

#7

MAR 12 2009



**Chandler • Arizona**  
*Where Values Make The Difference*

**MEMORANDUM**

**Real Estate Council Memo No. RE09-181**

**DATE:** MARCH 12, 2009

**TO:** MAYOR AND COUNCIL

**THRU:** W. MARK PENTZ, CITY MANAGER *WMP*  
R.J.ZEDER, PUBLIC WORKS DIRECTOR *RJZ*  
DANIEL W. COOK, DEPUTY PUBLIC WORKS DIRECTOR *DWC*  
MIKE NORMAND, TRANSPORTATION AND PLANNING MANAGER *MN*

**FROM:** ERICH KUNTZE, REAL ESTATE MANAGER *EK*

**SUBJECT:** ORDINANCE NO. 4131 GRANTING AN IRRIGATION EASEMENT TO SALT RIVER PROJECT AT NO COST TO ACCOMMODATE UNDERGROUND CONSTRUCTION OF RELOCATED IRRIGATION FACILITIES DUE TO ROAD IMPROVEMENTS AND REALIGNMENT OF GERMANN ROAD FROM AIRPORT BOULEVARD TO GILBERT ROAD

RECOMMENDATION: Staff recommends introduction and tentative approval of Ordinance No. 4131 granting an Irrigation Easement to Salt River Project (SRP) at no cost to accommodate underground construction of relocated irrigation facilities due to road improvements and realignment of Germann Road from Airport Boulevard to Gilbert Road.

BACKGROUND/DISCUSSION: In connection with a City road project for the widening, improvement and realignment of Germann Road from Airport Boulevard to Gilbert Road (the "Project"), the City acquired roadway and easements needed for the Project. A portion of the required right-of-way was acquired through the eminent domain process. This acquisition took considerable time to be processed through the court system and is now complete. There were existing irrigation facilities that needed to be relocated as a result of the project. These facilities have been relocated. The City needs to grant an easement within a portion of the right-of-way acquired for the Project to SRP pursuant to an early release request made to SRP that allowed the project to move forward.

Because the City directly benefits from granting this easement, the easement is being granted at no cost. Staff has confirmed that SRP has prior rights.

Page Two

Council Meeting of 3/26/09  
Memo # RE09-181

FINANCIAL IMPLICATIONS: NONE

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

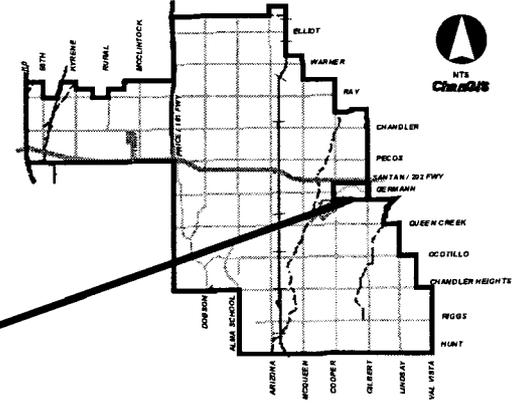
PROPOSED MOTION: Move that Council introduce and tentatively approve Ordinance No. 4131 granting an Irrigation Easement to Salt River Project (SRP) at no cost to accommodate underground construction of relocated irrigation facilities due to road improvements and realignment of Germann Road from Airport Boulevard to Gilbert Road.

Attachments: Ordinance No. 4131  
Easement  
Location/Site Map

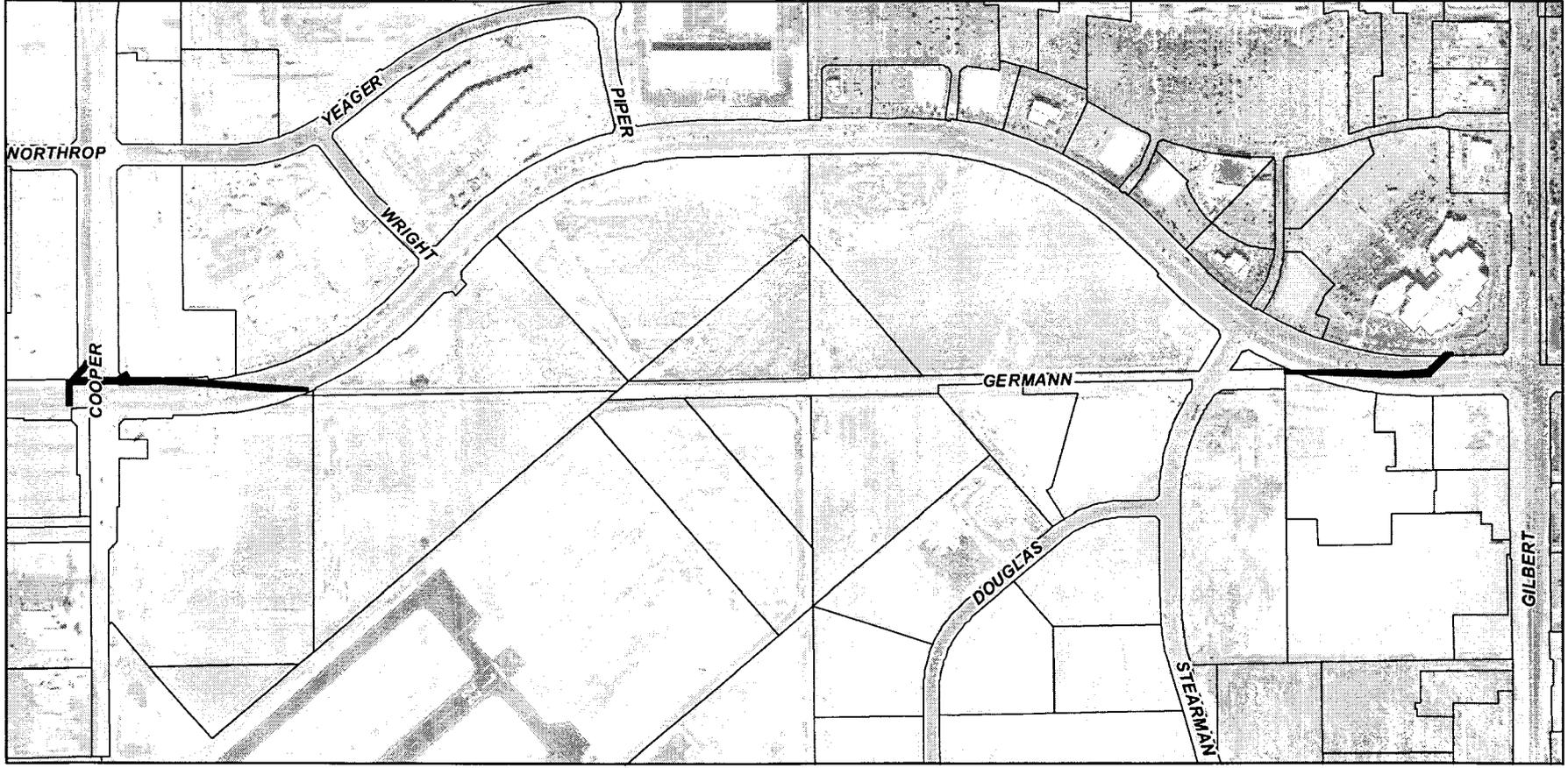


# SRP IRRIGATION EASEMENTS

MEMO NO. RE09-181  
ORDINANCE NO. 4131



 SRP IRRIGATION EASEMENTS



ORDINANCE NO. 4131

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, TO AUTHORIZE AND APPROVE GRANTING AN IRRIGATION EASEMENT TO SALT RIVER PROJECT AT NO COST TO ACCOMMODATE UNDERGROUND CONSTRUCTION OF RELOCATED IRRIGATION FACILITIES DUE TO ROAD IMPROVEMENTS AND REALIGNMENT OF GERMANN ROAD FROM AIRPORT BOULEVARD TO GILBERT ROAD

