

4

AUG 13 2009

ORDINANCE NO. 4166

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) TO PROVIDE NEW ELECTRICAL POWER SERVICE TO A NEW TRAFFIC SIGNAL BEING INSTALLED ON THE NORTHEAST SIDE OF ALMA SCHOOL ROAD NEAR LAKE DRIVE

WHEREAS, electric service is required for the operation of a new traffic signal to be located on the northeast side of Alma School Road near Lake Drive; and

WHEREAS, the City has requested that Salt River Project supply new electrical power service to the new traffic signal to be located on the northeast side of Alma School Road near Lake Drive; 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 new traffic signal to be located on the northeast side of Alma School Road near Lake Drive.

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. 4166 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

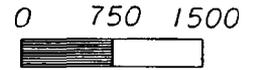
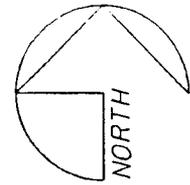
APPROVED AS TO FORM:

CITY ATTORNEY GAB

EXHIBIT "A"

OCOTILLO RD. ALIGNMENT

NECOR
SEC 20
FD.BCHH



ALMA
SCHOOL
RD.

DKT.92-
308188 MCR

E1/4COR
SEC 20
FD.BC FLUSH

PARCEL 1
DKT.90-
212884 MCR

PARCEL 2
DKT.90-
212884 MCR

CHANDLER HEIGHTS RD.
ALIGNMENT

SECOR
SEC 20
FD.BCHH

SRP JOB #
KEL-113

LEGEND

NOTE

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

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

SALT RIVER PROJECT A.I.
& POWER DISTRICT

CAUTION

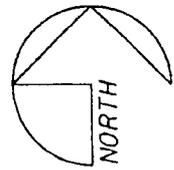
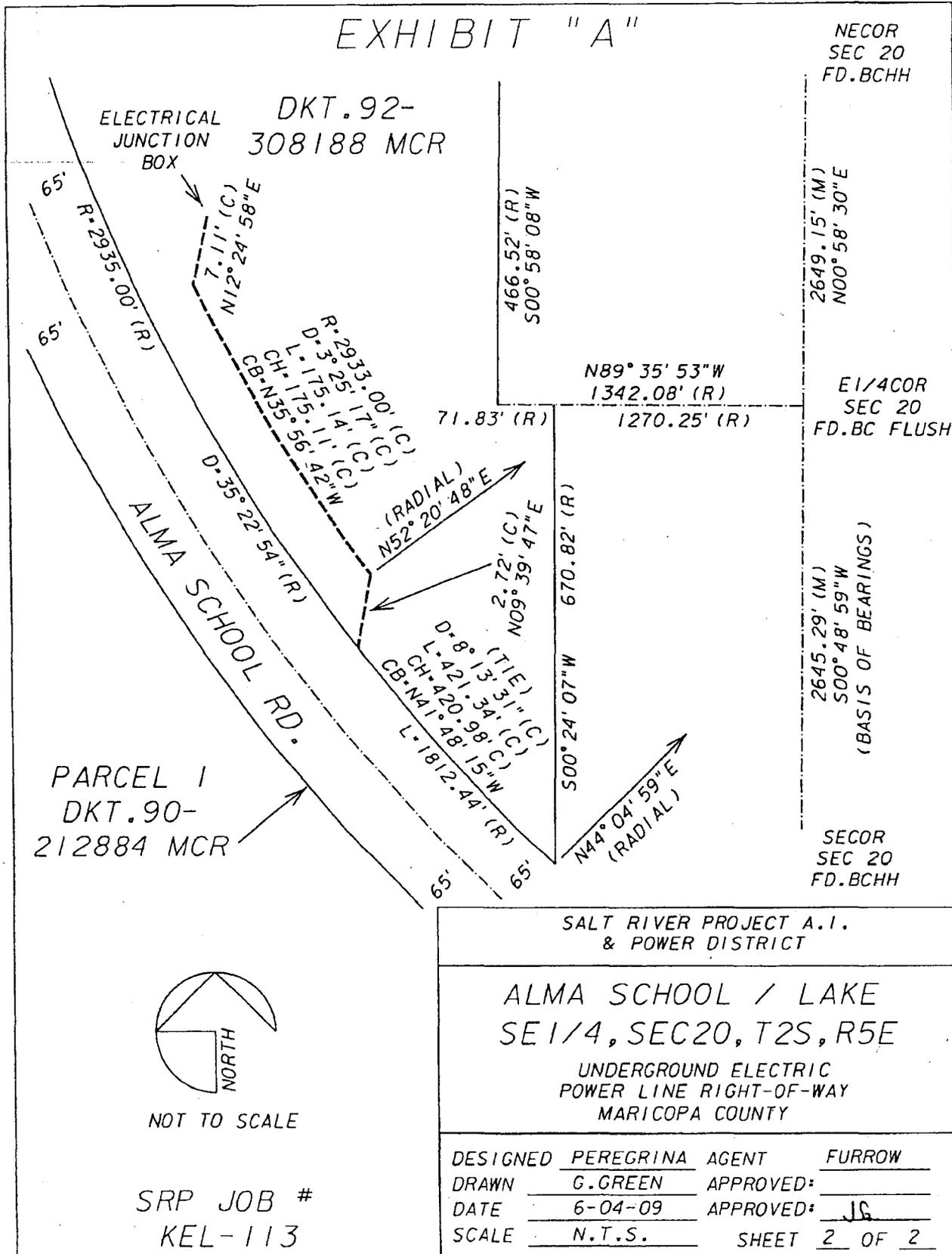
THE EASEMENT LOCATION AS
HEREON DELINEATED MAY
CONTAIN HIGH VOLTAGE ELECTRICAL
EQUIPMENT, NOTICE IS HEREBY GIVEN
THAT THE LOCATION OF UNDERGROUND
ELECTRICAL CONDUCTORS OR
FACILITIES MUST BE VERIFIED
AS REQUIRED BY ARIZONA REVISED
STATUTES, SECTION 40-380.21,
ET. SEQ., ARIZONA BLUE STAKE
LAW, PRIOR TO ANY EXCAVATION.

