

#3
NOV 20 2008



MEMORANDUM **Real Estate Services Memo No. RE09-131**

DATE: NOVEMBER 20, 2008

TO: MAYOR AND COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
R.J. ZEDER, PUBLIC WORKS DIRECTOR *FJZ*
DAN COOK, PUBLIC WORKS DEPUTY DIRECTOR *DC*
SHEINA HUGHES, ASSISTANT PUBLIC WORKS DIRECTOR/CITY ENGINEER *#*
MIKE NORMAND, TRANSPORTATION SERVICES & PLANNING MANAGER *MN*

FROM: ERICH KUNTZE, REAL ESTATE MANAGER *EK*

SUBJECT: ORDINANCE NO. 4111 TENTATIVELY AUTHORIZING AND APPROVING THE GRANT OF TWO (2) NO COST POWER DISTRIBUTION EASEMENTS TO SALT RIVER PROJECT (SRP) FOR THE CHANDLER REGIONAL PARK AND RIDE COMPLEX, LOCATED NEAR THE SOUTHWEST CORNER OF GERMANN ROAD AND HAMILTON STREET.

RECOMMENDATION: Staff recommends introduction and tentative approval of Ordinance No. 4111 tentatively authorizing and approving the grant of two (2) no cost power distribution easements to Salt River Project (SRP) for the Chandler Regional Park and Ride complex, located near the southwest corner of Germann Road and Hamilton Street.

BACKGROUND/DISCUSSION: Two (2) 8 foot easements are required by SRP in order to provide power to City facilities at the Chandler Regional Park and Ride complex. The first easement, located on APN #303-33-004B, contains approximately 10,473 square feet. The second easement, located on APN #303-33-007Q, contains approximately 5,091 square feet plus 2 equipment pads.

Council Meeting of 11/20/08
RE09-131
Page 2

FINANCIAL IMPLICATIONS:

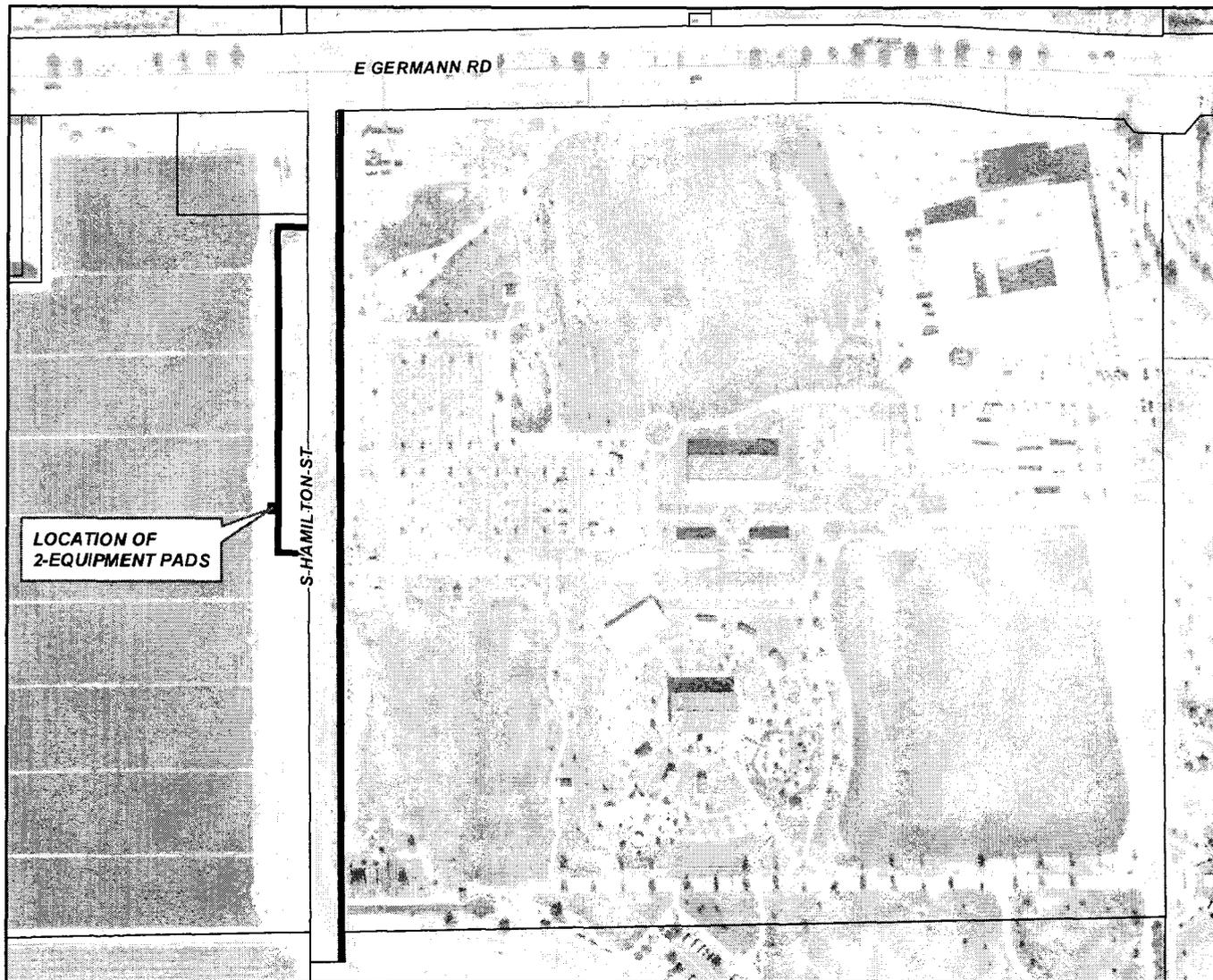
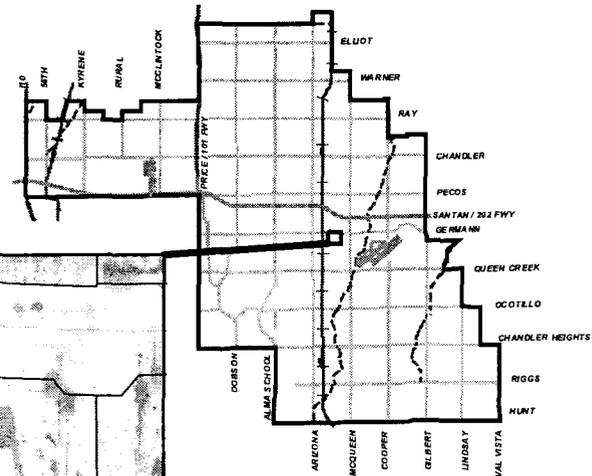
Cost: N/A
Savings: N/A
Long Term Costs: N/A

PROPOSED MOTION: Move that Council introduce and tentatively approve Ordinance No. 4111 tentatively authorizing and approving the grant of two (2) no cost power distribution easements to Salt River Project (SRP) for the Chandler Regional Park and Ride complex, located near the southwest corner of Germann Road and Hamilton Street.

Attachments: Ordinance No. 4111
Map
Power Distribution Easements (2)



GRANTING TWO POWER DISTRIBUTION EASEMENTS TO SALT RIVER PROJECT FOR THE CHANDLER REGIONAL PARK AND RIDE



MEMO NO. RE09-131

ORDINANCE NO. 4111

**8' WIDE POWER
DISTRIBUTION EASEMENT**



ORDINANCE NO. 4111

AN ORDINANCE OF THE COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING AND APPROVING THE GRANT OF TWO (2) NO COST POWER DISTRIBUTION EASEMENTS TO SALT RIVER PROJECT (SRP) FOR THE CHANDLER REGIONAL PARK AND RIDE COMPLEX, LOCATED NEAR THE SOUTHWEST CORNER OF GERMANN ROAD AND HAMILTON STREET.

WHEREAS, the Chandler Regional Park and Ride complex is located near the southwest corner of Germann Road and Hamilton Street; and

WHEREAS, Salt River Project requires two (2) power distribution easements in order to provide power to City facilities located at the Chandler Regional Park and Ride complex; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. That the City Council of the City of Chandler, Arizona does hereby authorize and approve the grant of two (2) no cost power distribution easements totalling approximately 15,564 square feet to SRP, as described in the attached Exhibits "A" and "B".

Section 2. The documents used to grant the Power Distribution Easements shall be in the form as approved by the City Attorney.

