

AUG 27 2009



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MEMORANDUM

Real Estate Council Memo No. RE10-028

DATE: AUGUST 27, 2009

TO: MAYOR AND COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
R.J. ZEDER, PUBLIC WORKS DIRECTOR
DANIEL W. COOK, DEPUTY PUBLIC WORKS DIRECTOR
SHEINA HUGHES, ASSISTANT PUBLIC WORKS DIRECTOR
CITY ENGINEER

FROM: ERICH KUNTZE, REAL ESTATE MANAGER

SUBJECT: ORDINANCE NO. 4178 GRANTING A NO COST 12KV POWER DISTRIBUTION EASEMENT TO SALT RIVER PROJECT (SRP) TO PROVIDE ELECTRIC SERVICE TO UPGRADE CITY WATER PRODUCTION FACILITIES LOCATED AT THE CHANDLER MUNICIPAL AIRPORT, PROJECT WA0804.

RECOMMENDATION: Staff recommends introduction and tentative approval of Ordinance No. 4178 granting a no cost 12kV Power Distribution Easement to Salt River Project (SRP) to provide electric service to upgrade City water production facilities located at the Chandler Municipal Airport, Project WA0804.

BACKGROUND/DISCUSSION: The Municipal Utilities Department is currently upgrading the water production facilities located at the Chandler Municipal Airport. The easement contains approximately 925 square feet, includes one (1) equipment pad and will provide electric service to the well and booster station.

Attached is a Letter of Intent, dated August 5, 2009 from City Staff with a positive recommendation to approve the requested easement.