WHEREAS, Salt River Project requested an Irrigation Easement from the City in order to relocate and underground a portion of existing irrigation facilities at Germann Road from Airport Boulevard to Gilbert Road; and

WHEREAS, because the relocation and construction of underground facilities is necessary to accommodate a City road widening and improvement project there are no costs charged to Salt River Project for the Irrigation Easement;

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 Salt River Project through, over, under and across that certain property described in Exhibits "A" (Legal Description and Drawings), attached hereto and made a part hereof by reference.

Section 2. That the granting of this irrigation easement 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 document 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.4131 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 *BAE*

**EXHIBIT "A"**

**WHEN RECORDED MAIL TO:**

**SALT RIVER PROJECT**

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

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**IRRIGATION EASEMENT**

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Maricopa County  
Parcel #

<sup>1226, 1894</sup>  
R/W # <sup>217, 390</sup> Agt. **DJK**  
Job # **RD-32518**  
W  C

**KNOW ALL MEN BY THESE PRESENTS:**

That

**CITY OF CHANDLER**, ("Grantor"),  
an Arizona municipal corporation,

FOR AND IN CONSIDERATION OF THE SUM of One Dollar, and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to the **SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT**, ("Grantee"), an agricultural improvement district organized and existing under the laws of the State of Arizona, its successors and assigns, the non-exclusive right, easement and privilege to construct, reconstruct, operate and maintain an underground irrigation pipeline and irrigation turnout structure together with all the necessary and appurtenant facilities (collectively, the "Irrigation Facilities) through, over, under and across the following described property:

Said easement being more particularly described on **EXHIBIT A**  
attached hereto and by reference made a part hereof.

Grantee shall have the right, but not the obligation, to trim, cut and clear away trees or brush in the easement area whenever in its judgment the same shall be necessary for the convenient and safe exercise of the rights hereby granted. Grantor shall be responsible for the cost of removal of any trees or brush installed by Grantor that do not comply with the specifications in Exhibit B, attached hereto.

The Grantee shall at all times have the right of full and free ingress and egress to said easement for the purpose heretofore specified.

In the event the right, privilege and easement herein granted shall be abandoned and permanently cease to be used for the purpose herein granted, all rights herein granted shall automatically cease and revert to the Grantors, their heirs and assigns. This reversion is self-executing. However, in such event, and at Grantor's request, Grantee shall provide a quit claim deed or other recordable document sufficient to evidence the extinguishment of the easement and Grantee's interest in the real property described within this easement document.

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, successors in ownership and estate, assigns and lessees of the respective parties hereto.

Notwithstanding any of the aforesaid provisions, the easement rights granted herein shall be further subject to the following covenants, restrictions and conditions:

1. Grantor shall not erect, construct or permit to be erected or constructed any building, fence or other structure, drill any well or install swimming pools within the limits of said easement area, except Grantor reserves the right to construct, install, operate, maintain, repair, replace and reinstall surface parking areas, driveways, roadways, sidewalks, curbs and gutters, landscaping, irrigation lines, street lighting and public utilities in the easement area which comply with the specifications shown in Exhibit B attached hereto and by this reference made a part hereof, unless agreed to by Grantee in writing.
2. Other easements or permits for public utility purposes which Grantor grants in, upon, under, over and across the easement area described herein shall provide for compliance with the specifications shown in Exhibit B attached hereto and by this reference made a part hereof, unless agreed to by Grantee in writing.
3. In the event that any repair, maintenance, replacement or installation of the irrigation facilities and appurtenant conveniences will cause a disturbance or a disruption of any public street or paved roadway, Grantee shall notify Grantor, pursuant to existing practices, before Grantee undertakes any such action. In the event of an emergency, Grantee shall have use of any public street or paved roadway as it reasonably deems necessary and appropriate to correct, repair, replace or reconstruct irrigation facilities affected by the emergency and notify Grantor, pursuant to existing practices, as soon as practical after responding to the emergency. Grantee shall provide for advance warning signs, barricades, flagmen, flares, and other devices when necessary to protect the roadway user as set forth by the City Traffic Engineer in the latest edition of the "Manual on Uniform Traffic Control Devices" and any amendments and/or revisions thereto.
4. Grantor shall warrant and defend the rights, easements, and privileges hereby granted and the priority of this easement against all acts of the Grantor and no other, subject to any matter that may appear of record.

5. If, in its use of the easement area for any purpose, Grantee disturbs or damages any property or improvements of Grantor constructed in accordance with Exhibit B, all such property or improvements so disturbed or damaged shall be restored as close to its previous condition as is reasonably possible at the expense of Grantee.

6. In no event shall Grantee cause any irrigation facility to be located closer than two (2) feet from back of the curb (existing or as planned and made known to Grantee before the execution of this easement) for the adjacent public street or paved roadway, except at the point where the irrigation facility will intersect and cross under any such public street or paved roadway.

7. Nothing herein or within the attached Exhibit B shall be construed to prohibit Grantor from installing any intersecting public street or paved roadway, including any related surface parking areas, curbs and gutters, landscaping irrigation lines, street lighting and public utilities related thereto, which intersects with and crosses over that portion of Grantor's road right of way in which the easement area lies, as indicated in the attached Exhibit A; provided, Grantor shall coordinate with Grantee to assure that such facilities will not damage or unreasonably interfere with Grantee's irrigation facilities.