Section 3. . That the Mayor of the City of Chandler, Arizona, is hereby authorized to execute the easement documents 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 of the City of Chandler, Arizona, this _____ day of _____, 2008.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4111 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 *CAB*

ARIZONA AVENUE

(BASIS OF BEARING) N88° 54' 14" E 2644.72' (M)

GERMANN ROAD

NW COR SEC 10
T2S, R5E
FND BCHH

"EXHIBIT A"

N88° 54' 14" E
211.13' (R)

N00° 25' 42" W
255.02' (R)

158.00' (R)
S00° 23' 51" E

N88° 54' 14" E
200.00' (R)

N1/4 COR SEC 10
T2S, R5E
FND BCHH

N88° 54' 14" E
250.02' (R)

N00° 25' 42" W
346.46' (R)

N88° 54' 29" E
528.18' (C)

S00° 23' 51" E
218.00' (C)
(TIE)

S00° 23' 51" E
504.65' (C)

S00° 23' 51" E

1105.07' (R)

05-1819009 MCR
PARCEL 1

SEE DETAIL
SHEET 2

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

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

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



NTS

N00° 09' 00" W
661.49' (C)

S88° 54' 44" W
1191.86' (C)

CAUTION

THE EASEMENT LOCATION AS HEREON
DELINATED 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 STATUES,
SECTION 40-380.21, ET. SEQ., ARIZONA
BLUE STAKE LAW, PRIOR TO ANY
EXCAVATION.