Council Meeting of 8/27/09
RE10-028
Page 2

FINANCIAL IMPLICATIONS: None

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

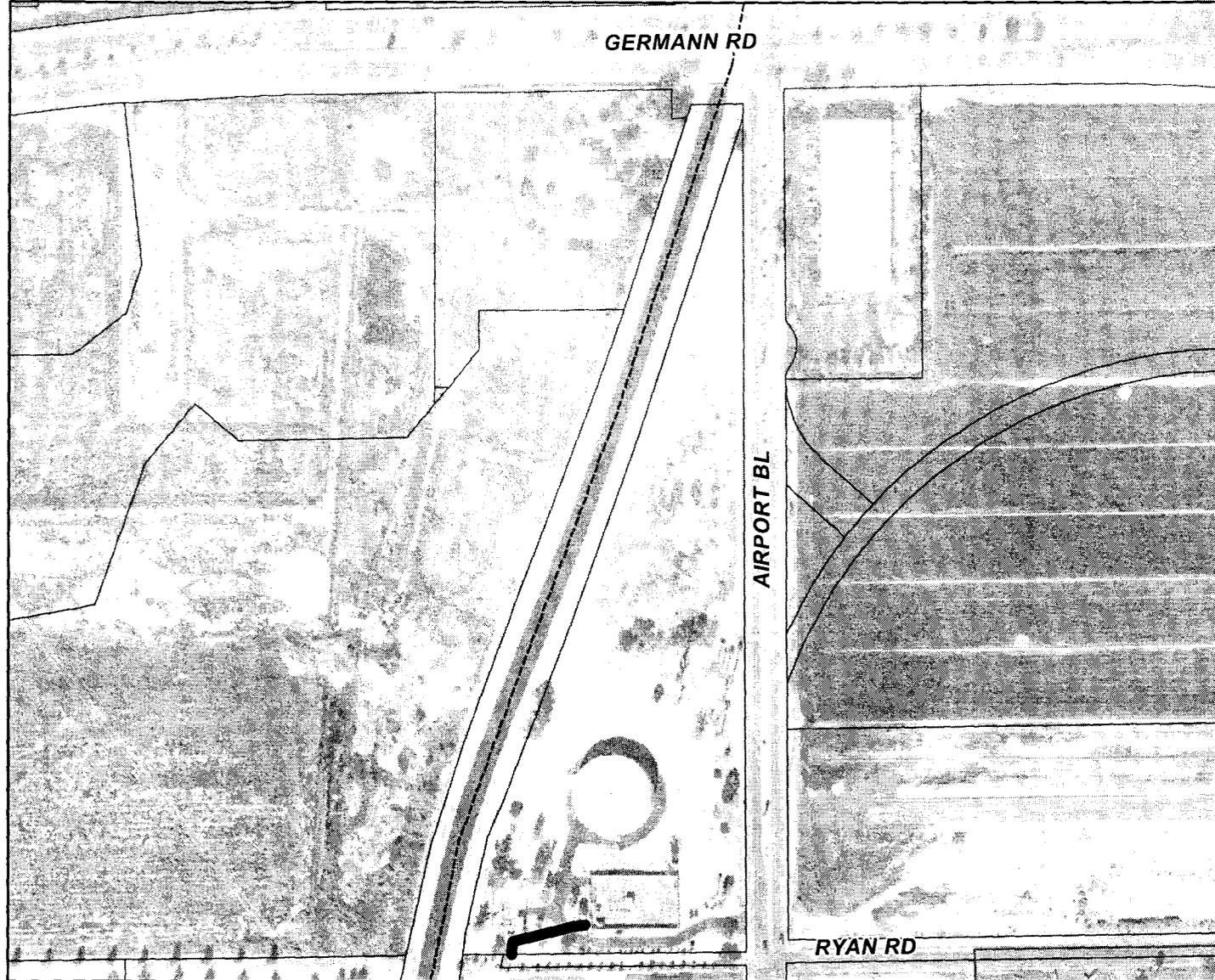
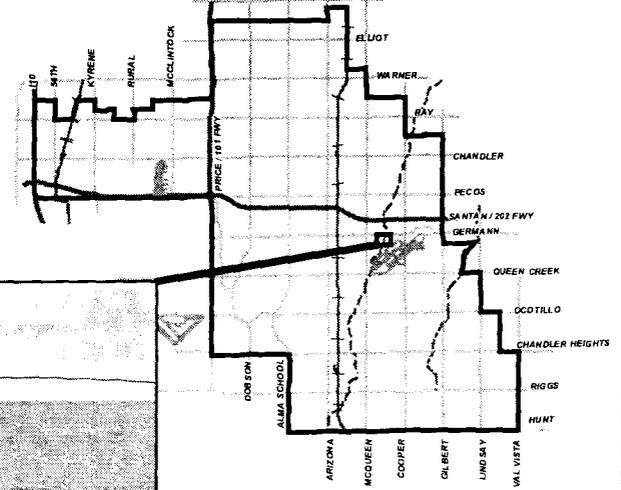
PROPOSED MOTION: Staff recommends introduction and tentative approval of Ordinance No. 4178 granting a no cost 12kV Power Distribution Easement to Salt River Project (SRP) to provide electric service to upgrade City water production facilities located at the Chandler Municipal Airport, Project WA0804.

Attachments: Site Map
ORD 4178
SRP Power Distribution Easement



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SALT RIVER PROJECT DISTRIBUTION EASEMENT - AIRPORT WATER PRODUCTION FACILITY



MEMO NO. RE10-028
ORDINANCE NO. 4178

8' WIDE EASEMENT



ORDINANCE NO. 4178

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, MARICOPA COUNTY, ARIZONA, TO AUTHORIZE AND APPROVE GRANTING A NO COST 12KV POWER DISTRIBUTION EASEMENT TO SALT RIVER PROJECT (SRP) TO PROVIDE ELECTRIC SERVICE TO UPGRADE CITY WATER PRODUCTION FACILITIES LOCATED AT THE CHANDLER MUNICIPAL AIRPORT, PROJECT WA0804.

WHEREAS, electric service is required to upgrade existing City water production facilities located at the Chandler Municipal Airport; and

WHEREAS, the City has requested that Salt River Project supply new electrical power service to upgrade existing City water production facilities located at the Chandler Municipal Airport; 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 distribution easement to Salt River Project to provide new electrical power to upgrade existing City water production facilities located at the Chandler Municipal Airport.

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 of 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 easement shall be in the 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 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. 4178 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"

**POWER DISTRIBUTION EASEMENT
LEGAL DESCRIPTION**

A portion of land being part of the East half of the Northeast quarter of the Northwest quarter of Section 11, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, lying East of the right of way of the Consolidated Canal, Maricopa County, Arizona being more particularly described in that certain WARRANTY DEED, recorded in Document No. 1934-0005013, according to Book 285 of Maps, page 124A, records of Maricopa County, Arizona.

