AT THE MESQUITE GROVES AQUATIC CENTER, LOCATED AT 5901 SOUTH HILLCREST DRIVE, CHANDLER, ARIZONA NEAR THE NORTHWEST CORNER OF RIGGS ROAD AND VAL VISTA DRIVE

WHEREAS, electric service is required to provide power to the Mesquite Groves Aquatic Center; and

WHEREAS, the City has requested that Salt River Project provide new electric service to City facilities at the Mesquite Groves Aquatic Center; and

WHEREAS, a new power distribution easement is required to provide such services due to the completion of new City facilities; and

WHEREAS, the City of Chandler is willing to grant this power easement to Salt River Project to provide power to the Mesquite Groves Aquatic Center,

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 Exhibits "A", 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 _____, 2008.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council this _____ day of _____, 2008.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

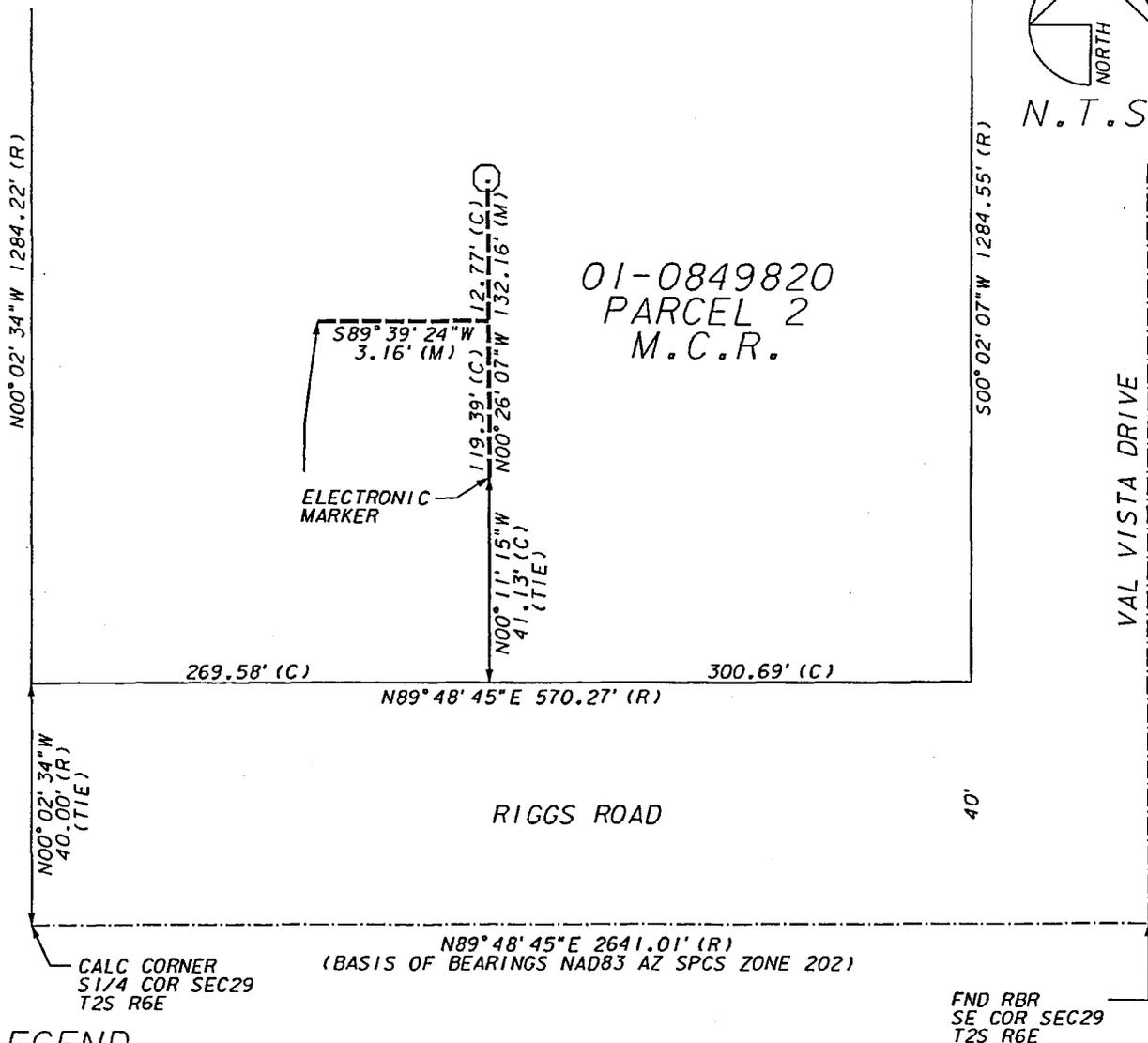
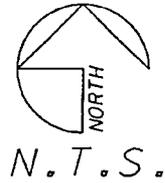
I HEREBY CERTIFY that the above and foregoing Ordinance No. 4002 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2008, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *XAB*

EXHIBIT "A"



LEGEND

NOTE: SYMBOLS MAY NOT BE TO DRAWING SCALE, SO AS TO BETTER ENHANCE GRAPHICAL REPRESENTATION

- SECTION AND CENTERLINE
- PROPERTY LINE
- CENTERLINE OF 8' EASEMENT
- EQUIPMENT PAD - 8' X 8' 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 CONSTRUED AS SUCH.