IN WITNESS WHEREOF, **THE CITY OF CHANDLER**, an Arizona municipal corporation, has caused its name to be executed by its duly authorized representative(s) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**THE CITY OF CHANDLER,**  
an Arizona municipal corporation

By: \_\_\_\_\_

Its: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney for the  
City of Chandler

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, as \_\_\_\_\_, of **THE CITY OF CHANDLER**, an Arizona municipal corporation, and such authorized representative acknowledged that this document was executed on behalf of the corporation for the purposes therein contained.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

\_\_\_\_\_  
Notary Stamp/Seal

**Note: This instrument is exempt from the real estate transfer fee and affidavit of legal value required under A.R.S. Sections 11-1131 and 11-1132 pursuant to the exemptions set forth in A.R.S. Sections 11-1134(A)(2) and (A)(3).**

**SRP IRRIGATION  
EASEMENT DESCRIPTION  
EXHIBIT "A"  
GERMANN RD., EAST OF GILBERT RD.**

September 13, 2004  
Job No. 04128  
Page 1 of 1

AN EASEMENT LOCATED IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 5 EAST, AND SECTION 12, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A PIPE IN HAND HOLE AT THE SOUTHEAST CORNER OF SAID SECTION 1, FROM WHICH AN ALUMINUM CAP AT THE SOUTH QUARTER CORNER OF SECTION 1 BEARS SOUTH 89 DEGREES 04 MINUTES 45 SECONDS WEST, A DISTANCE OF 2633.56 FEET;

THENCE SOUTH 89 DEGREES 04 MINUTES 45 SECONDS WEST, A DISTANCE OF 290.58 FEET;

THENCE NORTH 00 DEGREES 55 MINUTES 15 SECONDS WEST, A DISTANCE OF 65.00 FEET TO THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED;

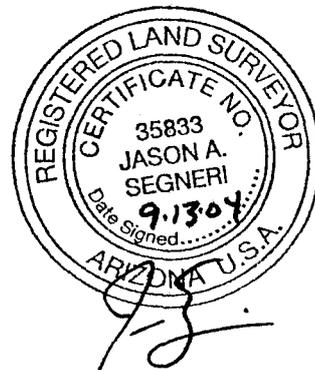
THENCE SOUTH 89 DEGREES 04 MINUTES 45 SECONDS WEST, A DISTANCE OF 28.25 FEET;

THENCE NORTH 44 DEGREES 00 MINUTES 09 SECONDS EAST, A DISTANCE OF 22.00 FEET;

THENCE NORTH 89 DEGREES 04 MINUTES 45 SECONDS EAST, A DISTANCE OF 28.25 FEET;

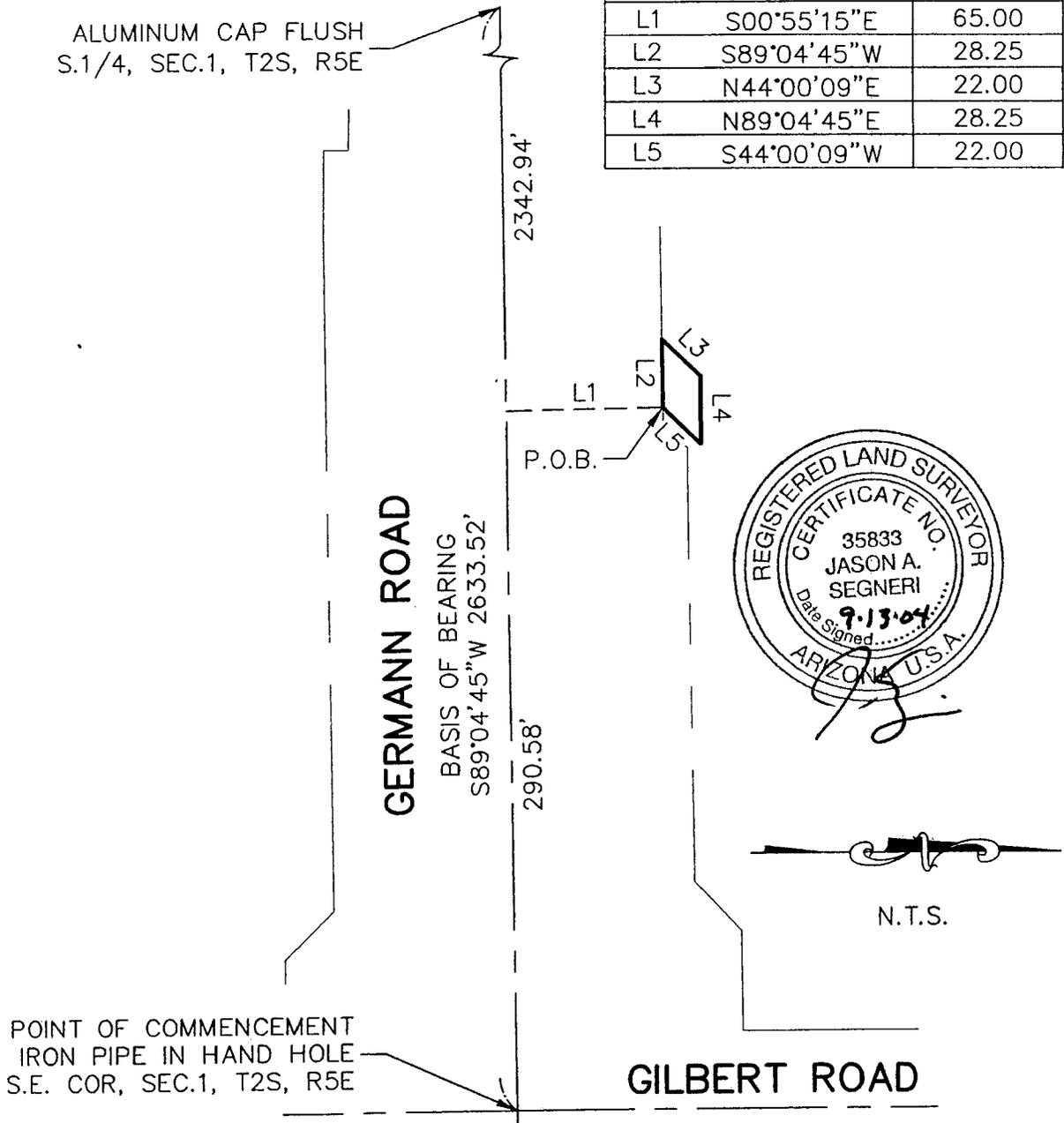
THENCE SOUTH 44 DEGREES 00 MINUTES 09 SECONDS WEST, A DISTANCE OF 22.00 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINS 440 SQUARE FEET OR 0.010 ACRES, MORE OR LESS.