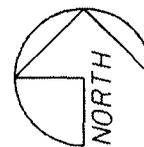
Said easement being a strip of land 8.00 feet in width, lying 4.00 feet on each side of the centerline (CENTERLINE 8' EASEMENT) as delineated/depicted on the drawing, including equipment pad areas, as prepared by SRP Surveys Department, dated May 17, 2009, and by reference made a part thereof.

EXHIBIT "A"

FND BCHH
NW COR
SEC 11,
T2S, R5E

GERMANN RD
(BASIS OF BEARING MCR 950-5)
N89° 32' 22" E 2644.34' (M)

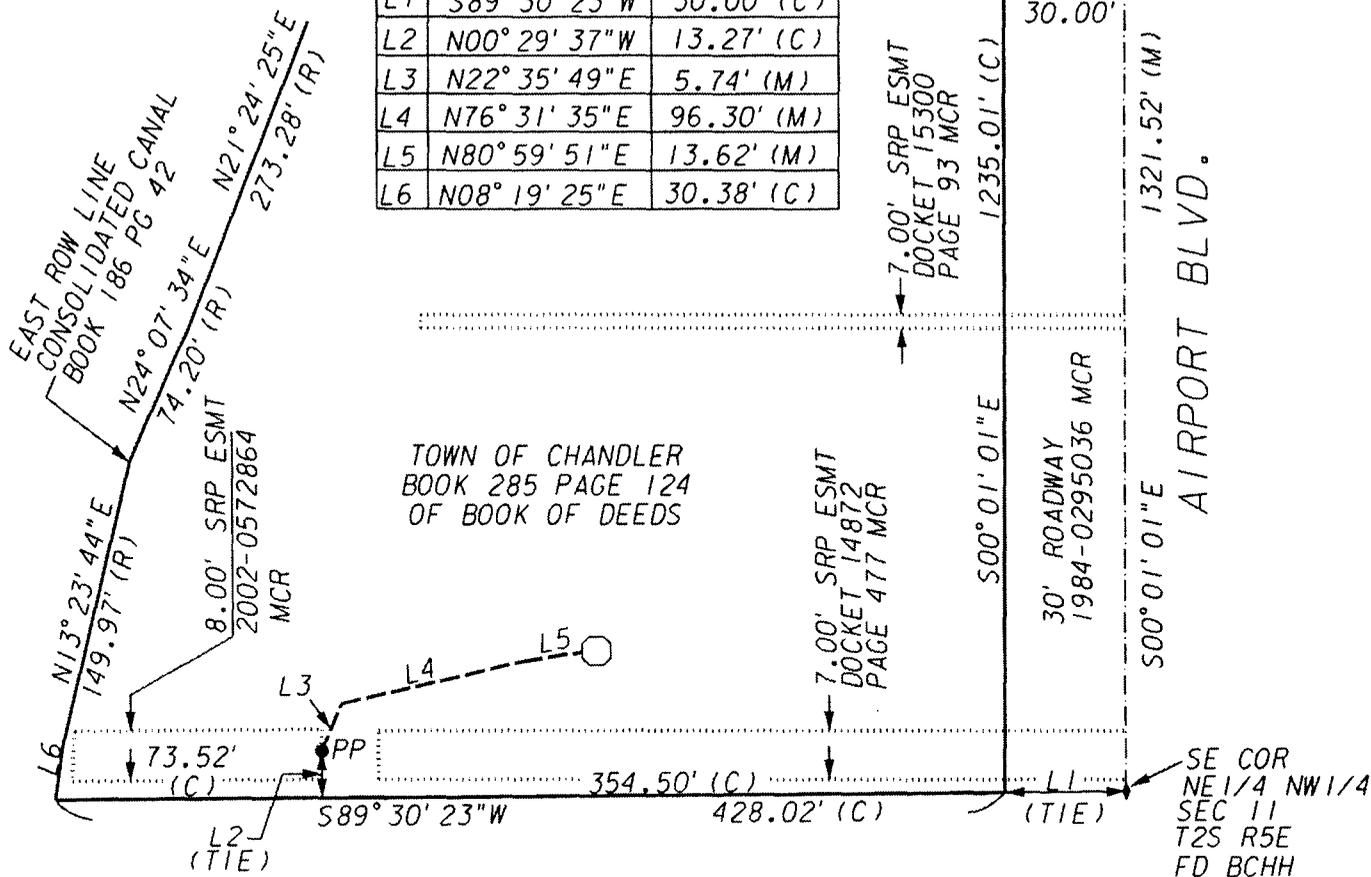
N 1/4 COR
SEC 11,
T2S, R5E
FND BCHH



NTS

LINE TABLE

L1	S89° 30' 23" W	30.00' (C)
L2	N00° 29' 37" W	13.27' (C)
L3	N22° 35' 49" E	5.74' (M)
L4	N76° 31' 35" E	96.30' (M)
L5	N80° 59' 51" E	13.62' (M)
L6	N08° 19' 25" E	30.38' (C)



LEGEND

- SECTION AND CENTERLINE
- PROPERTY LINE
- CENTERLINE OF 8' EASEMENT
- EQUIPMENT PAD - 10.00' X 10.00' 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 STATUTES, SECTION 40-380.21, ET. SEQ., ARIZONA BLUE STAKE LAW, PRIOR TO ANY EXCAVATION.

SRP JOB.
KEP-38

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	
AIRPORT WATER PROD FAC NW 1/4 SEC 11 T2S R5E UNDERGROUND ELECTRIC POWER LINE RIGHT-OF-WAY MARICOPA COUNTY, ARIZONA	
DESIGNED REED	AGENT BRAMWELL
DRAWN TODARO	CH'D BY
DATE 8-05-09	APPROVED:
SCALE N.T.S.	SHEET 1 OF 1



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VIA FACSIMILE AND U.S.MAIL

August 5, 2009

Mr. Chris Bramwell
Land Acquisitions
Salt River Project
P.O. Box 52025
Phoenix, AZ 85072-2025

Re: Easement to SRP from City of Chandler for the Airport WPF
Improvements Project, Project No. WA0804-401 at 2250 S. Airport Blvd.
Chandler, AZ. 85224, SRP Job No. KEP-38

Dear Mr. Bramwell,

I am writing to inform you that the Chandler City Council will be meeting on August 27 for the utility easement dedication for the Airport WPF Improvement Project. The Project will require power to facilitate the start up and acceptance from the County before going back into production. City staff intends to present the Ordinance for the easement as sent to the City by SRP at our August 27 Council meeting. After the August meeting there is a thirty day waiting period for the Ordinance to take effect.

