

#2

SEP 10 2009

ORDINANCE NO. 4171

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, TO AUTHORIZE AND APPROVE THE GRANTING SALT RIVER PROJECT (SRP) AN APPROXIMATELY 358 SQUARE FOOT POWER DISTRIBUTION EASEMENT ON CITY-OWNED PROPERTY LOCATED AT SAN TAN PARK NEAR THE SOUTHWEST CORNER OF FRYE ROAD AND 132ND STREET IN EXCHANGE FOR \$1,950 IN CONSIDERATION.

WHEREAS, Salt River Project is replacing direct buried (not in conduit) facilities with new conduit encased cable in order to minimize future power disturbances and prevent outages; 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 in order to upgrade existing facilities; and

WHEREAS, Salt River Project will pay the City of Chandler \$1,950 in consideration for granting the 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 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 in exchange for \$1,950 in consideration.

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. 4171 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.

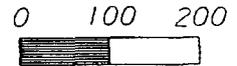
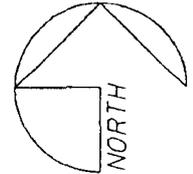
CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *GAB*

EXHIBIT "A"

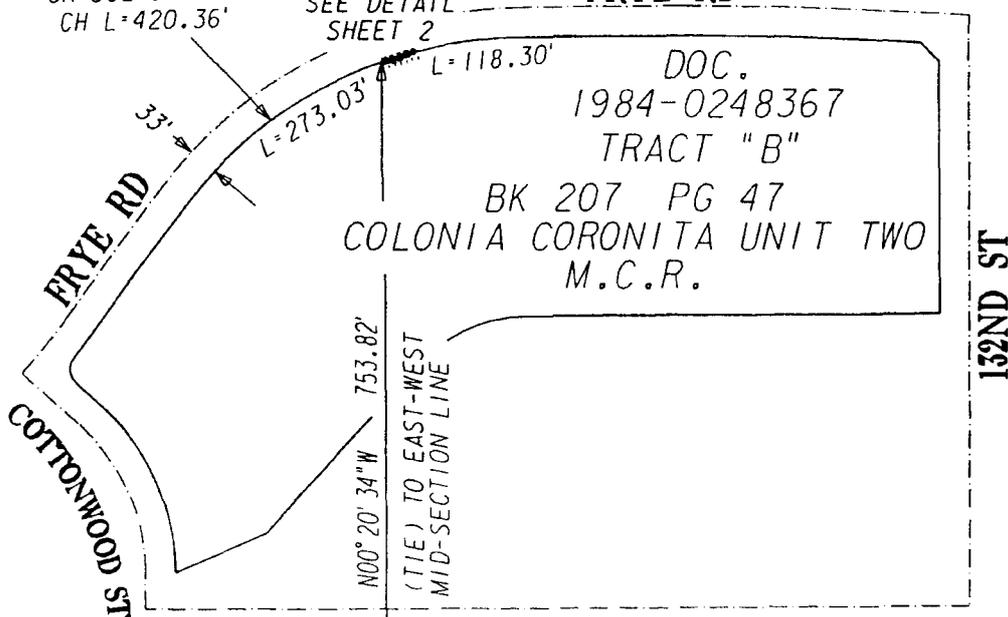
SRP JOB #
KER-714



D=53° 29' 46"
L=436.03' (R)
R=467.00' (R)
CH=S62° 54' 33" W
CH L=420.36'

SEE DETAIL
SHEET 2

FRYE RD



N 1/4 COR
S36
T1S R5E
FND B.C.H.H.

CNTR COR
S36
T1S R5E
FND REBAR
W/CAP

FOLLEY ST

132ND ST

1842.16' 798.42'
W 1/4 COR N89° 39' 26" E 2640.58' (R) 2641.33' (M)
S36 (BASIS OF BEARINGS PER BK 207 PG 47)
T1S R5E EAST - WEST MIDSECTION LINE
FND B.C.FLUSH

LEGEND

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

- SECTION AND CENTERLINE
- PROPERTY LINE
- LIMITS OF EASEMENT

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 STATUES, SECTION 40-380.21, ET. SEQ., ARIZONA BLUE STAKE LAW, PRIOR TO ANY EXCAVATION.

SALT RIVER PROJECT A.I.
& POWER DISTRICT

BOC FRYE & COTTONWOOD
NW S36, T1S, R5E

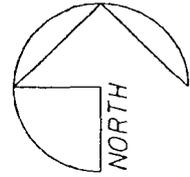
UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY
MARICOPA COUNTY

DESIGNED R.YANEZ AGENT J.MESSINA
DRAWN J.GREIFE APPROVED: _____
DATE JUNE 19, 2009 CHECKED BY: VR
SCALE 1" = 200' SHEET 1 OF 2

EXHIBIT "A"