ALUMINUM CAP FLUSH  
S.1/4, SEC.1, T2S, R5E

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°55'15"E	65.00
L2	S89°04'45"W	28.25
L3	N44°00'09"E	22.00
L4	N89°04'45"E	28.25
L5	S44°00'09"W	22.00



**SIG**

**SURVEY INNOVATION  
GROUP, INC**

Ph (480) 922 0780 *Land Surveying Services* Fx (480) 922 0781  
8340 E. RAIN TREE DR., STE C-1A, SCOTTSDALE, AZ 85260

**SRP IRRIGATION EASEMENT  
EXHIBIT "A"**

**GERMANN RD., EAST OF GILBERT RD.  
CHANDLER, ARIZONA**

JOB #04128	DWG: 4128SRP_05	DATE 7/13/04
SCALE: N.T.S.	DRAWN: ELS	CHK: JAS
		SHEET 1 OF 1

**SRP IRRIGATION  
EASEMENT DESCRIPTION  
EXHIBIT "A"  
GERMANN RD., EAST OF GILBERT RD.**

September 13, 2004  
Job No. 04128  
Page 1 of 1

AN EASEMENT LOCATED IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 5 EAST, AND SECTION 12, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A PIPE IN HAND HOLE AT THE SOUTHEAST CORNER OF SAID SECTION 1, FROM WHICH AN ALUMINUM CAP AT THE SOUTH QUARTER CORNER OF SECTION 1 BEARS SOUTH 89 DEGREES 04 MINUTES 45 SECONDS WEST, A DISTANCE OF 2633.56 FEET;

THENCE SOUTH 89 DEGREES 04 MINUTES 45 SECONDS WEST, A DISTANCE OF 355.41 FEET TO THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED;

THENCE SOUTH 44 DEGREES 00 MINUTES 09 SECONDS WEST, A DISTANCE OF 3.37 FEET;

THENCE SOUTH 87 DEGREES 27 MINUTES 10 SECONDS WEST, A DISTANCE OF 109.42 FEET;

THENCE NORTH 87 DEGREES 59 MINUTES 33 SECONDS WEST, A DISTANCE OF 420.95 FEET;

THENCE NORTH 02 DEGREES 00 MINUTES 39 SECONDS EAST, A DISTANCE OF 7.88 FEET;

THENCE NORTH 89 DEGREES 04 MINUTES 45 SECONDS EAST, A DISTANCE OF 237.34 FEET;

THENCE SOUTH 87 DEGREES 59 MINUTES 33 SECONDS EAST, A DISTANCE OF 183.12 FEET;

THENCE NORTH 87 DEGREES 27 MINUTES 10 SECONDS EAST, A DISTANCE OF 100.66 FEET;

THENCE NORTH 44 DEGREES 00 MINUTES 09 SECONDS EAST, A DISTANCE OF 67.26 FEET;

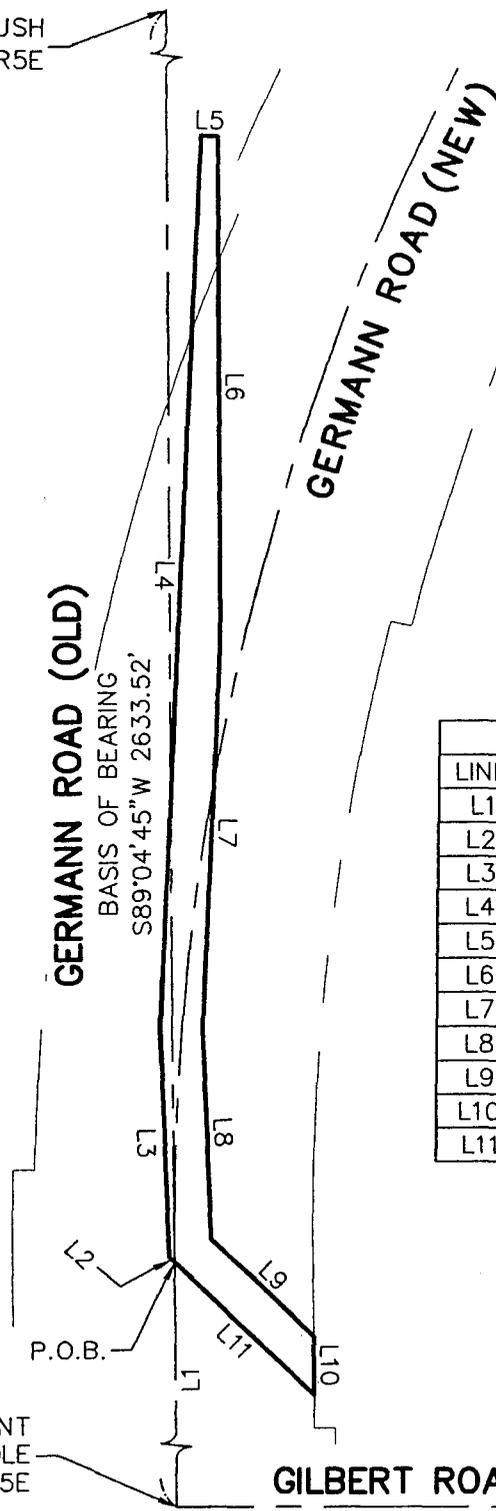
THENCE NORTH 89 DEGREES 04 MINUTES 45 SECONDS EAST, A DISTANCE OF 28.25 FEET;

THENCE SOUTH 44 DEGREES 00 MINUTES 09 SECONDS WEST, A DISTANCE OF 91.80 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINS 10,699 SQUARE FEET OR 0.246 ACRES, MORE OR LESS.



ALUMINUM CAP FLUSH  
S.1/4, SEC.1, T2S, R5E



LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°04'45"W	355.41
L2	S44°00'09"W	3.37
L3	S87°27'10"W	109.42
L4	N87°59'33"W	420.95
L5	N02°00'39"E	7.88
L6	N89°04'45"E	237.34
L7	S87°59'33"E	183.12
L8	N87°27'10"E	100.66
L9	N44°00'09"E	67.26
L10	N89°04'45"E	28.25
L11	S44°00'09"W	91.80



POINT OF COMMENCEMENT  
IRON PIPE IN HAND HOLE  
S.E. COR., SEC.1, T2S, R5E

GILBERT ROAD

**SIG**

**SURVEY INNOVATION  
GROUP, INC**

**SRP IRRIGATION EASEMENT  
EXHIBIT "A"**

**GERMANN RD., EAST OF GILBERT RD.  
CHANDLER, ARIZONA**

Ph (480) 922 0780 *Land Surveying Services* Fx (480) 922 0781  
8340 E. RAINTREE DR., STE C-1A, SCOTTSDALE, AZ 85260

JOB #04128	DWG: 4128SRP_04	DATE 7/13/04
SCALE: N.T.S.	DRAWN: ELS	CHK: JAS
		SHEET 1 OF 1

**SRP IRRIGATION  
EASEMENT DESCRIPTION  
EXHIBIT "A"  
N.E.C. OF COOPER RD. & GERMANN RD.**

September 13, 2004  
Job No. 04128  
Page 1 of 1

AN EASEMENT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A STONE IN HAND HOLE AT THE SOUTHWEST CORNER OF SAID SECTION 1, FROM WHICH AN ALUMINUM CAP AT THE SOUTH QUARTER CORNER OF SECTION 1 BEARS NORTH 89 DEGREES 05 MINUTES 06 SECONDS EAST, A DISTANCE OF 2633.56 FEET;

THENCE NORTH 89 DEGREES 05 MINUTES 06 SECONDS EAST, A DISTANCE OF 95.97 FEET;

THENCE NORTH 00 DEGREES 54 MINUTES 54 SECONDS WEST, A DISTANCE OF 75.00 FEET TO THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED;