The Ordinance will be given a positive recommendation when presented to Council in August. It is necessary to have power at the Airport WPF Facility. The City is requesting that SRP release the job for construction at this time.

Please call me at 480-782-3591 if you have any questions. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that reads "David Siegel". The signature is fluid and cursive, with the first name being the most prominent.

David Siegel
Municipal Utilities Director

Mailing Address
Mail Stop 404
PO Box 4008
Chandler, Arizona 85244-4008

Municipal Utilities Department
Environmental Resources/Water Conservation
Telephone (480) 782-3580
Fax (480) 782-3805
www.chandleraz.gov

Location
975 East Armstrong Way
Chandler, Arizona 85249

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT

Land Department/PAB350

P. O. Box 52025

Phoenix, Arizona 85072-2025

POWER DISTRIBUTION EASEMENT

Maricopa County

Parcel # 303-32-004

Northwest ¼ of Section 11, T2S, R5E

Agt. WCB

Job # KEP-38

W WCB C _____

**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 land being part of the East half of the Northeast quarter of the Northwest quarter of Section 11, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, lying East of the right of way of the Consolidated Canal, Maricopa County, Arizona, being more particularly described in that certain that WARRANTY DEED, recorded in Document No. 1934-0005013, according to Book 285 of Maps, page 124A, records of Maricopa County, Arizona.

Easement Parcel:

Said easement being a strip of land 8.00 feet in width, lying 4.00 feet on each side of the centerline (CENTERLINE 8' EASEMENT) as delineated/depicted on the attached EXHIBIT "A", including equipment pad areas, as prepared by SRP Surveys Department, dated August 5, 2009, and by reference made a part thereof.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

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.

