

ORDINANCE NO. 4937

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, GRANTING A NON-EXCLUSIVE POWER DISTRIBUTION EASEMENT TO SALT RIVER PROJECT AT THE NORTHWEST CORNER OF PIMA PARK TO ACCOMMODATE THE DEVELOPMENT OF MCQUEEN COMMONS ON THE EAST SIDE OF MCQUEEN ROAD BETWEEN CHANDLER BOULEVARD AND RAY ROAD.

WHEREAS, The Wallace Group is developing a residential community known as McQueen Commons located on the east side of McQueen Road between Chandler Boulevard and Ray Road; and

WHEREAS, in order to accommodate the development of McQueen Commons it is necessary for Salt River Project (SRP) to extend its power service across a portion of City-owned property known as Pima Park for a distance of approximately 115.20 feet; and

WHEREAS, The Wallace Group has agreed to pay the City \$1,382.00 for the easement; and

WHEREAS, the City of Chandler is willing accept said payment and grant a non-exclusive power distribution easement to SRP at this location for the purposes stated above.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

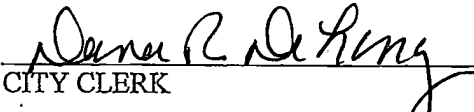
Section 1. That the City Council of the City of Chandler, Arizona, authorizes and approves the granting of a non-exclusive power distribution easement to SRP in exchange for payment of \$1,382.00 to be made by The Wallace Group, through, under and across that certain property legally described and depicted in Exhibit "A" attached hereto and made a part hereof by this reference.

Section 2. That the granting of said non-exclusive power distribution easement shall be in substantially the form approved by the City Attorney and attached hereto as Exhibit "B".

Section 3. That the Mayor of the City of Chandler, Arizona, is hereby authorized to execute the easement and this ordinance on behalf of the City.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this 15 day of October 2020.

ATTEST:


CITY CLERK


MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this 2 day of November, 2020.

ATTEST:

Dana R. DeKey
CITY CLERK

Kevin Vantho
MAYOR

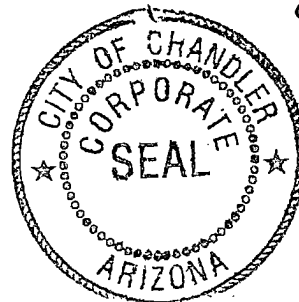
CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4937 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 2 day of November, 2020, and that the vote was 7 ayes, and 0 nays.

Dana R. DeKey
CITY CLERK

APPROVED AS TO FORM:

J. J. Winkler for JW
CITY ATTORNEY



PUBLISHED in the Arizona Republic on November 13 and November 20, 2020.

EXHIBIT "A"

EXHIBIT "A"

SRP JOB NUMBER: T3168905
SRP JOB NAME: McQUEEN COMMONS SUBD
TTRRSS: 01S05E26

DATE: 04-30-2020
PAGE: 1 OF 3

AN EASEMENT WITHIN A PARCEL OF LAND AS DESCRIBED IN DOCKET 4598 PAGE 168 MARICOPA COUNTY RECORDER (MCR) LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING 8.00 FEET IN WIDTH, LYING 4.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 26, BEING A BRASS CAP IN HAND HOLE, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 26, BEING A BRASS CAP IN HAND HOLE, BEARS NORTH 00 DEGREES 07 MINUTES 38 SECONDS WEST, A DISTANCE OF 2638.16 FEET (BASIS OF BEARING);

THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, NORTH 00 DEGREES 07 MINUTES 38 SECONDS WEST, A DISTANCE OF 601.50 FEET;

THENCE NORTH 89 DEGREES 52 MINUTES 22 SECONDS EAST, A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL;

THENCE ALONG THE NORTH LINE OF SAID PARCEL, NORTH 89 DEGREES 02 MINUTES 48 SECONDS EAST, A DISTANCE OF 13.00 FEET TO THE POINT OF BEGINNING;

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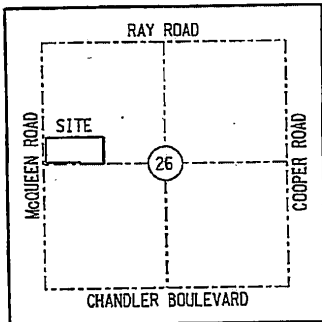
THENCE SOUTH 45 DEGREES 07 MINUTES 38 SECONDS EAST, A DISTANCE OF 3.72 FEET TO A POWER POLE BEING A PART OF THIS EASEMENT AND THE POINT OF TERMINUS.