THENCE NORTH 45 DEGREES 35 MINUTES 38 SECONDS WEST, A DISTANCE OF 16.10 FEET;

THENCE NORTH 59 DEGREES 04 MINUTES 55 SECONDS EAST, A DISTANCE OF 24.73 FEET;

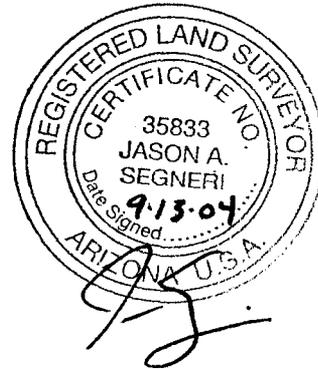
THENCE SOUTH 30 DEGREES 54 MINUTES 55 SECONDS EAST, A DISTANCE OF 21.34 FEET;

THENCE SOUTH 59 DEGREES 04 MINUTES 55 SECONDS WEST, A DISTANCE OF 10.68 FEET;

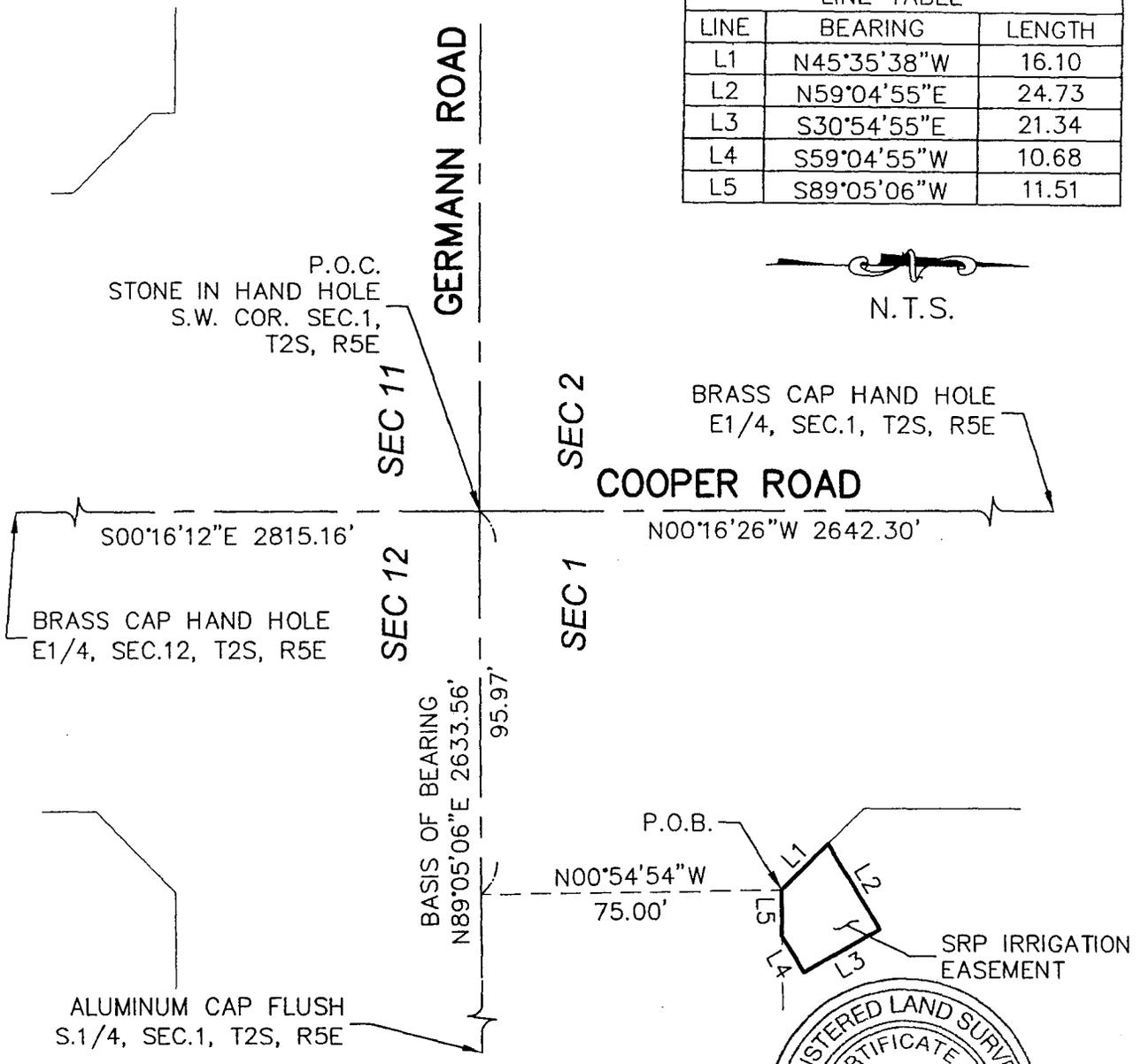
THENCE SOUTH 89 DEGREES 05 MINUTES 06 SECONDS WEST, A DISTANCE OF 11.51 FEET;

TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINS 444 SQUARE FEET OR 0.010 ACRES, MORE OR LESS.



LINE TABLE		
LINE	BEARING	LENGTH
L1	N45°35'38"W	16.10
L2	N59°04'55"E	24.73
L3	S30°54'55"E	21.34
L4	S59°04'55"W	10.68
L5	S89°05'06"W	11.51



**SIG**  
**SURVEY INNOVATION**  
**GROUP, INC**

**SRP IRRIGATION EASEMENT**  
**EXHIBIT "A"**  
**N.E.C. COOPER RD. & GERMANN RD.**  
**CHANDLER, ARIZONA**

Ph (480) 922 0780 *Land Surveying Services* Fx (480) 922 0781  
 8340 E. RAINTREE DR., STE C-1A, SCOTTSDALE, AZ 85260

JOB #04128	DWG: 4128SRP_03	DATE 7/13/04
SCALE: N.T.S.	DRAWN: ELS	CHK: JAS
		SHEET 1 OF 1

**SRP IRRIGATION  
EASEMENT DESCRIPTION  
EXHIBIT "A"  
N.W.C. COOPER RD. & GERMANN RD.**

September 13, 2004  
Job No. 04128  
Page 1 of 1

AN EASEMENT LOCATED IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A STONE IN HAND HOLE AT THE SOUTHEAST CORNER OF SAID SECTION 2, FROM WHICH AN ALUMINUM CAP AT THE SOUTH QUARTER CORNER OF SECTION 1 BEARS NORTH 89 DEGREES 05 MINUTES 06 SECONDS EAST, A DISTANCE OF 2633.56 FEET;

THENCE SOUTH 89 DEGREES 19 MINUTES 02 SECONDS WEST, A DISTANCE OF 94.47 FEET;

THENCE NORTH 00 DEGREES 40 MINUTES 58 SECONDS WEST, A DISTANCE OF 75.00 FEET TO THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED;