ALMA SCHOOL / LAKE
SE 1/4, SEC 20, T2S, R5E

UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY
MARICOPA COUNTY

DESIGNED	<u>PEREGRINA</u>	AGENT	<u>FURROW</u>
DRAWN	<u>G.GREEN</u>	APPROVED:	<u> </u>
DATE	<u>5-14-09</u>	APPROVED:	<u> </u>
SCALE	<u>1" = 1500'</u>	SHEET	<u>1</u> OF <u>2</u>

EXHIBIT "A"



NOT TO SCALE

SRP JOB #
KEL-113

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT
Land Department/PAB350
P. O. Box 52025
Phoenix, Arizona 85072-2025

Customer Copy

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 303-48-003R
NE 1/4 Sec. 36, T1N, R6E

Agt. SCF
Job # KEL-113

W *SF* C *RAP*

**THE CITY OF CHANDLER,
a 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 East half of Section 20, Township 2 South, Range 5 East, Gila & Salt River Base & Meridian, Maricopa County, Arizona, as more particularly described in Exhibit "A" of Warranty Deed Instrument No. 92-0308188, 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, (prepared by Salt River Project A.I. & Power District, dated 5-14-09), 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.

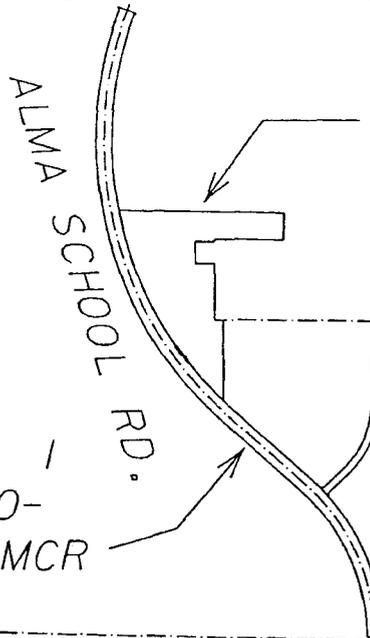
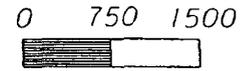
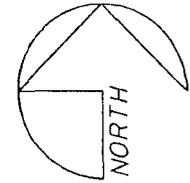
The covenants and agreements herein set forth shall extend and inure in favor and to the benefit of and shall be binding on the heirs, administrators, executors, personal representatives, legal representatives, successors (including successors in ownership and estate), assigns and lessees of the Grantor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

The individual executing this document represents and warrants: (i) that he or she is authorized to do so on behalf of Grantor; (ii) that he or she has full legal power and authority to bind Grantor in accordance with the terms herein and, if necessary, has obtained all required consents or delegations of such power and authority (whether from any partner, owner, spouse, shareholder, director, member, manager, creditor, investor, developer, governmental authority, judicial or administrative body, association, or other person or entity); and (iii) that the execution, delivery, and performance by Grantor of this document and all others relating to the easement will not constitute a default under any agreement to which Grantor is a party. The individual executing this document shall indemnify, defend and hold harmless Grantee for, from and against any and all losses, costs, expenses, liabilities, claims, demands, and actions of any kind or nature, including court costs and attorneys' fees, arising or accruing as a result of the falsity of any of his or her representations and warranties contained in this document.