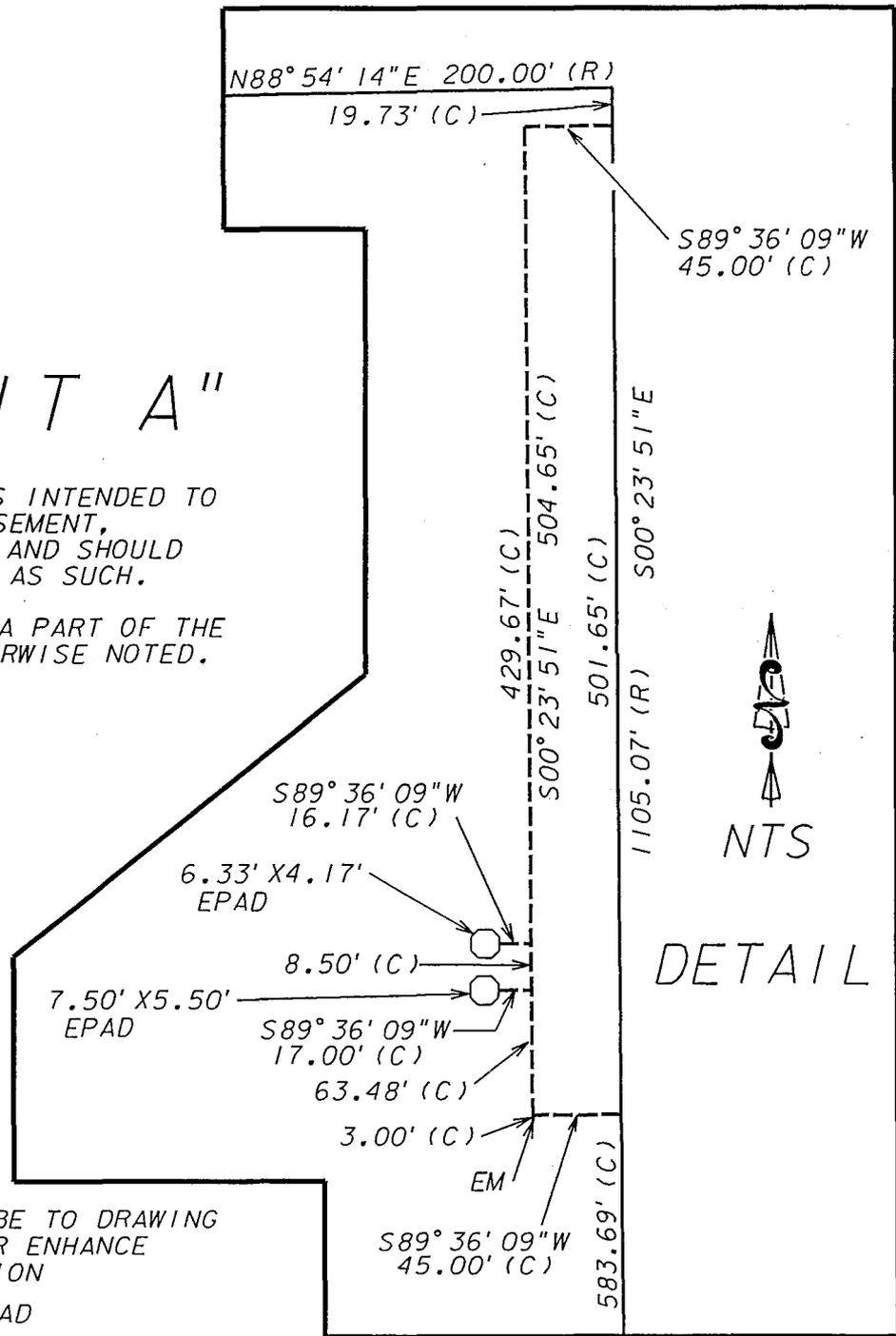
SRP JOB KEB-6968

SALT RIVER PROJECT A.I. & POWER DISTRICT	
CHANDLER REGIONAL PARK & RIDE	
27.6 EAST - 7.1 SOUTH	
NW1/4, SEC 10, T2S, R5E	
UNDERGROUND ELECTRIC	
POWER LINE RIGHT-OF-WAY	
MARICOPA COUNTY, ARIZONA	
DESIGNED	REED
DRAWN	MARTIN
DATE	10-15-08
SCALE	N.T.S.
AGENT	TILLER
CHECKED	JH
APPROVED	
SHEET	1 OF 2

"EXHIBIT A"

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

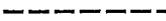
EQUIPMENT PAD(S) ARE A PART OF THE EASEMENT UNLESS OTHERWISE NOTED.



DETAIL

LEGEND

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

-  EQUIPMENT PAD
-  PROPERTY LINE
-  CENTERLINE OF 8' EASEMENT

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 KEB-6968

SALT RIVER PROJECT A.I. & POWER DISTRICT

CHANDLER REGIONAL PARK & RIDE

27.6 EAST - 7.1 SOUTH
 NW1/4, SEC 10, T2S, R5E
 UNDERGROUND ELECTRIC
 POWER LINE RIGHT-OF-WAY
 MARICOPA COUNTY, ARIZONA

DESIGNED	<u>REED</u>	AGENT	<u>TILLER</u>
DRAWN	<u>MARTIN</u>	CHECKED	<u>JB</u>
DATE	<u>10-15-08</u>	APPROVED	<u> </u>
SCALE	<u>N.T.S.</u>	SHEET	<u>2 OF 2</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 # 303-33-004B
NE4 Sec. 10 T2S R5E

Agt. MNT
Job # KEB-6968

W MNT C RAP

**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 Northeast quarter of Section 10, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, 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, 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.