THENCE SOUTH 89 DEGREES 19 MINUTES 02 SECONDS WEST, A DISTANCE OF 9.66 FEET;

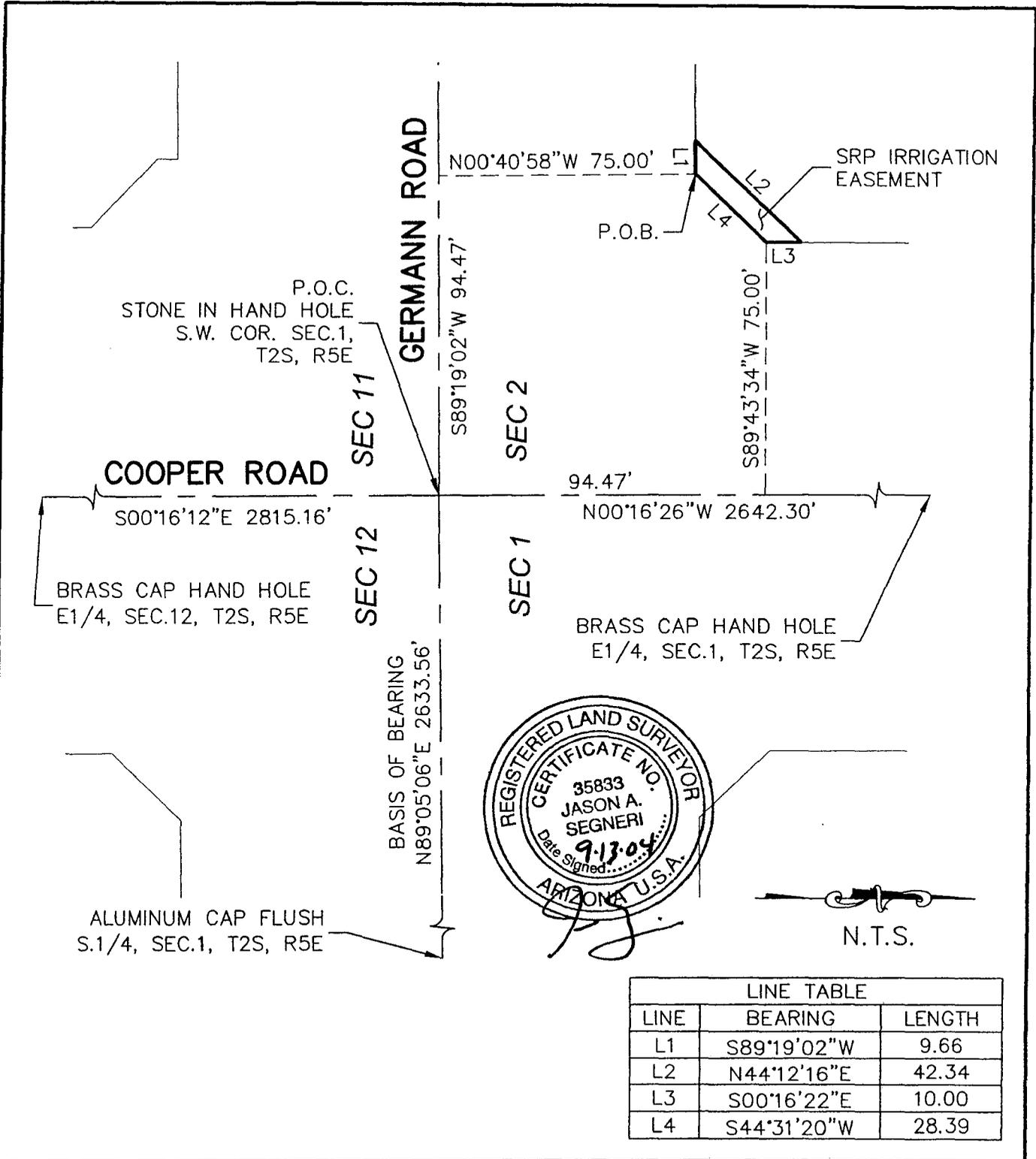
THENCE NORTH 44 DEGREES 12 MINUTES 16 SECONDS EAST, A DISTANCE OF 42.34 FEET;

THENCE SOUTH 00 DEGREES 16 MINUTES 22 SECONDS EAST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 44 DEGREES 31 MINUTES 20 SECONDS WEST, A DISTANCE OF 28.39 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINS 245 SQUARE FEET OR 0.006 ACRES, MORE OR LESS.





LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°19'02"W	9.66
L2	N44°12'16"E	42.34
L3	S00°16'22"E	10.00
L4	S44°31'20"W	28.39

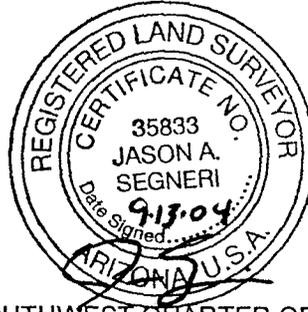
**SIG**  
 SURVEY INNOVATION  
 GROUP, INC

SRP IRRIGATION EASEMENT  
 EXHIBIT "A"  
 N.W.C. COOPER RD. & GERMAN RD.  
 CHANDLER, ARIZONA

Ph (480) 922 0780 Land Surveying Services Fx (480) 922 0781  
 8340 E. RAIN TREE DR., STE C-1A, SCOTTSDALE, AZ 85260

JOB #04128	DWG: 4128SRP_02	DATE 7/13/04
SCALE: N.T.S.	DRAWN: ELS	CHK: JAS
		SHEET 1 OF 1

**SRP IRRIGATION  
EASEMENT DESCRIPTION  
EXHIBIT "A"  
COOPER RD. & GERMANN RD.**



September 9, 2004  
Job No. 04128  
Page 1 of 2

AN EASEMENT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 2 SOUTH RANGE 5 EAST, AND IN THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 5 EAST, AND IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A STONE IN HAND HOLE AT THE SOUTHWEST CORNER OF SAID SECTION 1, FROM WHICH AN ALUMINUM CAP AT THE SOUTH QUARTER CORNER OF SAID SECTION 1 BEARS NORTH 89 DEGREES 05 MINUTES 06 SECONDS EAST, A DISTANCE OF 2633.56 FEET;

THENCE SOUTH 89 DEGREES 19 MINUTES 02 SECONDS WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 97.92 FEET TO THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED;

THENCE SOUTH 00 DEGREES 41 MINUTES 05 SECONDS EAST, A DISTANCE OF 21.28 FEET;

THENCE SOUTH 89 DEGREES 21 MINUTES 33 SECONDS WEST, A DISTANCE OF 20.00 FEET;

THENCE NORTH 00 DEGREES 41 MINUTES 05 SECONDS WEST, A DISTANCE OF 92.77 FEET;

THENCE NORTH 89 DEGREES 19 MINUTES 17 SECONDS EAST, A DISTANCE OF 10.31 FEET;

