

9

AUG 13 2009



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM Real Estate – Council Memo No. RE10-006

DATE: AUGUST 13, 2009

TO: MAYOR AND COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
MARK M. EYNATTEN, COMMUNITY SERVICES DIRECTOR *ME*
DAVE MCDOWELL, ASSISTANT COMMUNITY SERVICES DIRECTOR *DMC*

FROM: ERICH KUNTZE, REAL ESTATE MANAGER *EK*

SUBJECT: ORDINANCE NO. 4170 GRANTING NO COST POWER DISTRIBUTION EASEMENT LOCATED AT 1857 EAST FRYE ROAD, TO SALT RIVER PROJECT (SRP) TO PROVIDE POWER FOR PATHWAY LIGHTING ON A PORTION OF THE PASEO TRAIL.

RECOMMENDATION: Staff recommends introduction and tentative approval of Ordinance No. 4170 granting a no cost power distribution easement located at 1857 East Frye Road, to Salt River Project (SRP) to provide power for pathway lighting on a portion of the Paseo Trail.

BACKGROUND/DISCUSSION: The City of Chandler requested Salt River Project (SRP) provide power for pathway lighting along a portion of the Paseo Trail near the southwest corner of Cooper Road and Frye Road. SRP has completed the work and is waiting for authorization to energize the lighting. The easement will be located at 1857 East Frye Road, contain approximately 4,221 square feet and include three (3) equipment pads. This easement is at no cost to Salt River Project as it benefits the public.

Attached is a Letter of Intent, dated June 12, 2009 from City Staff with a positive recommendation to approve the requested easement.

Council Meeting of 8/13/09

RE10-006

Page 2

FINANCIAL IMPLICATIONS:

Cost: N/A

Savings: N/A

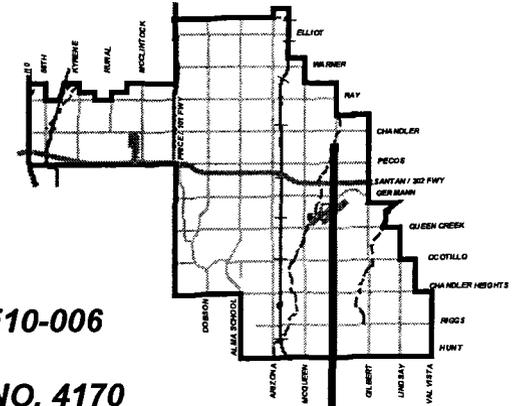
Long Term Costs: N/A

PROPOSED MOTION: Move that Council introduce and tentatively approve Ordinance No. 4170 granting a no cost power distribution easement located at 1857 Ease Frye Road, to Salt River Project (SRP) to provide power for pathway lighting on a portion of the Paseo Trail.

Attachments: Map
Ordinance No. 4170
Letter of Intent, dated 6/12/2009
SRP Easement



SALT RIVER PROJECT POWER DISTRIBUTION EASEMENT 1857 E. FRYE RD. - PASEO TRAIL



— CENTERLINE OF AN 8' EASEMENT

MEMO NO. RE10-006

ORDINANCE NO. 4170



ORDINANCE NO. 4170

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 LOCATED AT 1857 EAST FRYE ROAD, TO SALT RIVER PROJECT (SRP) TO PROVIDE POWER FOR PATHWAY LIGHTING ON A PORTION OF THE PASEO TRAIL.

WHEREAS, the City of Chandler is requesting Salt River Project provide new power service for pathway lighting on a portion of the Paseo Trail; and

WHEREAS, a power distribution easement consisting of approximately 4,221 square feet is required to operate and maintain Salt River Project facilities located at 1857 East Frye Road; and

WHEREAS, the City of Chandler is willing to grant this power distribution easement to Salt River Project.

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 authorizes and approves the granting a power distribution easement to Salt River Project, through, over, under and across that certain property described and depicted in 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 _____, 2009.

ATTEST:

CITY CLERK

MAYOR

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

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

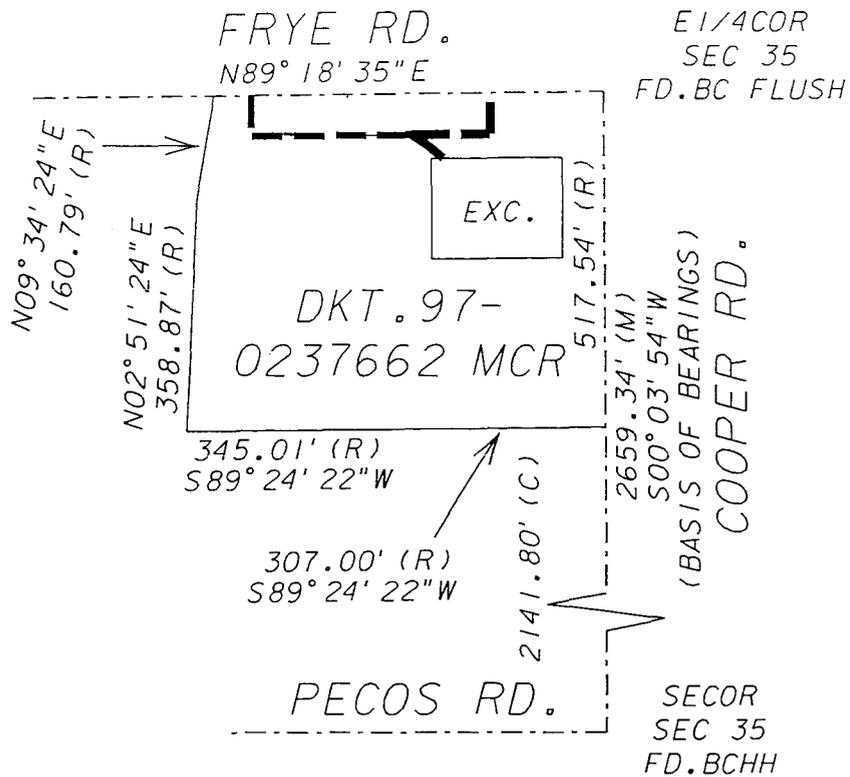
I HEREBY CERTIFY that the above and foregoing Ordinance No. 4170 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2009, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *GAB*

EXHIBIT "A"



SRP JOB #
KEB-6414

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.

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.