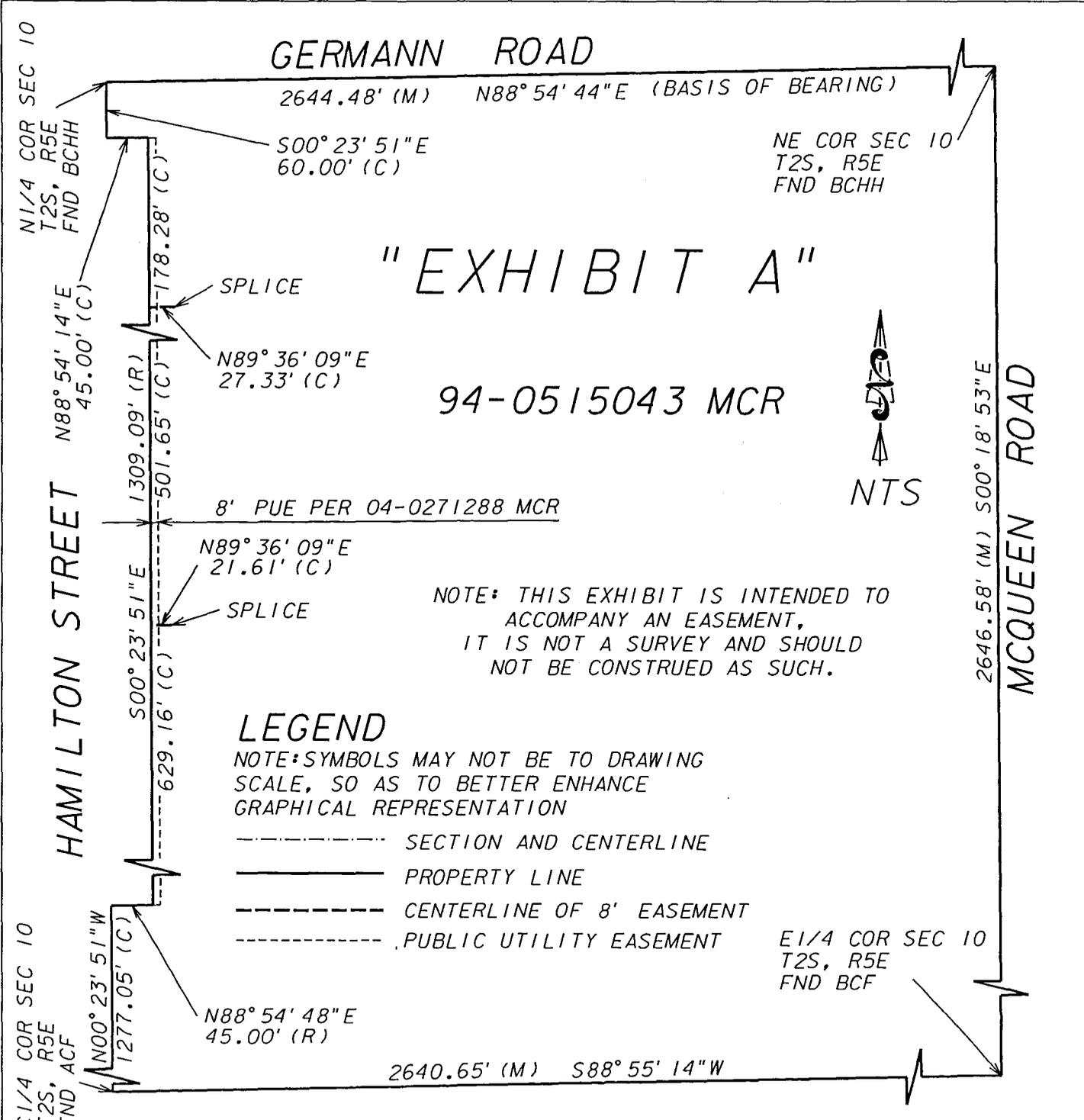
Grantor shall maintain a clear area that extends 3.00 feet from and around all edges of all transformer pads and other equipment pads, and a clear operational area that extends 12.00 feet immediately in front of all transformer and other equipment openings. No obstruction, trees, shrubs, fixtures or 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"

94-0515043 MCR



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

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
 - - - - PUBLIC UTILITY EASEMENT

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 STATUES, SECTION 40-380.21, ET. SEQ., ARIZONA BLUE STAKE LAW, PRIOR TO ANY EXCAVATION.

SALT RIVER PROJECT A.I. & POWER DISTRICT			
CHANDLER REGIONAL PARK & RIDE			
27.6 EAST - 7.1 SOUTH			
NE 1/4, SEC 10, T2S, R5E			
UNDERGROUND ELECTRIC POWER LINE RIGHT-OF-WAY			
MARICOPA COUNTY, ARIZONA			
DESIGNED	REED	AGENT	TILLER
DRAWN	MARTIN	CHECKED	JL
DATE	10-15-08	APPROVED	
SCALE	N.T.S.	SHEET	1 OF 1

SRP JOB KEB-6968

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT

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

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 303-33-007Q
NW4 Sec. 10 T2S R5E