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.
KEB-6819

SALT RIVER PROJECT A.I. & POWER DISTRICT	
MESQUITE GROVES AQUATIC CENTER SE 1/4 SEC 29 T2S R6E UNDERGROUND ELECTRIC POWER LINE RIGHT-OF-WAY	
DESIGNED <u>FITZHUGH</u>	AGENT <u>TILLER</u>
DRAWN <u>SALIH</u>	APPROVED: _____
DATE <u>11-16-07</u>	CHKD BY: <u>JR</u>
SCALE <u>N.T.S.</u>	SHEET <u>1</u> OF <u>1</u>

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT
Land Department/PAB400
P. O. Box 52025
Phoenix, Arizona 85072-2025

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 304-81-009D
SE4 Sec. 29 T2S R6E

R/W # 1843C Agt. MNT
Job # KEB-6819
W MT C (Signature)

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:

A portion of the Southwest quarter of the Southeast quarter of Section 29, Township 2 South, Range 6 East, of the Gila and Salt River Base and Meridian, more particularly described as PARCEL NO. 2 in Instrument No. 2001-0849820, records of Maricopa County, Arizona.

Easement Parcel:

Said easement being 8.00 feet in width, lying 4.00 feet on each side of the line described as "CENTERLINE OF 8' EASEMENT" on EXHIBIT A, including equipment pad areas, prepared by SRP Surveys Department, dated November 16, 2007, attached hereto and by this 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.

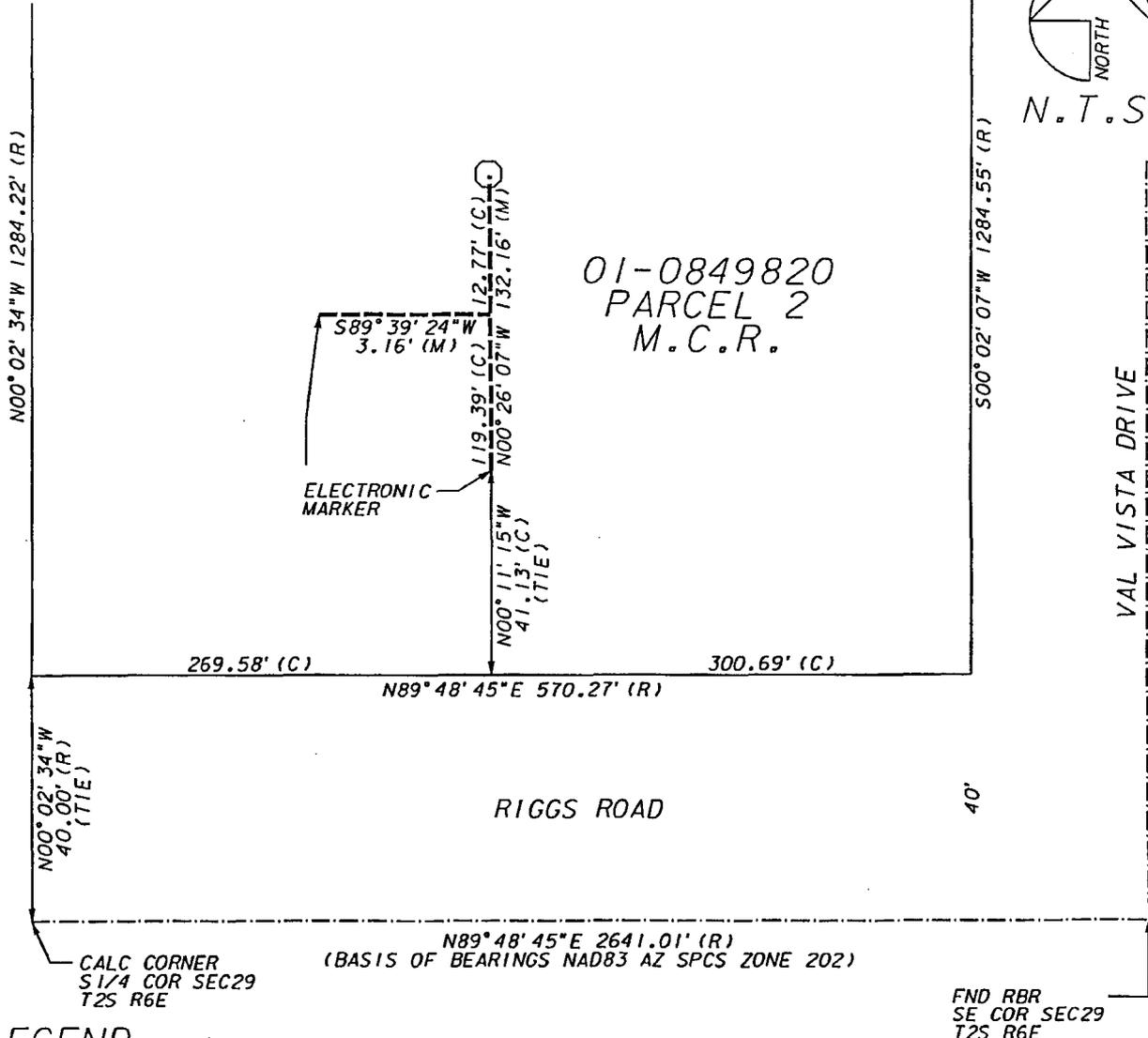
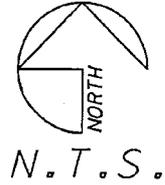
Grantor shall not construct, install or place, or permit to be constructed, installed or placed any building or other structure, plant any trees, drill any well, store materials of any kind, or alter ground level by cut or fill, within the area of the Easement Parcel.

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.

EXHIBIT "A"



LEGEND

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