THENCE NORTH 44 DEGREES 12 MINUTES 16 SECONDS EAST, A DISTANCE OF 4.94 FEET;

THENCE NORTH 89 DEGREES 19 MINUTES 02 SECONDS EAST, A DISTANCE OF 9.66 FEET;

THENCE NORTH 44 DEGREES 31 MINUTES 20 SECONDS EAST, A DISTANCE OF 28.39 FEET;

THENCE NORTH 00 DEGREES 16 MINUTES 22 SECONDS WEST, A DISTANCE OF 10.00 FEET;

THENCE NORTH 44 DEGREES 12 MINUTES 16 SECONDS EAST, A DISTANCE OF 28.47 FEET;

THENCE NORTH 20 DEGREES 00 MINUTES 37 SECONDS EAST, A DISTANCE OF 16.00 FEET;

THENCE NORTH 89 DEGREES 41 MINUTES 12 SECONDS EAST, A DISTANCE OF 24.04 FEET;

THENCE SOUTH 00 DEGREES 18 MINUTES 48 SECONDS EAST, A DISTANCE OF 13.43 FEET;

THENCE SOUTH 44 DEGREES 12 MINUTES 16 SECONDS WEST, A DISTANCE OF 70.58 FEET;

THENCE NORTH 89 DEGREES 07 MINUTES 33 SECONDS EAST, A DISTANCE OF 141.89 FEET;

THENCE NORTH 59 DEGREES 04 MINUTES 55 SECONDS EAST, A DISTANCE OF 19.42 FEET;

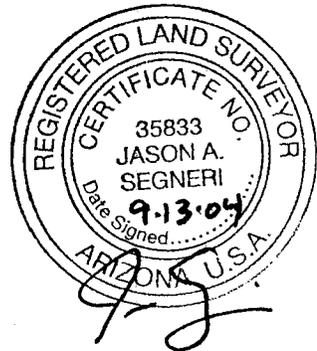
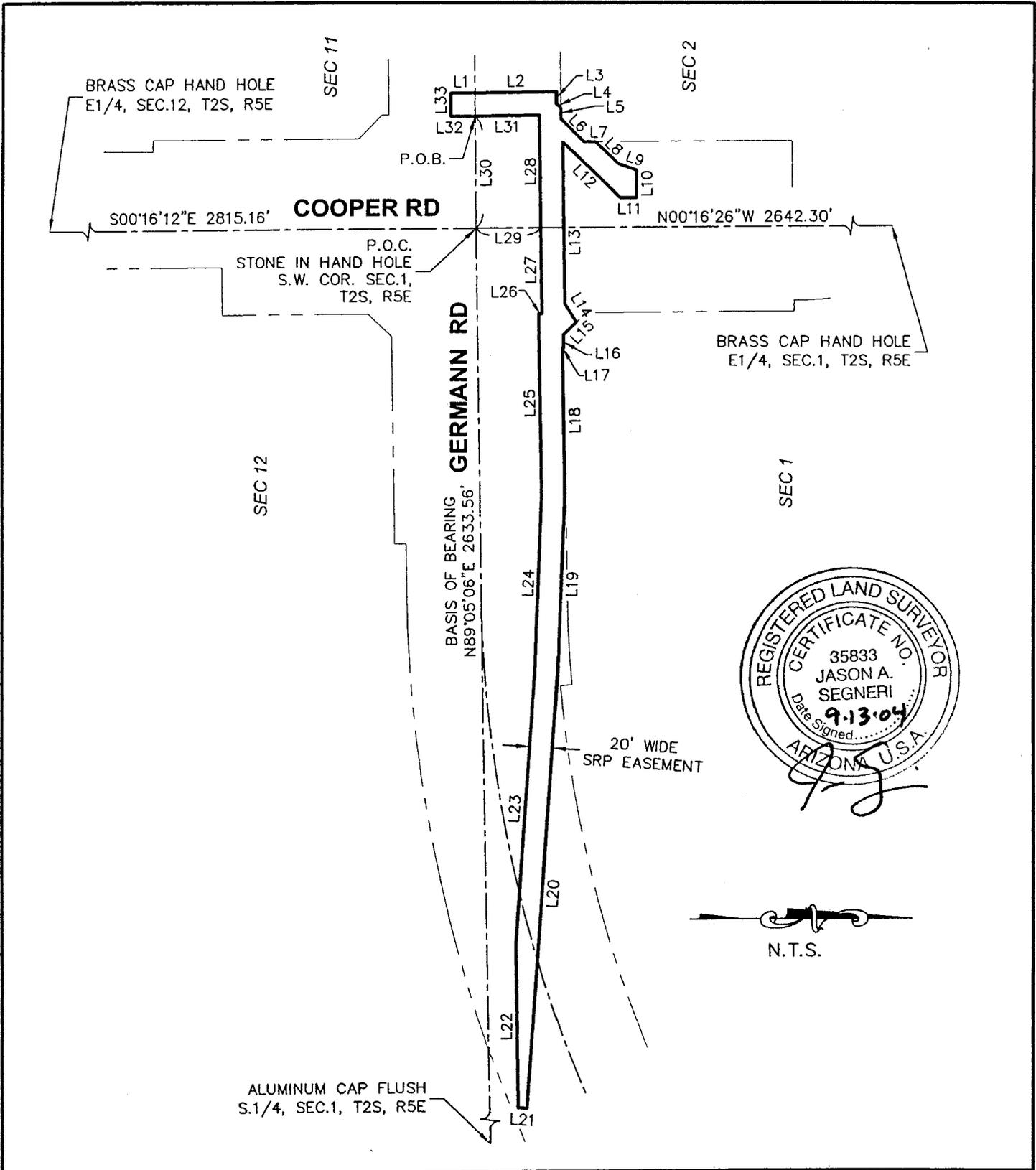
THENCE SOUTH 45 DEGREES 35 MINUTES 38 SECONDS EAST, A DISTANCE OF 16.10 FEET;

THENCE NORTH 89 DEGREES 05 MINUTES 06 SECONDS EAST, A DISTANCE OF 11.51 FEET;

THENCE SOUTH 00 DEGREES 54 MINUTES 55 SECONDS EAST, A DISTANCE OF 1.03 FEET;  
THENCE NORTH 89 DEGREES 05 MINUTES 05 SECONDS EAST, A DISTANCE OF 126.29 FEET;  
THENCE SOUTH 87 DEGREES 53 MINUTES 52 SECONDS EAST, A DISTANCE OF 158.05 FEET;  
THENCE SOUTH 85 DEGREES 56 MINUTES 08 SECONDS EAST, A DISTANCE OF 382.76 FEET;  
THENCE SOUTH 04 DEGREES 03 MINUTES 52 SECONDS WEST, A DISTANCE OF 7.59 FEET;  
THENCE SOUTH 89 DEGREES 09 MINUTES 45 SECONDS WEST, A DISTANCE OF 145.28 FEET;  
THENCE NORTH 85 DEGREES 56 MINUTES 08 SECONDS WEST, A DISTANCE OF 237.67 FEET;  
THENCE NORTH 87 DEGREES 53 MINUTES 52 SECONDS WEST, A DISTANCE OF 157.18 FEET;  
THENCE SOUTH 89 DEGREES 05 MINUTES 05 SECONDS WEST, A DISTANCE OF 156.77 FEET;  
THENCE NORTH 01 DEGREES 11 MINUTES 12 SECONDS WEST, A DISTANCE OF 2.76 FEET;  
THENCE SOUTH 89 DEGREES 07 MINUTES 33 SECONDS WEST, A DISTANCE OF 174.15 FEET;  
THENCE SOUTH 00 DEGREES 41 MINUTES 05 SECONDS EAST, A DISTANCE OF 56.46 FEET TO  
THE **POINT OF BEGINNING** OF THE EASEMENT HEREIN DESCRIBED.