Agt. MNT
Job # KEB-6968

W MT C RAP

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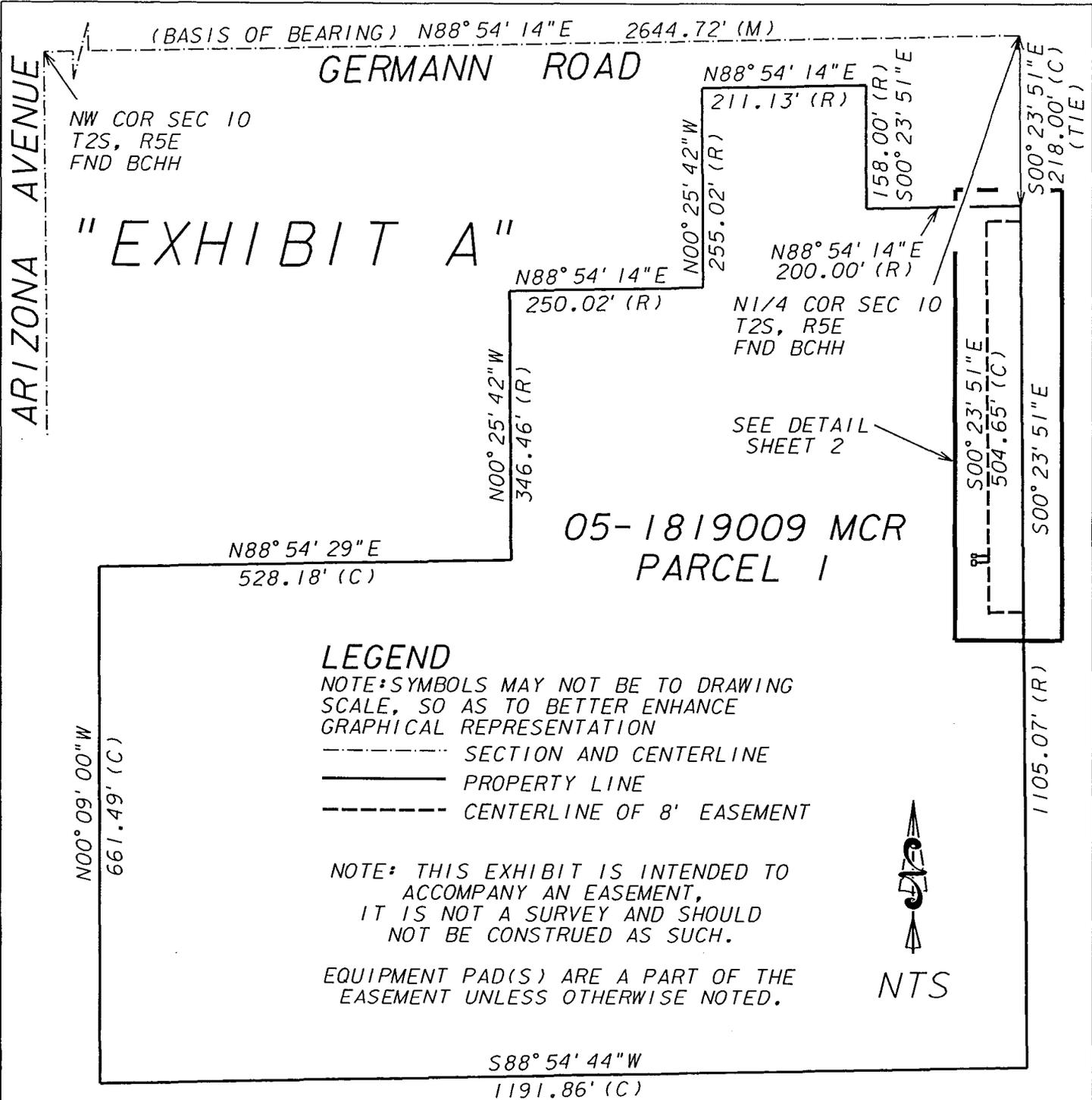
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LEGEND

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- SECTION AND CENTERLINE
 - PROPERTY LINE
 - - - - CENTERLINE OF 8' EASEMENT