LEGEND

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SALT RIVER PROJECT A.I.
& POWER DISTRICT

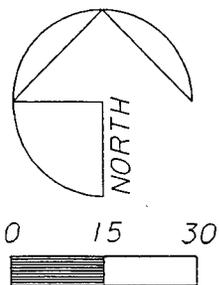
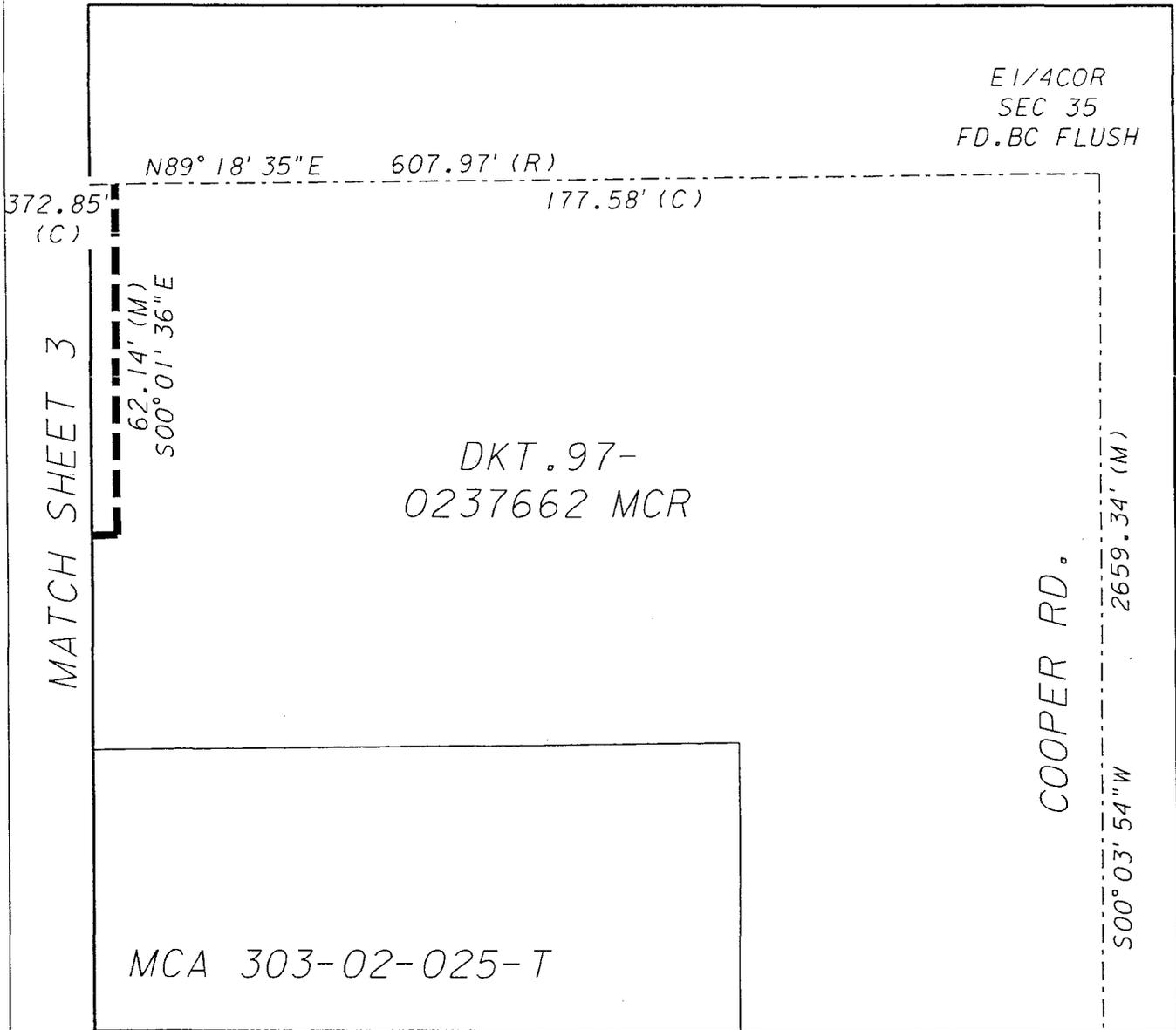
CHANDLER CITY/1857 E. FRYE
SE 1/4, SEC 35, T1S, R5E

UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY
MARICOPA COUNTY

DESIGNED	CHAVEZ	AGENT	MUNROE
DRAWN	G. GREEN	APPROVED:	_____
DATE	6-01-09	APPROVED:	_____
SCALE	1" = 300'	SHEET	1 OF 4

EXHIBIT "A"