SIDELINES BEING LENGTHENED OR SHORTENED TO FORM VERTICES AT ALL ANGLE POINTS AND TO TERMINATE AT ALL REFERENCED BOUNDARY LINES WHICH PASS THROUGH A POINT OF TERMINUS.

END OF DESCRIPTION



EXHIBIT "A"



VICINITY MAP (NTS)
T1S R5E
G&SRM

LEGEND

- SECTION AND CENTERLINE
- PROPERTY LINE
- CENTERLINE OF 8' EASEMENT
- EXISTING EASEMENT
- ◆ SECTION CORNER AS NOTED
- ⊙ POWER POLE



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.

NOTES

THIS EXHIBIT IS INTENDED TO ACCOMPANY AN EASEMENT. ALL PARCELS SHOWN WERE PLOTTED FROM RECORD INFORMATION, AND NO ATTEMPT HAS BEEN MADE TO VERIFY THE LOCATION OF ANY BOUNDARIES SHOWN. THIS IS NOT AN ARIZONA BOUNDARY SURVEY.

ALL ELECTRIC LINES SHOWN ARE MEASURED TO THE WINDOW OF THE EQUIPMENT PAD UNLESS OTHERWISE NOTED.

ABBREVIATION TABLE

APN	ASSESSOR'S PARCEL NUMBER
BCHH	BRASS CAP IN HAND HOLE
FND	FOUND
MCR	MARICOPA COUNTY RECORDER
(M)	MEASURED
LVI	LAST VISUAL INSPECTION
NTS	NOT TO SCALE
SRP	SALT RIVER PROJECT

BASIS OF BEARINGS:
BASED ON THE MARICOPA COUNTY
LOW DISTORTION PROJECTION
COORDINATE SYSTEM.


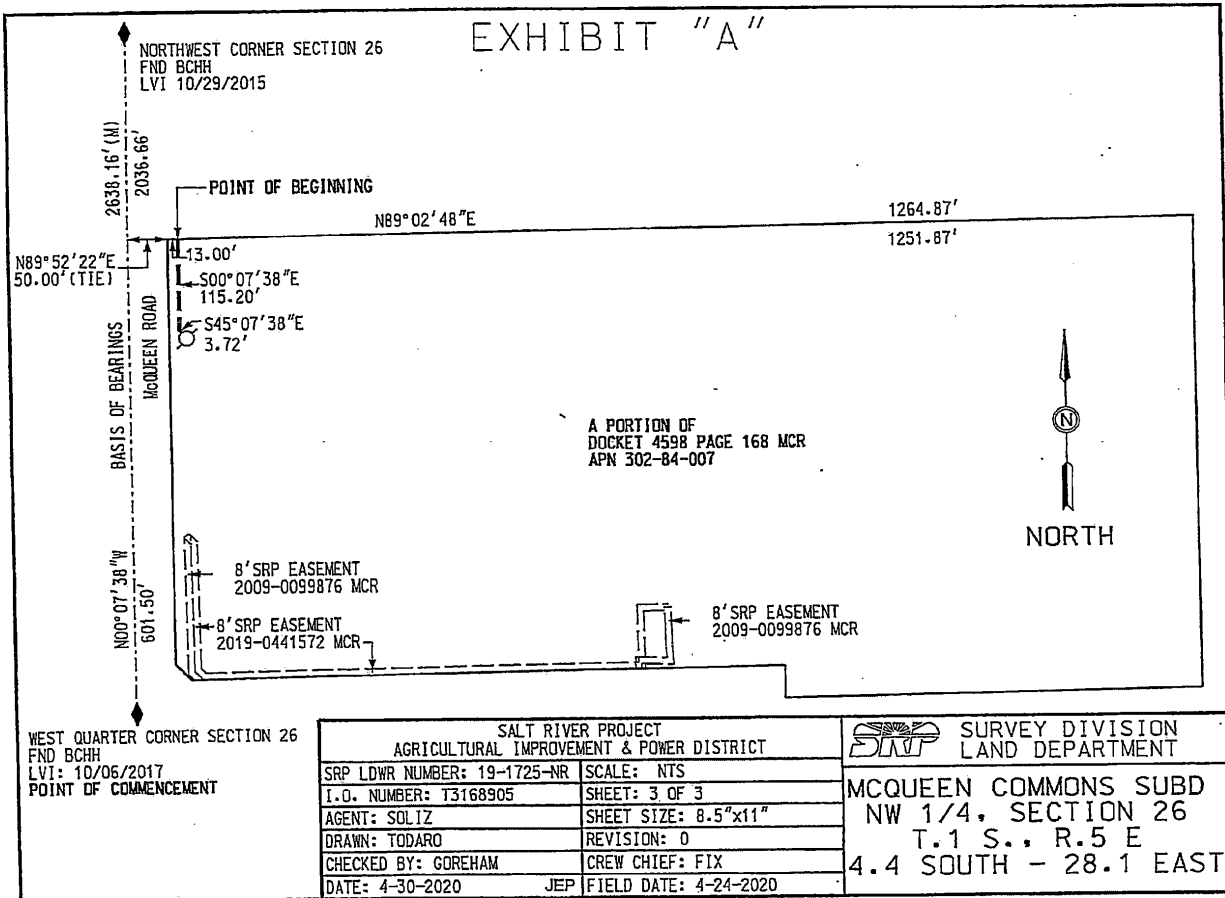
SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER DISTRICT		 SURVEY DIVISION LAND DEPARTMENT
SRP LDWR NUMBER: 19-1725-NR	SCALE: NTS	
I.O. NUMBER: T3168905	SHEET: 2 OF 3	MCQUEEN COMMONS SUBD NW 1/4, SECTION 26 T.1 S., R.5 E 4.4 SOUTH - 28.1 EAST
AGENT: SOLIZ	SHEET SIZE: 8.5"x11"	
DRAWN: TODARO	REVISION: 0	
CHECKED BY: GOREHAM	CREW CHIEF: FIX	
DATE: 4-30-2020	JEP	FIELD DATE: 4-24-2020