EXHIBIT "A"

OCOTILLO RD. ALIGNMENT

NECOR
SEC 20
FD.BCHH



DKT.92-
308188 MCR

E1/4COR
SEC 20
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& POWER DISTRICT

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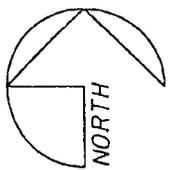
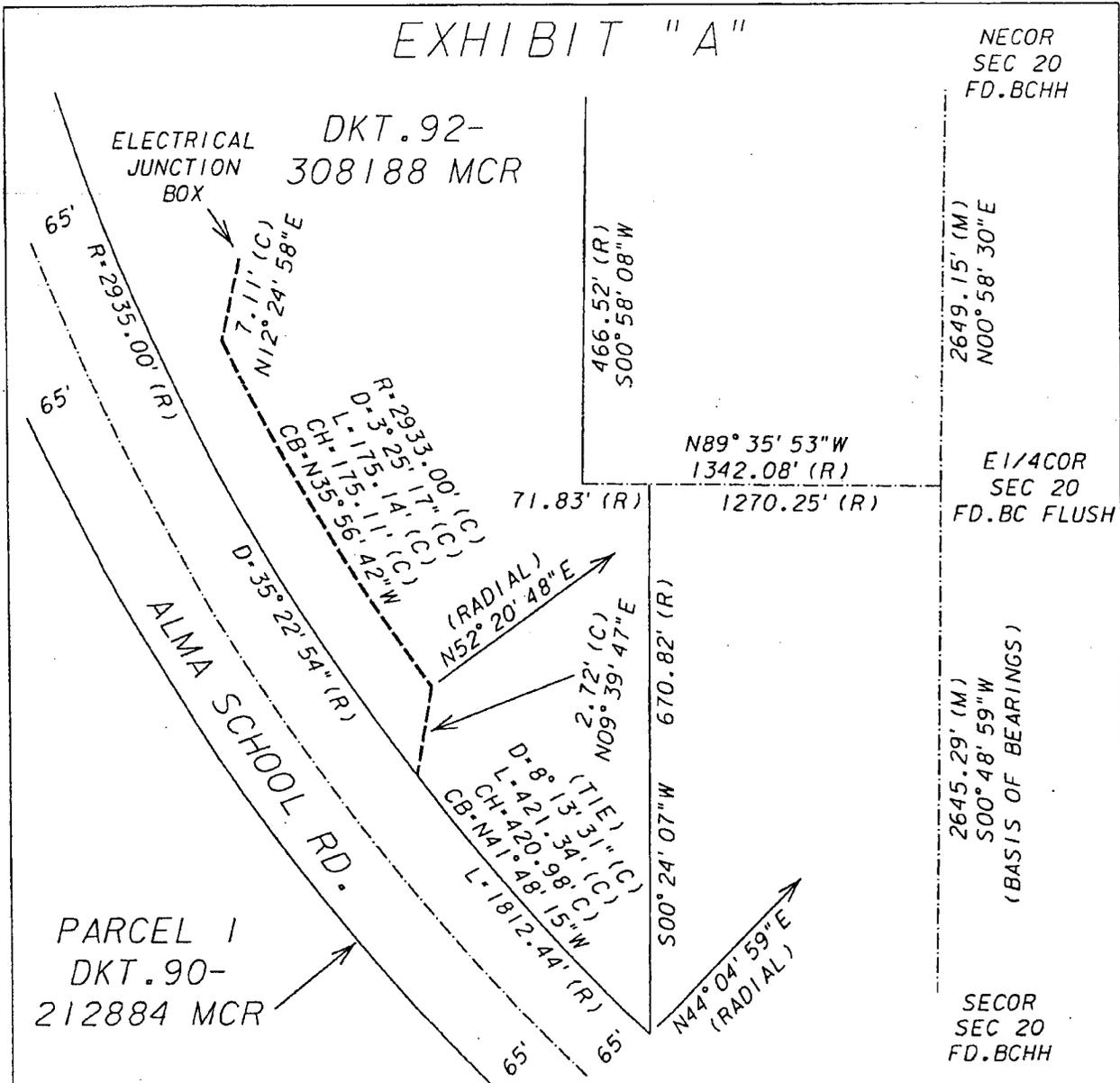
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ALMA SCHOOL / LAKE
SE 1/4, SEC 20, T2S, R5E

UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY
MARICOPA COUNTY

DESIGNED	<u>PEREGRINA</u>	AGENT	<u>FURROW</u>
DRAWN	<u>G.GREEN</u>	APPROVED:	<u> </u>
DATE	<u>5-14-09</u>	APPROVED:	<u>JG</u>
SCALE	<u>1" = 1500'</u>	SHEET	<u>1</u> OF <u>2</u>

EXHIBIT "A"



NOT TO SCALE

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SALT RIVER PROJECT A.1.
& POWER DISTRICT

ALMA SCHOOL / LAKE
SE 1/4, SEC 20, T2S, R5E

UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY
MARICOPA COUNTY

DESIGNED	PEREGRINA	AGENT	FURROW
DRAWN	G.GREEN	APPROVED:	
DATE	6-04-09	APPROVED:	JB
SCALE	N.T.S.	SHEET	2 OF 2