SAID EASEMENT CONTAINS 20,145 SQUARE FEET OR 0.462 ACRES, MORE OR LESS.





**SIG**  
**SURVEY INNOVATION**  
**GROUP, INC**

**SRP IRRIGATION EASEMENT**  
**EXHIBIT "A"**  
**COOPER RD. & GERMAN RD.**  
**CHANDLER, ARIZONA**

Ph (480) 922 0780 *Land Surveying Services* Fx (480) 922 0781  
 8340 E. RAINTREE DR., STE C-1A, SCOTTSDALE, AZ 85260

JOB #04128	DWG: 4128SRP_01	DATE 7/9/04
SCALE: N.T.S.	DRAWN: ELS	CHK: JAS
		SHEET 1 OF 2

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°41'05"W	21.27
L2	N00°41'05"W	71.50
L3	N89°19'17"E	10.31
L4	N44°12'16"E	4.94
L5	N89°19'02"E	9.66
L6	N44°31'20"E	28.39
L7	N00°16'22"W	10.00
L8	N44°12'16"E	28.47
L9	N20°00'37"E	16.00
L10	N89°41'12"E	24.04
L11	S00°18'48"E	13.43
L12	S44°12'16"W	70.58
L13	N89°07'33"E	141.89
L14	N59°04'55"E	19.42
L15	S45°35'38"E	16.10
L16	N89°05'06"E	11.51
L17	S00°54'55"E	1.03
L18	N89°05'05"E	126.29
L19	S87°53'52"E	158.05
L20	S85°56'08"E	382.76
L21	S04°03'52"W	7.59
L22	S89°09'45"W	145.28
L23	N85°56'08"W	237.67
L24	N87°53'52"W	157.18
L25	S89°05'05"W	156.77
L26	N01°11'12"W	2.76
L27	S89°07'33"W	75.83
L28	S89°07'33"W	98.33
L29	N00°16'26"W	56.79
L30	S89°19'02"W	97.92
L31	S00°41'05"E	56.46
L32	S00°41'05"E	21.28
L33	S89°21'33"W	20.00



**SIG**

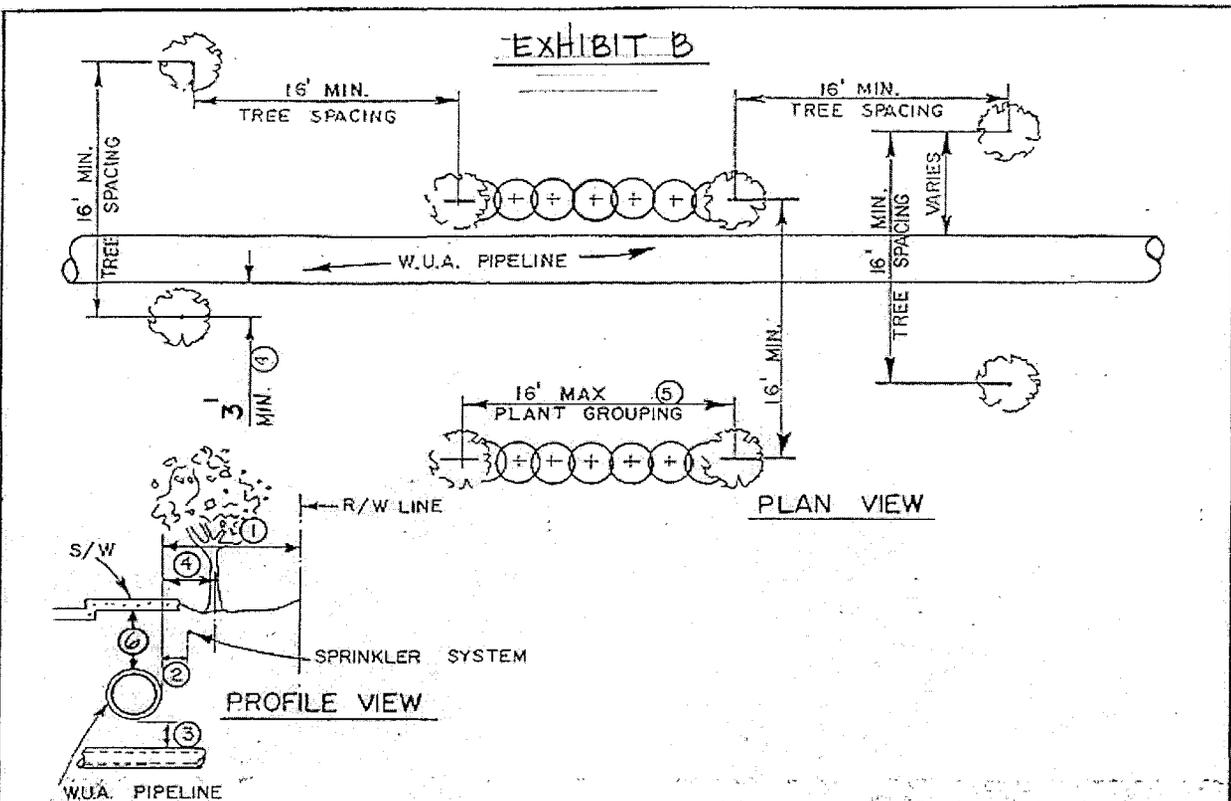
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SCALE: N.T.S.	DRAWN: ELS	CHK: JAS
		SHEET 2 OF 2

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.I.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	CWT	GR	2
REVISED	BY	CHK'D	ISSUE AUTH	REV.
SALT RIVER VALLEY WATER USERS' ASS'N PHOENIX, ARIZONA				
S.R.P. R/W GUIDELINES FOR MUNICIPAL PRIOR RIGHTS AGREEMENT				
DESIGNED A.R.	CHECKED SHJ			
DRAWN A. K.	RECOMMENDED GR			
TRACED 6-26-79	APPROVED THS			
SCALE NONE				
		6-28-79	C-8-131	Y4

ORIGINAL

**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.