E1/4COR
SEC 35
FD.BC FLUSH



SRP JOB #
KEB-6414

SALT RIVER PROJECT A.I.
& POWER DISTRICT

CHANDLER CITY/1857 E.FRYE
SE 1/4, SEC 35, T 1S, R 5E

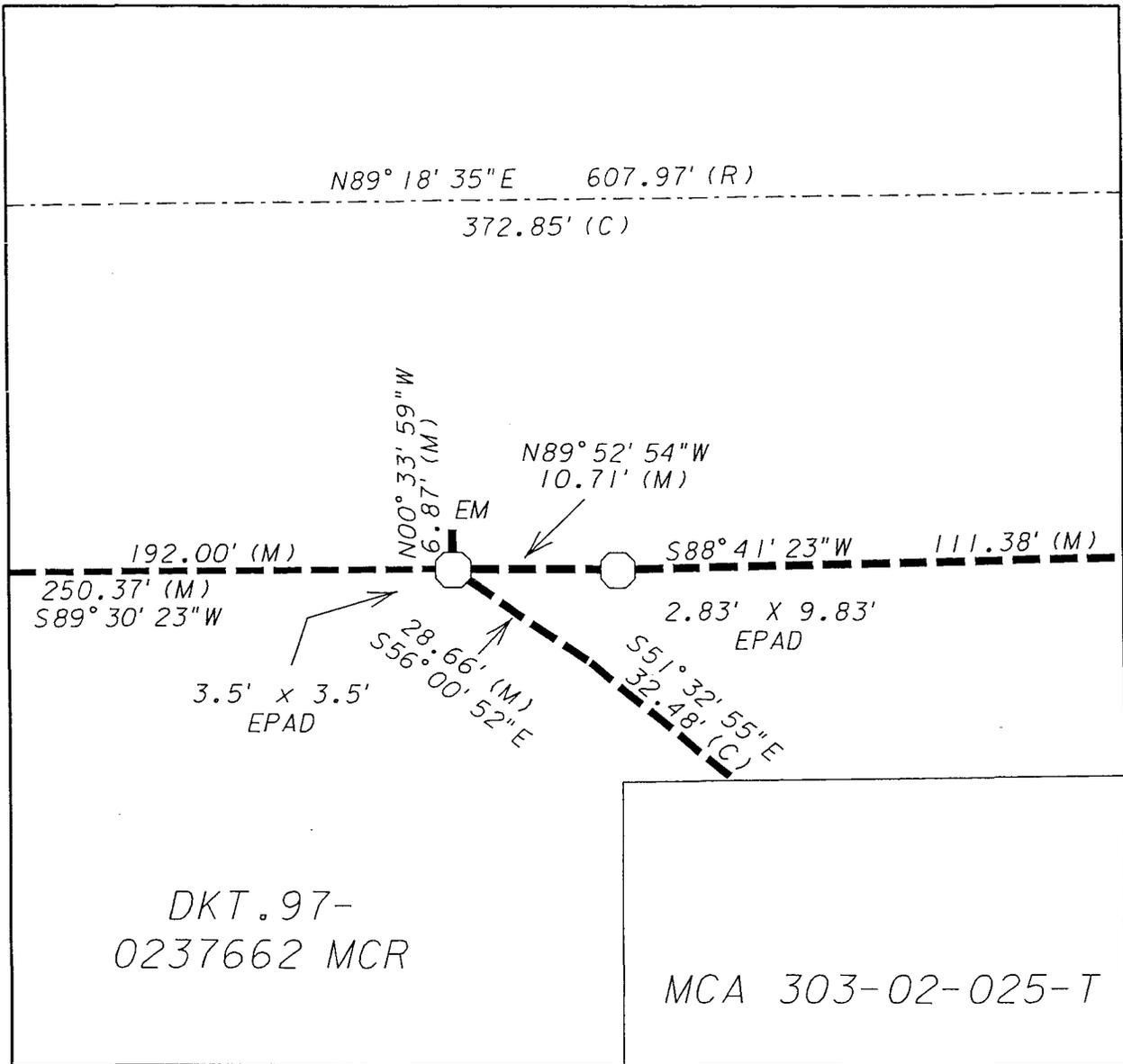
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DRAWN	<u>G.GREEN</u>	APPROVED:	<u> </u>
DATE	<u>6-01-09</u>	APPROVED:	<u> </u>
SCALE	<u>1" = 30'</u>	SHEET	<u>2</u> OF <u>4</u>

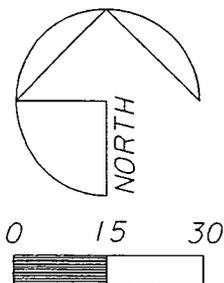
EXHIBIT "A"

MATCH SHEET 4

MATCH SHEET 2



DISTANCES ARE SHOWN TO CENTER OF EPADS



SRP JOB #
KEB-6414

SALT RIVER PROJECT A.I.
& POWER DISTRICT

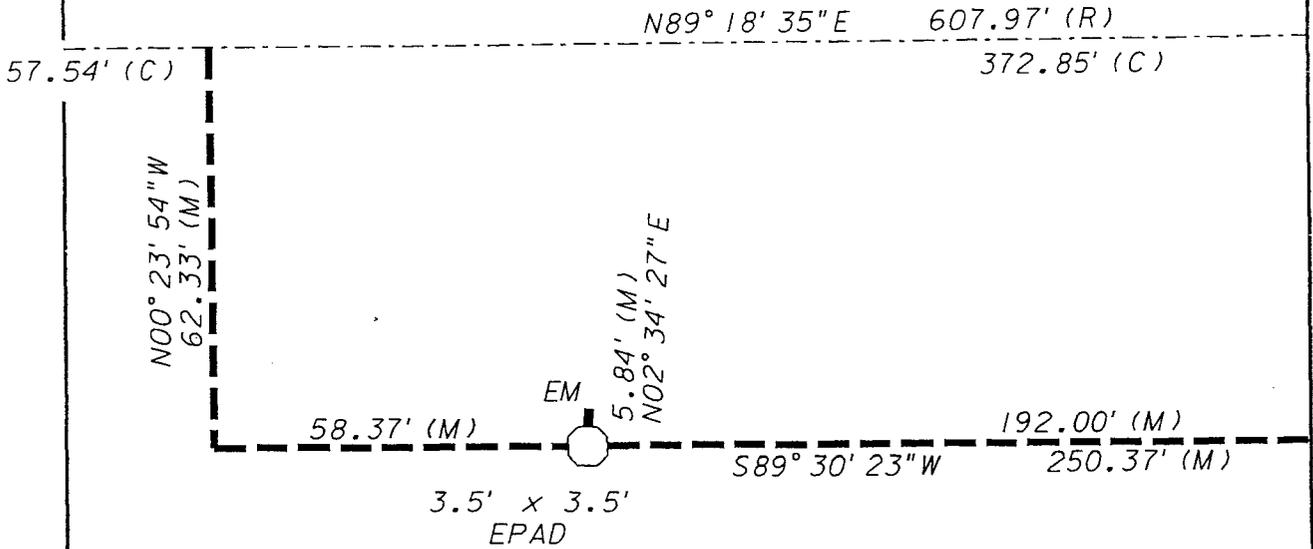
CHANDLER CITY/1857 E.FRYE
SE 1/4, SEC 35, T1S, R5E

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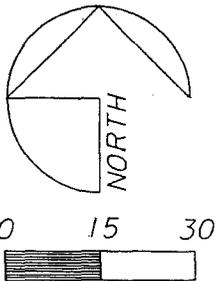
EXHIBIT "A"

DISTANCES ARE SHOWN TO CENTER OF EPADS



MATCH SHEET 3

DKT. 97-
0237662 MCR



SRP JOB #
KEB-6414

SALT RIVER PROJECT A.I.
& POWER DISTRICT

CHANDLER CITY/1857 E. FRYE
SE 1/4, SEC 35, T1S, R5E

UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY
MARICOPA COUNTY

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Chandler ♦ Arizona
Where Values Make The Difference

06/12/2009

Mr. John Felty
Mail Station PAB350
Po Box 52025
Phoenix, 85072-2025

RE: 1857 E. Frye Road Multi-Use Trail
KEB-6414

Dear Mr. Felty,

I am writing to inform you that the City of Chandler staff will be making a positive recommendation requesting City Council to approve the Salt River Project easement for the above referenced project. The easement will be submitted in the form attached.