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CAUTION

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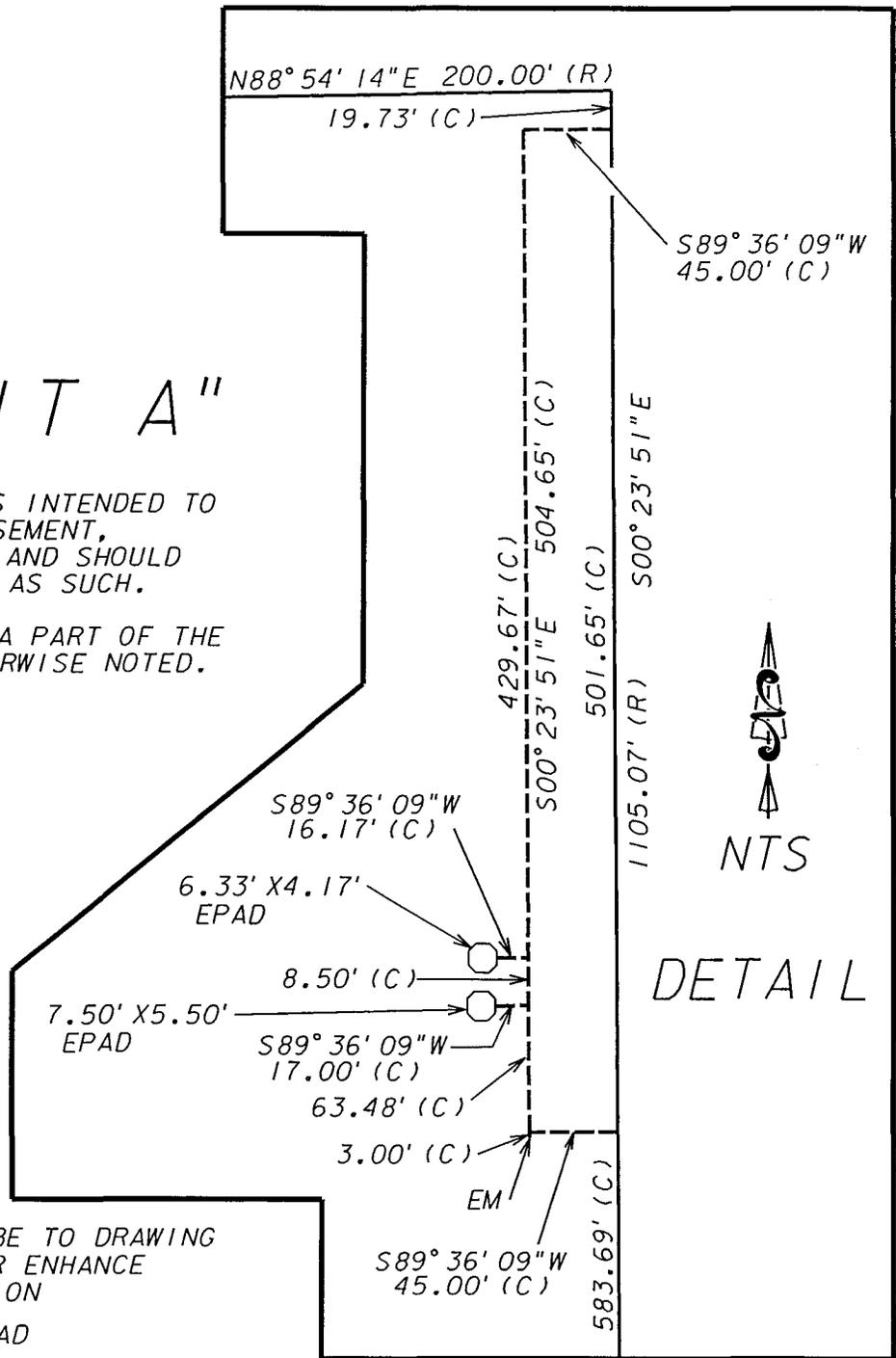
SRP JOB KEB-6968

SALT RIVER PROJECT A.I. & POWER DISTRICT			
CHANDLER REGIONAL PARK & RIDE			
27.6 EAST - 7.1 SOUTH			
NW1/4, SEC 10, T2S, R5E			
UNDERGROUND ELECTRIC POWER LINE RIGHT-OF-WAY			
MARICOPA COUNTY, ARIZONA			
DESIGNED	REED	AGENT	TILLER
DRAWN	MARTIN	CHECKED	JH
DATE	10-15-08	APPROVED	
SCALE	N.T.S.	SHEET	L OF 2

"EXHIBIT A"

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DETAIL

LEGEND

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EQUIPMENT PAD



PROPERTY LINE



CENTERLINE OF 8' EASEMENT

CAUTION

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SRP JOB KEB-6968

SALT RIVER PROJECT A.I. & POWER DISTRICT

CHANDLER REGIONAL PARK & RIDE
27.6 EAST - 7.1 SOUTH
NW1/4, SEC 10, T2S, R5E
UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY
MARICOPA COUNTY, ARIZONA

DESIGNED	REED	AGENT	TILLER
DRAWN	MARTIN	CHECKED	jb
DATE	10-15-08	APPROVED	
SCALE	N.T.S.	SHEET	2 OF 2