

#9

JAN 08 2009



MEMORANDUM Real Estate – Council Memo No. RE09-149

DATE: JANUARY 8, 2009

TO: MAYOR AND COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
DAVE SIEGEL, MUNICIPAL UTILITIES DIRECTOR

FROM: MIKE NORMAND, TRANSPORTATION SERVICES & PLANNING
MANAGER

SUBJECT: ORDINANCE NO. 4123 GRANTING A NO COST POWER DISTRIBUTION EASEMENT TO SALT RIVER PROJECT (SRP) TO PROVIDE NEW ELECTRICAL POWER SERVICE TO THE WELL AT THE EXISTING MCQUEEN WATER PRODUCTION FACILITY, LOCATED NEAR THE NORTHEAST CORNER OF MCQUEEN ROAD AND THATCHER BOULEVARD, APN #302-84-007

RECOMMENDATION: Staff recommends introduction and tentative approval of Ordinance No. 4123 granting a no cost power distribution easement to Salt River Project (SRP) to provide new electrical power service to the well at the existing McQueen Water Production Facility, located near the northeast corner of McQueen Road and Thatcher Boulevard, APN #302-84-007.

BACKGROUND/DISCUSSION: The Municipal Utilities Department is requesting this easement to supply new electrical power service to the well at the McQueen Water Production Facility. The easement is approximately 8 ft. wide by 303 ft. long, and includes 2 equipment pads. The easement is at no cost to Salt River Project as it is being requested by the City and benefits City facilities.

Council Meeting of 1/8/09
RE09-149
Page 2

FINANCIAL IMPLICATIONS:

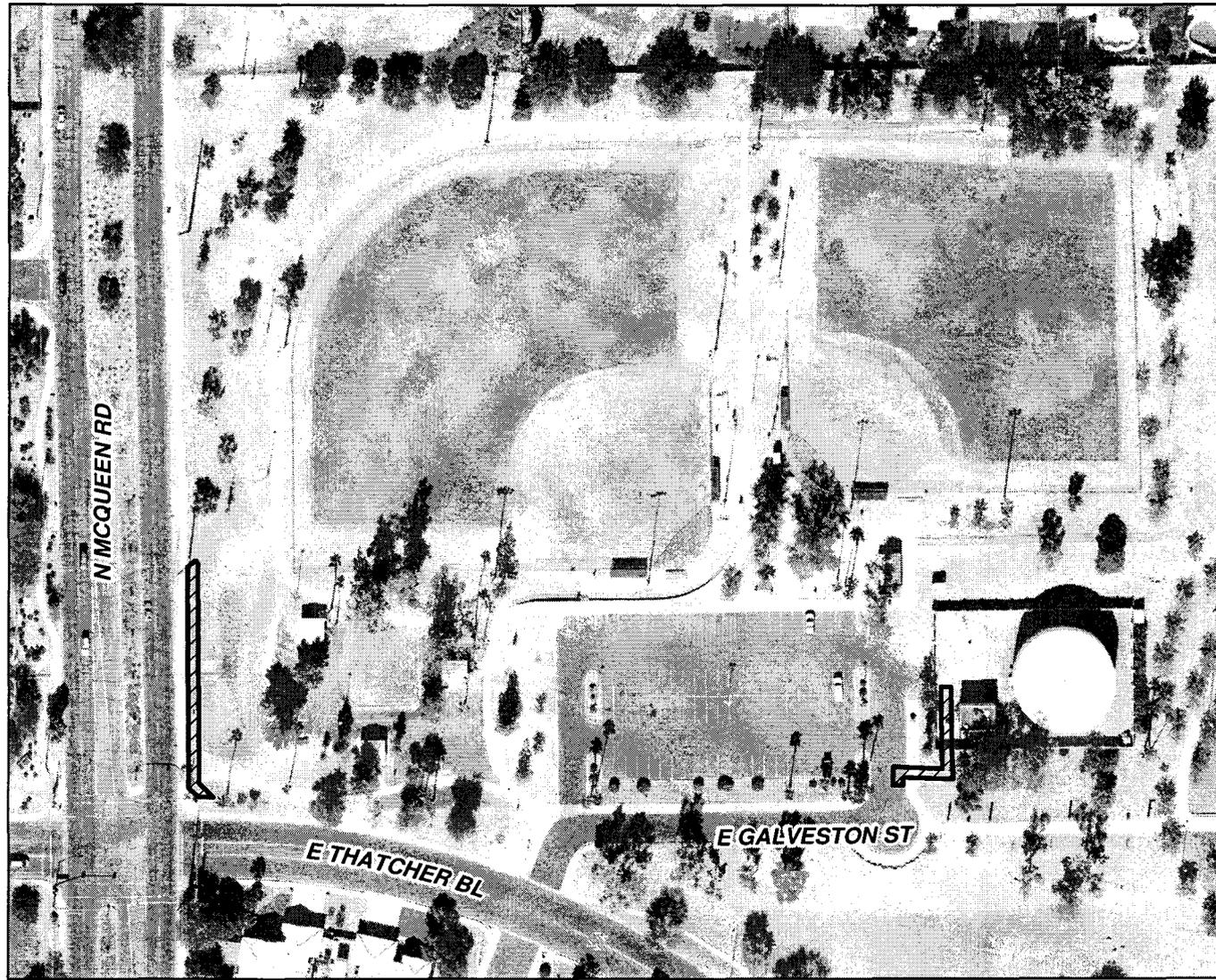
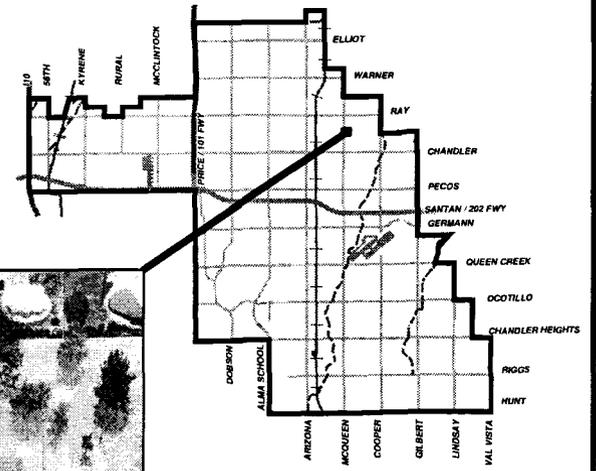
Cost: N/A
Savings: N/A
Long Term Costs: N/A