The City of Chandler is requesting an earlier release of job KEB-6414 to allow for the street lights to be energized.

Staff anticipates presenting this request to Council August 27, 2009

It is our understanding that this letter will enable Salt River Project to release the job so that our contractor can begin work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sheina Hughes'.

Sheina Hughes, P.E.
Assistant Public Works Director/City Engineer

WHEN RECORDED MAIL TO:

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

COPY

POWER DISTRIBUTION EASEMENT

Maricopa County
unassessed
SE ¼, Sec 35, T1S, R5E

R/W # Agt. AA
Job # KEB-6414
W Ran C SF

**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.

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:

That portion of the Southeast quarter of Section 35, Township 1 South, Range 5 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, as described in that certain **WARRANTY DEED** recorded in Document No. 1997-0237662, in the Office of the Recorder, Maricopa County, Arizona.

Easement Parcel:

Grantor herein conveys an easement for that portion of the following described easement which falls within the boundaries of Grantor's property described herein:

Said easement being a strip of land 8.00 feet in width, lying 4.00 feet on each side of the line described as "Centerline of 8' Easement" as delineated on Exhibit "A" (CHANDLER CITY/1857 E FRYE/SRP Job No. KEB-6414), said easement to include the equipment pad(s) as shown on said Exhibit "A", 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.

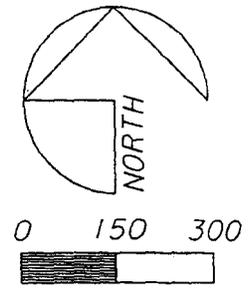
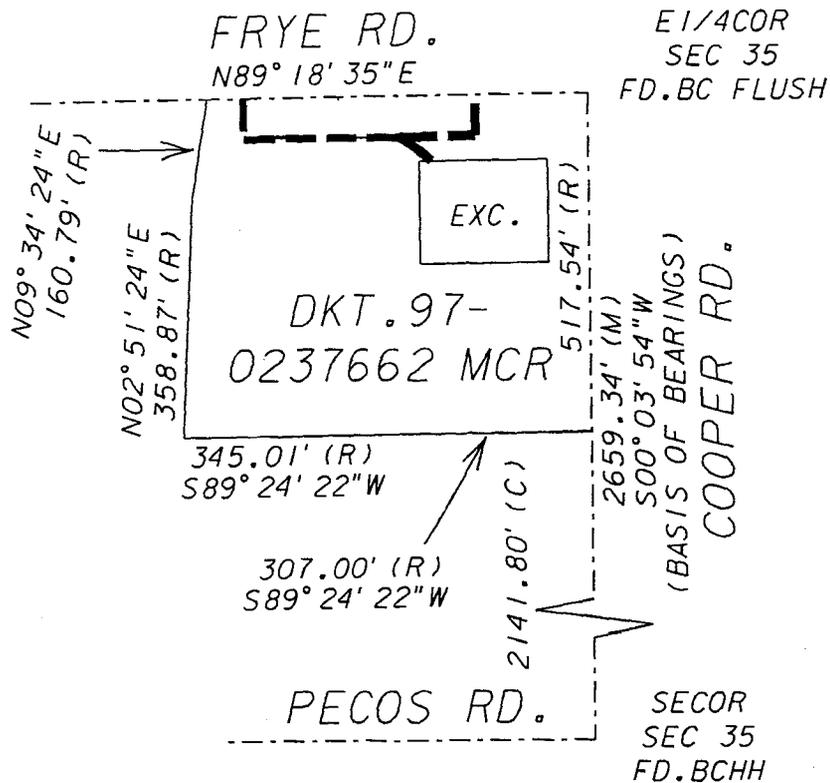
Grantor shall not construct, install or place, or permit to be constructed, installed or placed any building or other structure, plant any trees, drill any well, store materials of any kind, or alter ground level by cut or fill, within the area of the Easement Parcel.

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"



SRP JOB #
KEB-6414

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LEGEND

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SALT RIVER PROJECT A.I.
& POWER DISTRICT

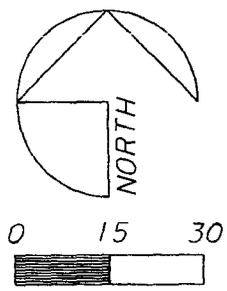
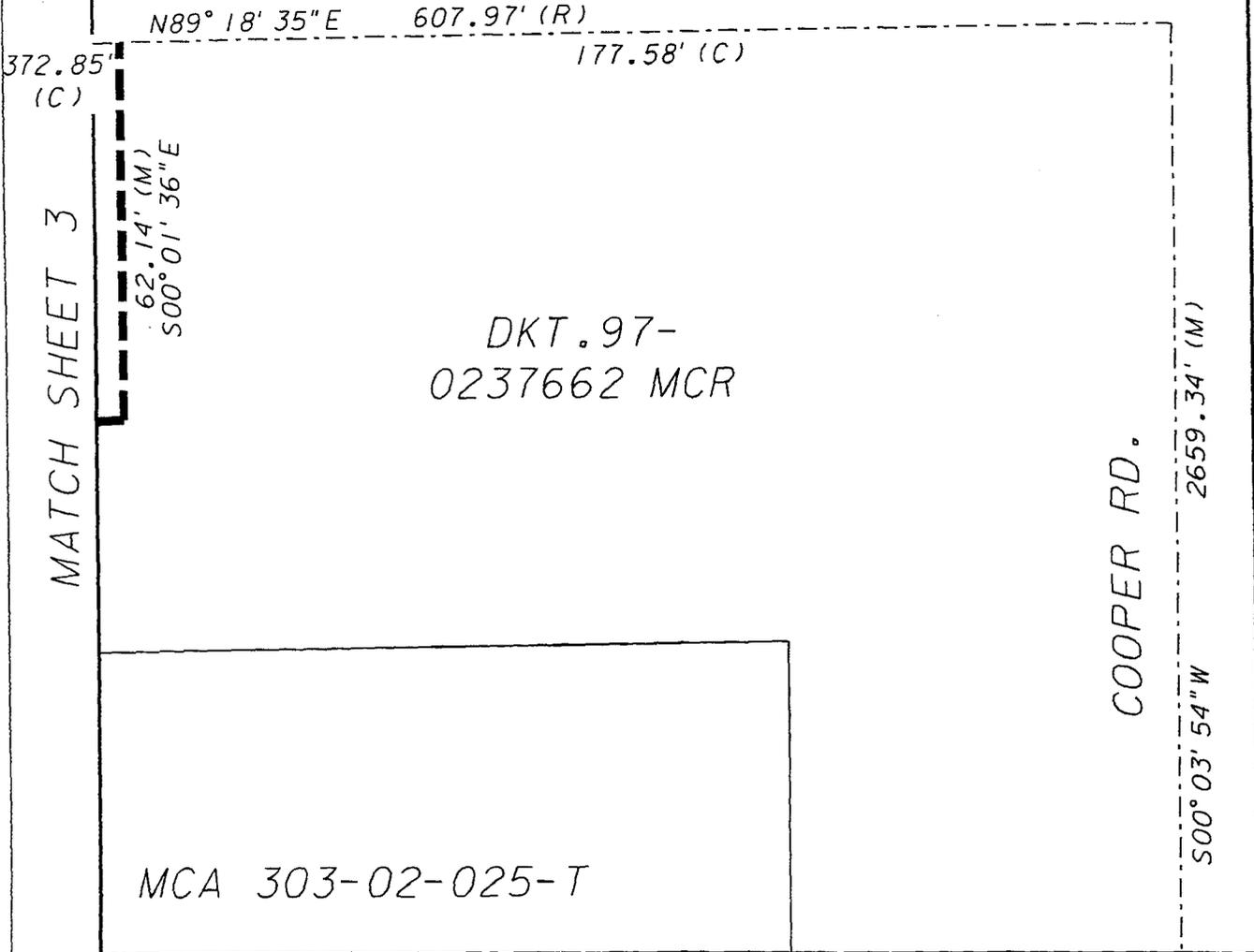
CHANDLER CITY/1857 E.FRYE
SE 1/4, SEC 35, T 1 S, R 5 E

UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY
MARICOPA COUNTY

DESIGNED	CHAVEZ	AGENT	MUNROE
DRAWN	G.GREEN	APPROVED:	_____
DATE	6-01-09	APPROVED:	_____
SCALE	1" = 300'	SHEET	1 OF 4

EXHIBIT "A"

E1/4COR
SEC 35
FD.BC FLUSH



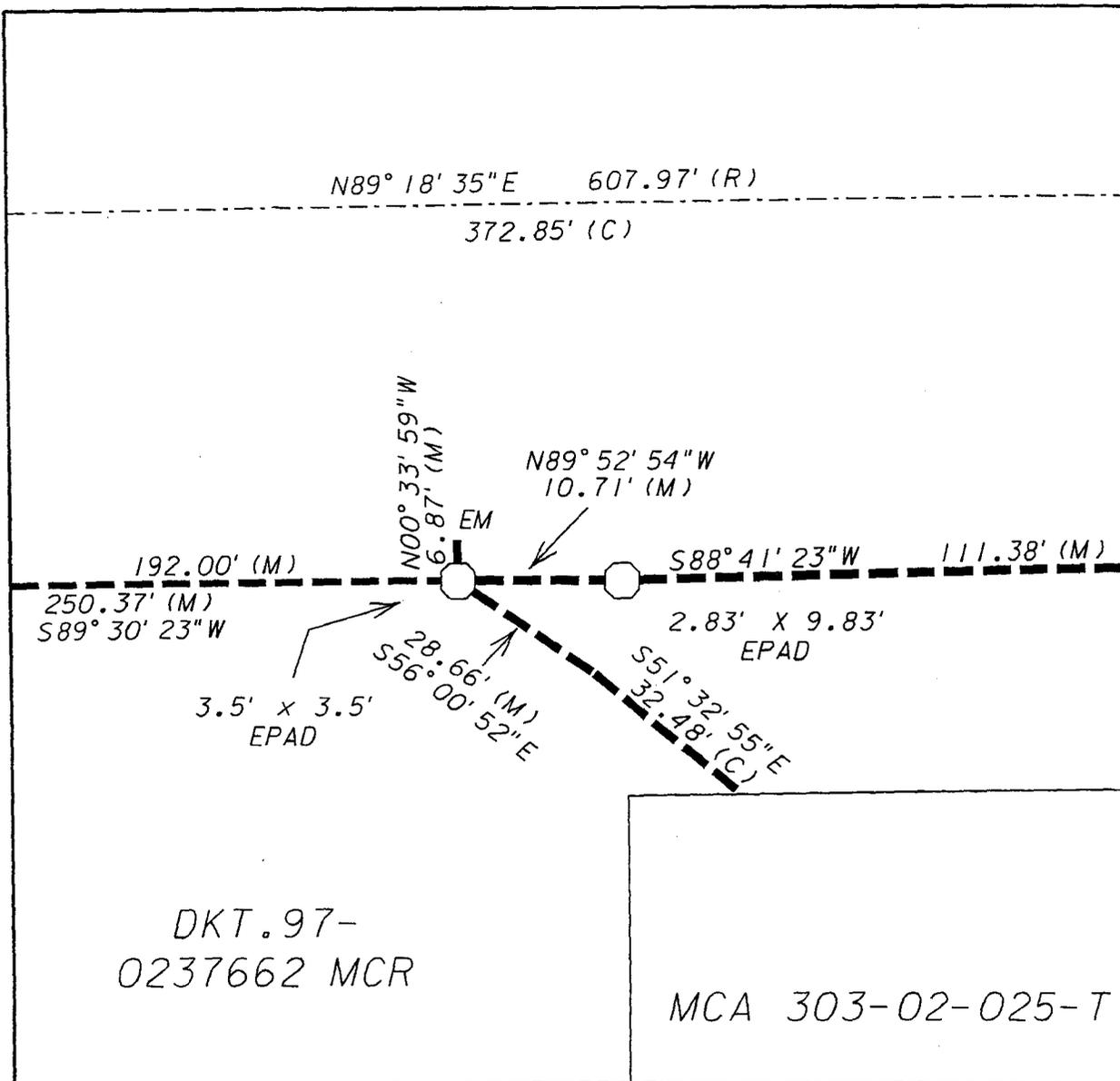
SRP JOB #
KEB-6414

SALT RIVER PROJECT A.1. & POWER DISTRICT			
CHANDLER CITY/1857 E.FRYE SE1/4, SEC35, T1S, R5E			
UNDERGROUND ELECTRIC POWER LINE RIGHT-OF-WAY MARICOPA COUNTY			
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EXHIBIT "A"