NOTE
ALL DISTANCES ARE CALCULATED
UNLESS OTHERWISE NOTED

SRP JOB #
KER-714

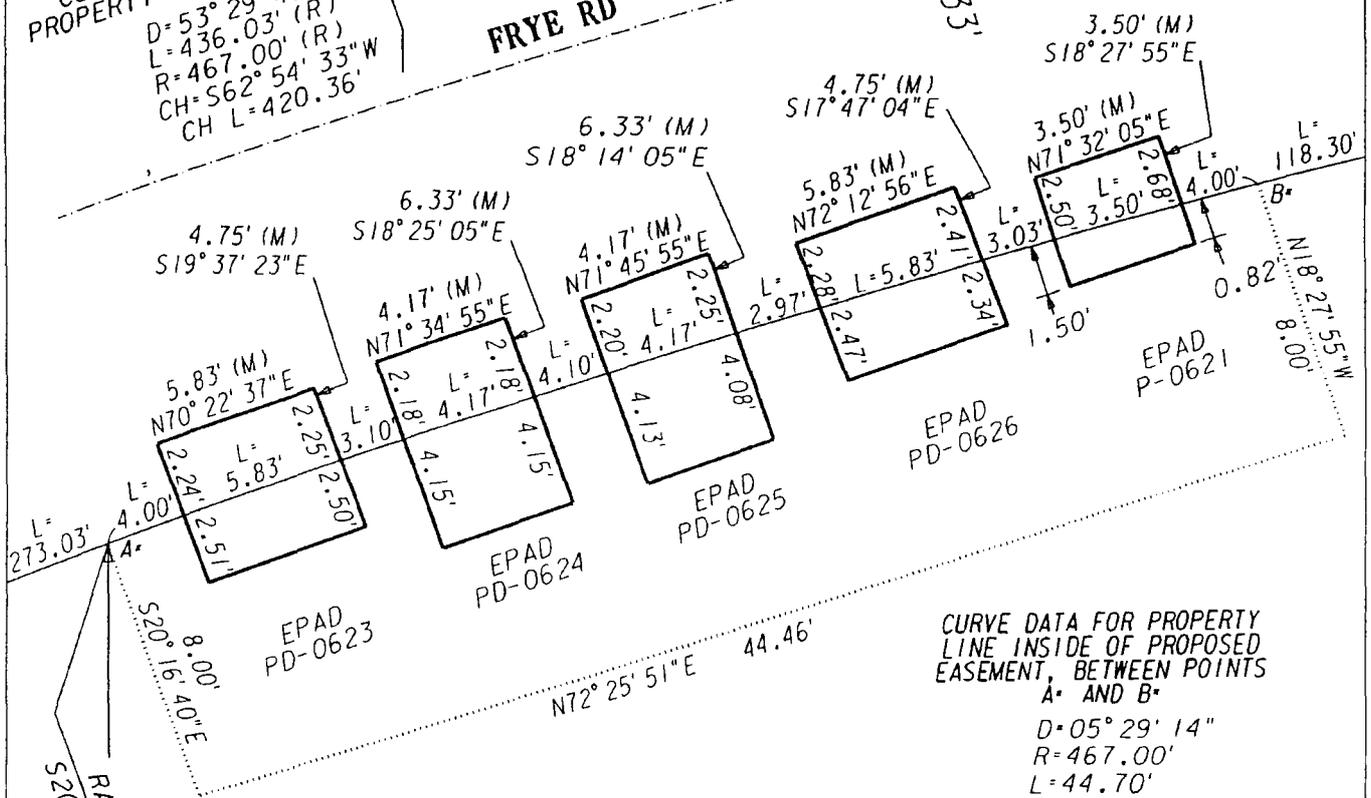


DETAIL
N.T.S.

CURVE DATA (FOR ENTIRE
PROPERTY LINE) PER SHEET 1

D=53° 29' 46"
L=436.03' (R)
R=467.00' (R)
CH=S62° 54' 33" W
CH L=420.36'

FRYE RD



CURVE DATA FOR PROPERTY
LINE INSIDE OF PROPOSED
EASEMENT, BETWEEN POINTS
A* AND B*
D=05° 29' 14"
R=467.00'
L=44.70'

DOC.
1984-0248367
COLONIA CORONITA
UNIT TWO
BK 207 PG 47
"TRACT B"

SALT RIVER PROJECT A.I.
& POWER DISTRICT

BOC FRYE & COTTONWOOD
NW S36, T1S, R5E

UNDERGROUND ELECTRIC
POWER LINE RIGHT-OF-WAY
MARICOPA COUNTY

DESIGNED R.YANEZ AGENT J.MESSINA
DRAWN J.GREIFE APPROVED: _____
DATE JUNE 19, 2009 CHECKED BY: _____
SCALE N.T.S. SHEET 2 OF 2

100° 20' 34" W 753.82'
MID-SECTION LINE
TO EAST-WEST
MID-SECTION LINE
(T11)

GRANTOR'S PROPERTY:

Tract B, **COLONIA CORONITA UNIT TWO**, as recorded in Book 207 of Maps, page 47, Maricopa County Recorder's Office, Maricopa County, Arizona, as described in Special Warranty Deed Instrument #84-248367 records of Maricopa County, Arizona.

Easement Parcel:

Said easement being as depicted on Exhibit "A" and described as follows:

COMMENCING at the West quarter corner of Section 36 Township 1 South Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona; thence North 89 degrees 39 minutes 26 seconds East (assumed bearing) along the East-West mid-section line of said Section 36 a distance of 1842.16 feet; thence North 00 degrees 20 minutes 34 seconds West a distance of 753.82 feet for a tie to a point on the North line of said Tract "B" said point being the **POINT OF BEGINNING** of the herein described easement and being the beginning of a non-tangent curve concave to the Southeast having a radius of 467.00 feet and to which beginning a radial line bears South 20 degrees 20 minutes 28 seconds East; thence Northeasterly an arc distance of 44.70 feet along said curve through a central angle of 05 degrees 29 minutes 14 seconds; thence South 18 degrees 27 minutes 55 seconds East a distance of 8.00 feet; thence South 72 degrees 25 minutes 51 seconds West a distance of 44.46 feet; thence North 20 degrees 16 minutes 40 seconds West a distance of 8.00 feet to the **POINT OF BEGINNING** and thereon terminating.

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WHEN RECORDED MAIL TO:

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

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 303-01-528
NW1/4 Sec. 36, T1S, R5E

Agt. JMM
Job # KER-714

W 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.

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:

SEE ATTACHED EXHIBIT A & EXHIBIT B

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.

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EXHIBIT "B"

GRANTOR'S PROPERTY:

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