PROPOSED MOTION: Move that Council introduce and tentatively approve Ordinance No. 4123 granting a no cost power distribution easement to Salt River Project (SRP) to provide new electrical power service to the well at the existing McQueen Water Production Facility, located near the northeast corner of McQueen Road and Thatcher Boulevard, APN #302-84-007.

Attachments: Ordinance No. 4123
SRP Easement
Site Map



POWER DISTRIBUTION EASEMENT FOR THE MCQUEEN WATER PRODUCTION FACILITY



MEMO NO. RE09-149

ORDINANCE NO. 4123

 EASEMENT



ORDINANCE NO. 4123

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 ELECTRICAL POWER SERVICE TO THE MCQUEEN WATER PRODUCTION FACILITY, LOCATED NEAR THE NORTHEAST CORNER OF MCQUEEN ROAD AND THATCHER BOULEVARD, APN #302-84-007

WHEREAS, electric service is required for the operation of McQueen Water Production Facility, and

WHEREAS, the City has requested that Salt River Project supply new electrical power service to the well at the McQueen Water Production Facility; and

WHEREAS, a new 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 provide new electrical power to the well at the McQueen Water Production Facility,

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", 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 _____, 2009.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council this _____ day of _____, 2009.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4123 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2009, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *ATB*

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT

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

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 302-84-007
NW4 Sec. 26 T1S R5E

Agt. MNT
Job # KEB-80044
W MNT C COB

**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 Northwest quarter of Section 26, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, more particularly described in Docket 4598, page 168, records of Maricopa County, Arizona,

EXCEPT that portion described in Instrument 2004-0614151, records of Maricopa County, Arizona and

EXCEPT that portion described as Parcel No. 3 in Docket 13630, page 354, 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 10, 2008, 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.