MATCH SHEET 4

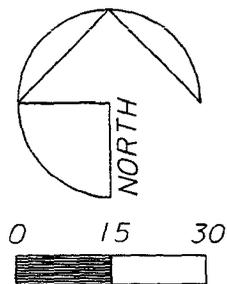
MATCH SHEET 2



DKT.97-
0237662 MCR

MCA 303-02-025-T

DISTANCES ARE SHOWN TO CENTER OF EPADS



SRP JOB #
KEB-6414

SALT RIVER PROJECT A.I.
& POWER DISTRICT

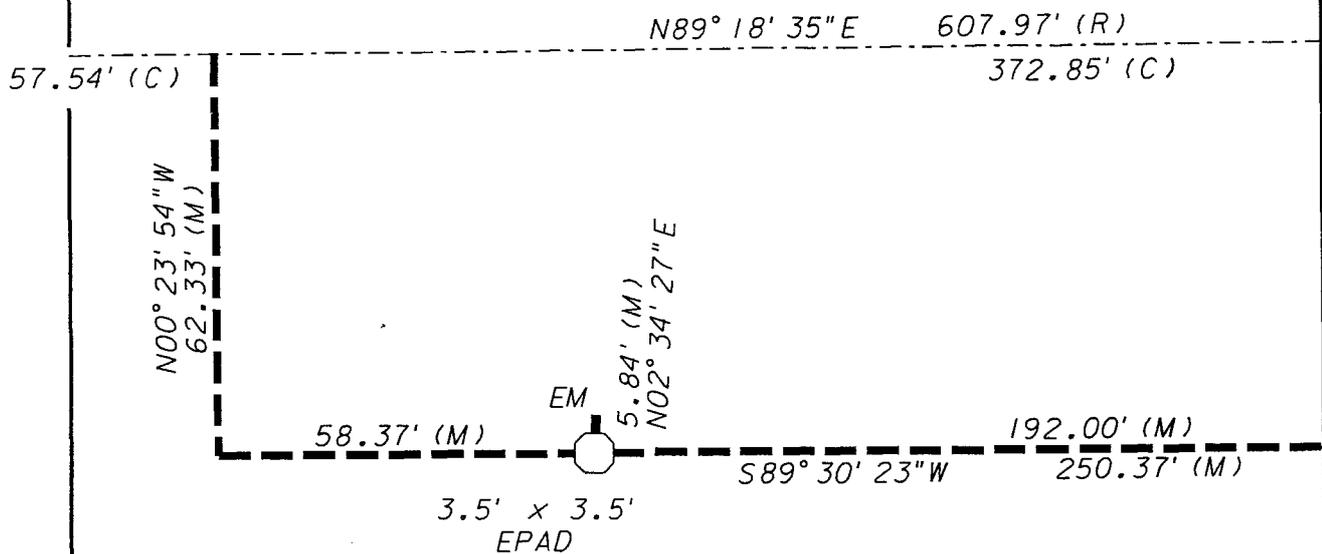
CHANDLER CITY/1857 E.FRYE
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MARICOPA COUNTY

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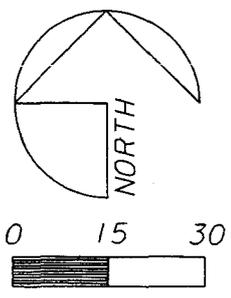
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DISTANCES ARE SHOWN TO CENTER OF EPADS



MATCH SHEET 3

DKT. 97-
0237662 MCR



SRP JOB #
KEB-6414

SALT RIVER PROJECT A.I. & POWER DISTRICT			
CHANDLER CITY/1857 E.FRYE SE 1/4, SEC 35, T 1 S, R 5 E			
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WHEN RECORDED MAIL TO:

SALT RIVER PROJECT

Land Department/PAB400

P. O. Box 52025

Phoenix, Arizona 85072-2025

POWER DISTRIBUTION EASEMENT

Maricopa County
unassessed
SE ¼, Sec 35, T1S, R5E

R/W # Agt. AA

Job # KEB-6414

W pan C SF

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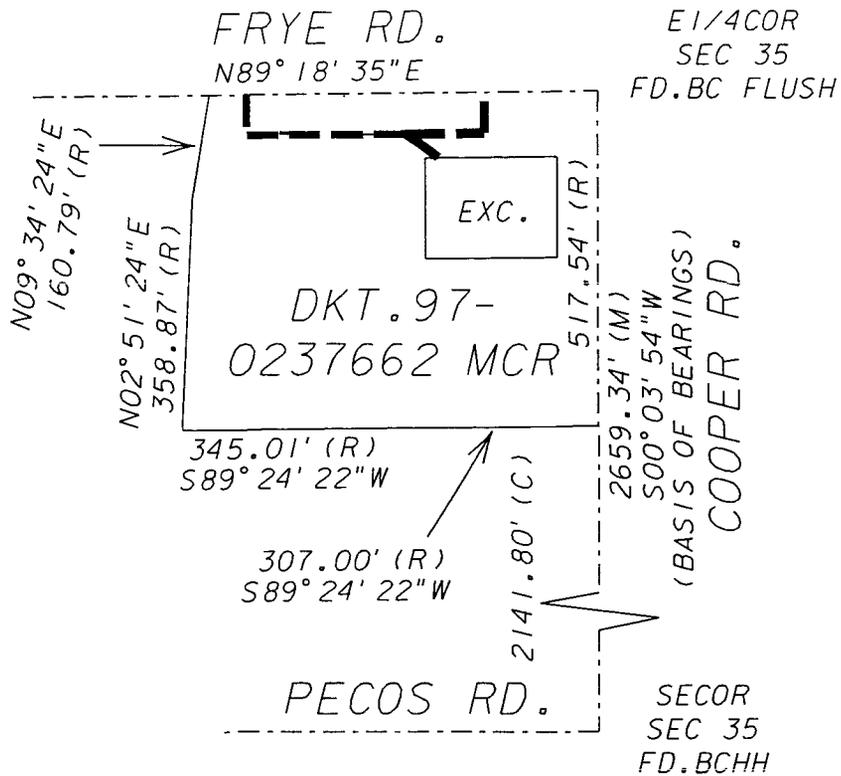
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LEGEND