EXHIBIT "A"



NORTHWEST CORNER SECTION 26
FND BCHH
LVI 10/29/2015

N89°52'22"E
50.00' (TIE)

BASIS OF BEARINGS
McQUEEN ROAD

POINT OF BEGINNING

N89°02'48"E

1264.87'
1251.87'

13.00'
S00°07'38"E
115.20'
S45°07'38"E
3.72'

N00°07'38"W
601.50'

8' SRP EASEMENT
2009-0099876 MCR

8' SRP EASEMENT
2019-0441572 MCR

8' SRP EASEMENT
2009-0099876 MCR

WEST QUARTER CORNER SECTION 26
FND BCHH
LVI: 10/06/2017
POINT OF COMMENCEMENT

SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER DISTRICT		SURVEY DIVISION LAND DEPARTMENT
SRP LDWR NUMBER: 19-1725-NR	SCALE: NTS	
I.O. NUMBER: T3168905	SHEET: 3 OF 3	MCQUEEN COMMONS SUBD NW 1/4, SECTION 26 T.1 S., R.5 E 4.4 SOUTH - 28.1 EAST
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DATE: 4-30-2020	JEP FIELD DATE: 4-24-2020	

EXHIBIT "B"

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT
Land Department/PAB10W
P. O. Box 52025
Phoenix, Arizona 85072-2025

**EXEMPT PURSUANT TO
A.R.S. §§ 11-1134(A)(2) and (A)(3)**

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 302-84-007
NW ¼, SEC. 26, T01S, R05E

Agt. HAS
Job # LJ71784 / T3168905
W HAS C JEP
R/W #

**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:

A portion of the Northwest quarter of Section 26, Township 01 South, Range 05 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Easement Parcel:

SEE EXHIBIT "A" ATTACHED HERETO AND 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.

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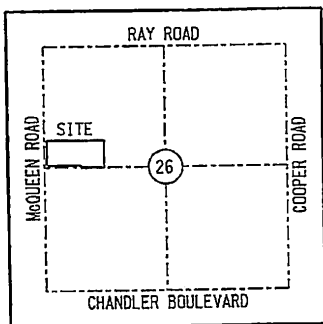
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