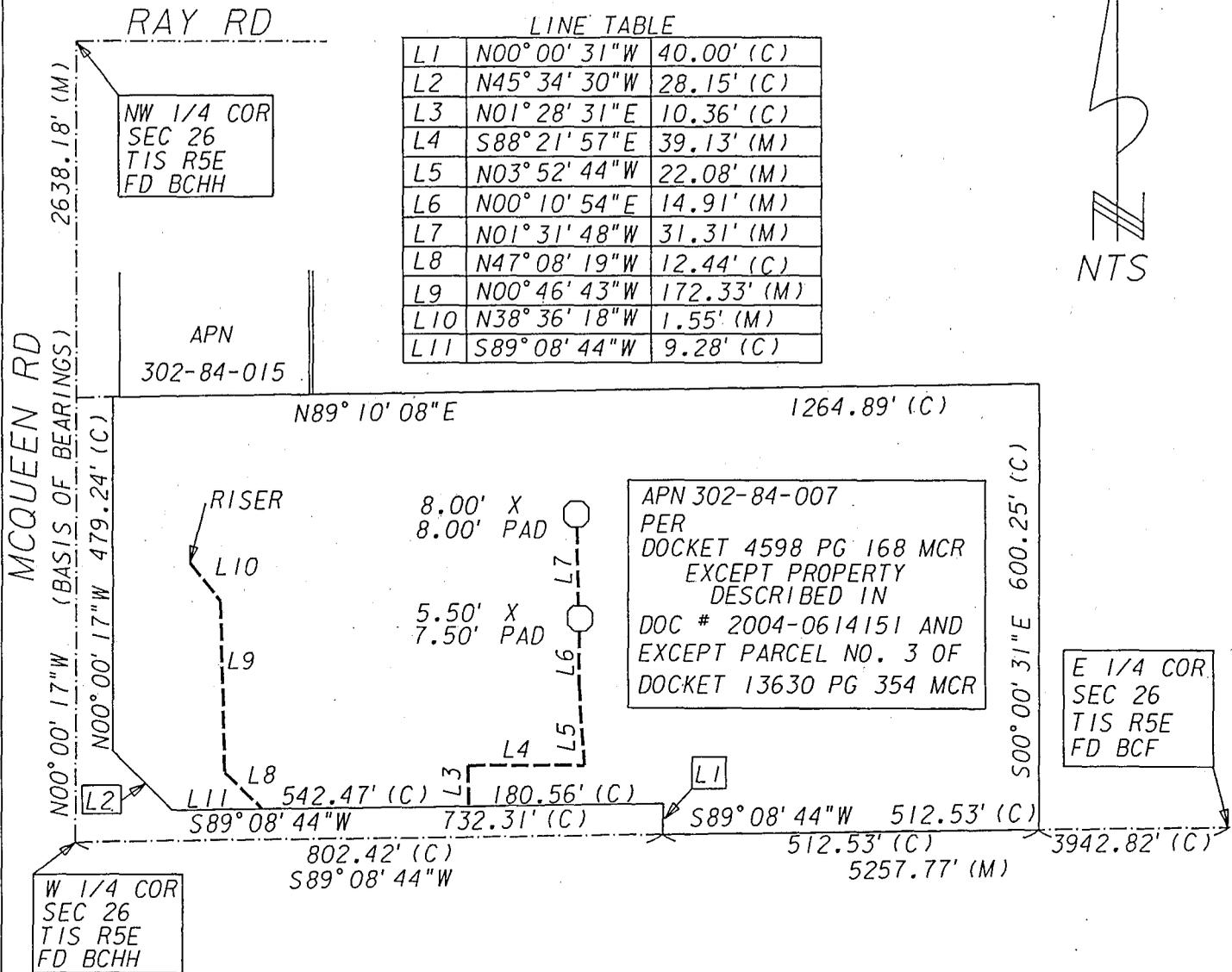
The covenants and agreements herein set forth shall extend and inure in favor and to the benefit of and shall be binding on the heirs, administrators, executors, personal representatives, legal representatives, successors (including successors in ownership and estate), assigns and lessees of the Grantor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

EXHIBIT "A"



LINE TABLE

L1	N00° 00' 31" W	40.00' (C)
L2	N45° 34' 30" W	28.15' (C)
L3	N01° 28' 31" E	10.36' (C)
L4	S88° 21' 57" E	39.13' (M)
L5	N03° 52' 44" W	22.08' (M)
L6	N00° 10' 54" E	14.91' (M)
L7	N01° 31' 48" W	31.31' (M)
L8	N47° 08' 19" W	12.44' (C)
L9	N00° 46' 43" W	172.33' (M)
L10	N38° 36' 18" W	1.55' (M)
L11	S89° 08' 44" W	9.28' (C)



LEGEND

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

SRP JOB.
KEB-80044

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

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

SALT RIVER PROJECT A.I. & POWER DISTRICT	
MCQUEEN BOOSTER STA WPF NW 1/4 SEC 26 TIS R5E UNDERGROUND ELECTRIC POWER LINE RIGHT-OF-WAY MARICOPA COUNTY, ARIZONA	
DESIGNED	BERRY AGENT TILLER
DRAWN	TODARO CH'D BY
DATE	11-10-08 APPROVED:
SCALE	NTS SHEET 1 OF 1