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SRP JOB #
KEB-6414

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& POWER DISTRICT

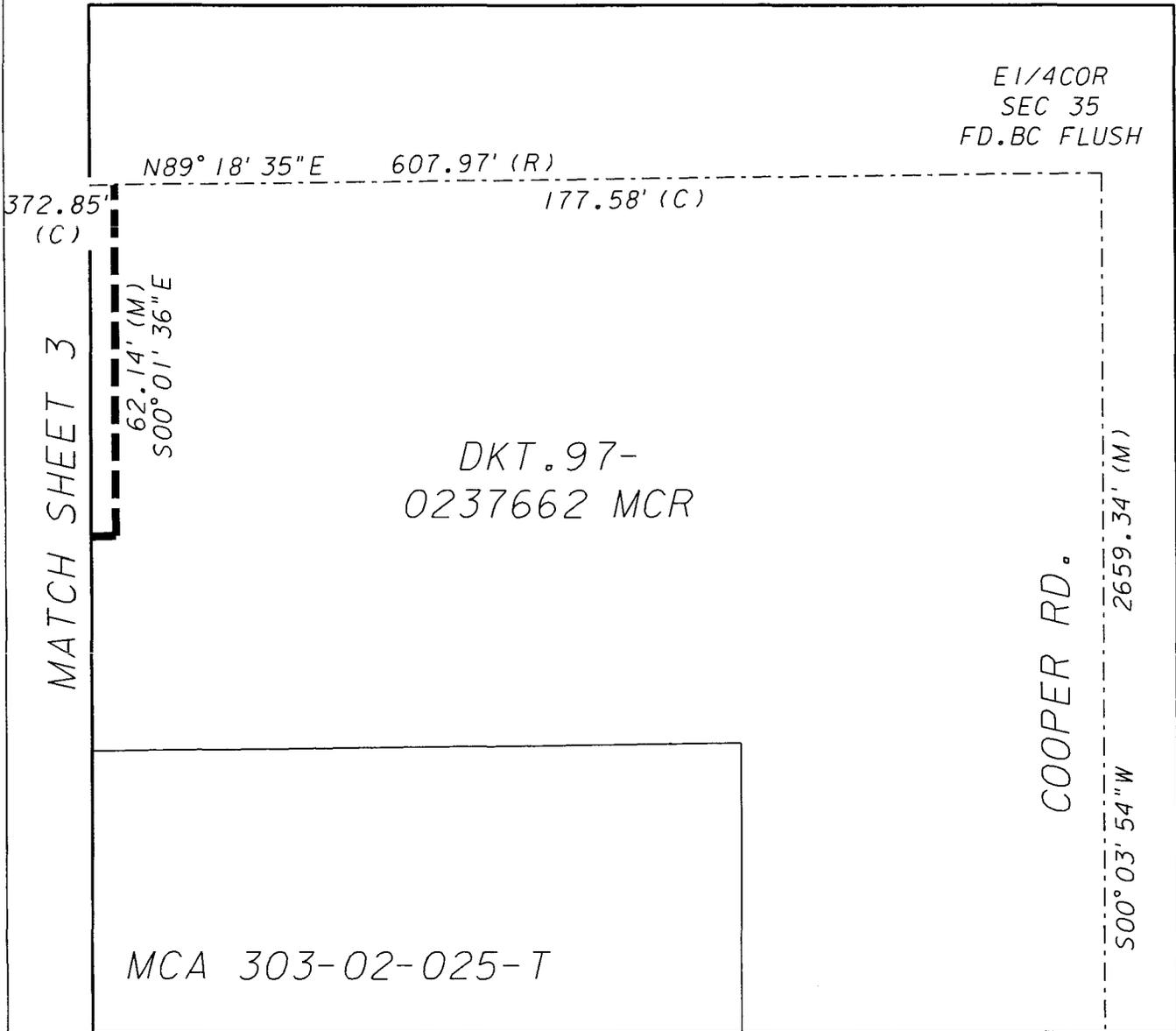
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EXHIBIT "A"

E1/4COR
SEC 35
FD.BC FLUSH

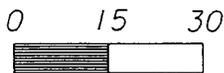
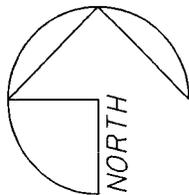


DKT.97-
0237662 MCR

MCA 303-02-025-T

MATCH SHEET 3

COOPER RD.



SRP JOB #
KEB-6414

SALT RIVER PROJECT A.I.
& POWER DISTRICT

CHANDLER CITY/1857 E.FRYE
SE 1/4, SEC 35, T1S, R5E

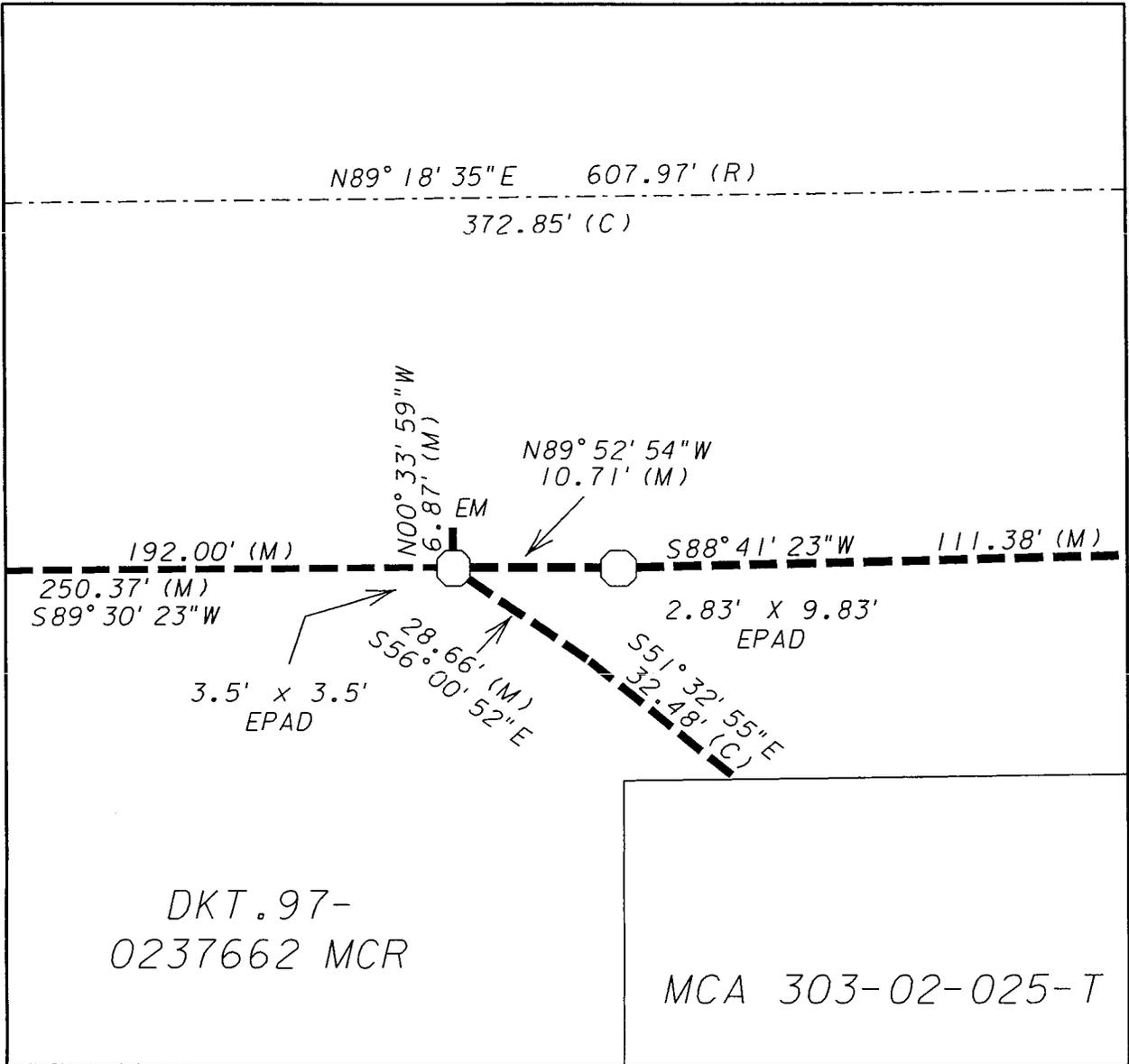
UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY
MARICOPA COUNTY

DESIGNED	<u>CHAVEZ</u>	AGENT	<u>MUNROE</u>
DRAWN	<u>G.GREEN</u>	APPROVED:	<u> </u>
DATE	<u>6-01-09</u>	APPROVED:	<u> </u>
SCALE	<u>1" = 30'</u>	SHEET	<u>2</u> OF <u>4</u>

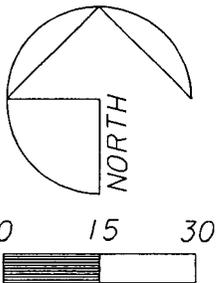
EXHIBIT "A"

MATCH SHEET 4

MATCH SHEET 2



DISTANCES ARE SHOWN TO CENTER OF EPADS



SRP JOB #
KEB-6414

SALT RIVER PROJECT A.I.
& POWER DISTRICT

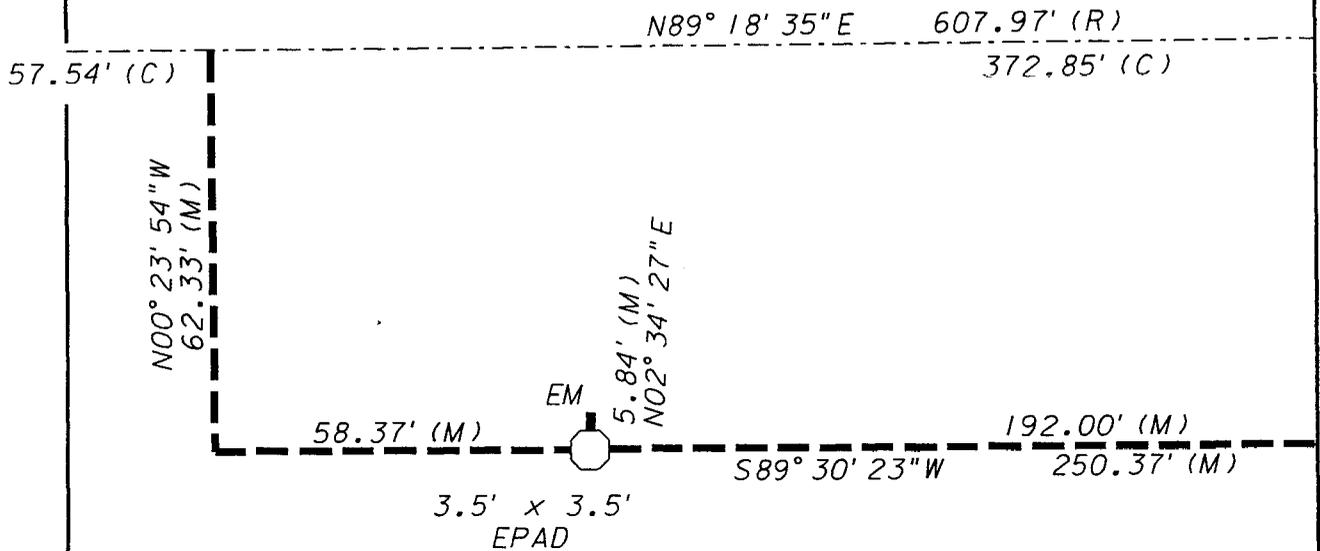
CHANDLER CITY/1857 E. FRYE
SE 1/4, SEC 35, T 1 S, R 5 E

UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY
MARICOPA COUNTY

DESIGNED	CHAVEZ	AGENT	MUNROE
DRAWN	G. GREEN	APPROVED:	_____
DATE	6-01-09	APPROVED:	_____
SCALE	1" = 30'	SHEET	3 OF 4

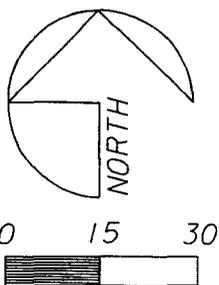
EXHIBIT "A"

DISTANCES ARE SHOWN TO CENTER OF EPADS



MATCH SHEET 3

DKT.97-
0237662 MCR



SRP JOB #
KEB-6414

SALT RIVER PROJECT A.I.
& POWER DISTRICT

CHANDLER CITY/1857 E.FRYE
SE 1/4, SEC 35, T1S, R5E

UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY
MARICOPA COUNTY

DESIGNED	<u>CHAVEZ</u>	AGENT	<u>MUNROE</u>
DRAWN	<u>G.GREEN</u>	APPROVED:	<u> </u>
DATE	<u>6-01-09</u>	APPROVED:	<u> </u>
SCALE	<u>1" = 30'</u>	SHEET	<u>4</u> OF <u>4</u>