

ORDINANCE NO. 2936 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A POWER DISTRIBUTION EASEMENT IN FAVOR OF SALT RIVER PROJECT ON CITY-OWNED PROPERTY TO CONSTRUCT, RECONSTRUCT, REPLACE, REPAIR, OPERATE AND MAINTAIN ELECTRICAL LINES LOCATED AT 9802 WEST BETHANY HOME ROAD; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. The City Council hereby approved the power distribution easement and all terms and conditions thereto and directs that the City Manager for the City of Glendale to execute said document granting Salt River Project a power distribution easement upon, across, over and under certain property located within existing City property at approximately 9802 West Bethany Home Road, in the form attached hereto as Exhibit A. The legal descriptions are contained in the Easement.

SECTION 2. That the City hereby reserves the right to use the easement premises in any manner that will not prevent or interfere with the exercise by Salt River Project of the rights granted hereunder; provided, however that the City shall not obstruct, or permit to be obstructed, the easement premises at any time whatsoever without the express prior written consent of Salt River Project.

SECTION 3. That the City Clerk is accordingly instructed and authorized to forward a certified copy of this ordinance for recording to the Maricopa County Recorder's Office.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this ____ day of _____, 2015.

M A Y O R

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

Acting City Manager
o_eng_9802.doc

Exhibit A-For Reference Only

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT

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

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 142-56-032
NW 1/4 of SEC 4, T2N, R1E

Agt. JBC
Job # T2049225

W JBC C ROP
JRS 1.26.15

CITY OF GLENDALE, 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 4, Township 2 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described in SPECIAL WARRANTY DEED Instrument #2005-1096040 records of Maricopa County, Arizona.

Exhibit A-For Reference Only

Easement Parcel:

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" delineated on Exhibit "A" (LAMAR CENTRAL OUTDOOR, SRP Job Number T2049225, prepared by Salt River Project A. I. & Power District, dated January 20, 2015), said Exhibit "A" attached hereto and made a part hereof. Said easement **ALSO** to include the Equipment Pad area(s) as described and/or depicted on said Exhibit "A".

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Exhibit A-For Reference Only

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.

By accepting this easement, Grantee agrees to restore the surface of the Easement Parcel upon completion of the initial installation and any subsequent construction, reconstruction, repair or maintenance work that may be required.

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 REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK

Exhibit A-For Reference Only

IN WITNESS WHEREOF, **CITY OF GLENDALE**, an Arizona municipal corporation, has caused its name to be executed by its duly authorized representative(s), this _____ day of _____, 2015.

**CITY OF GLENDALE,
an Arizona municipal corporation**

APPROVED AS TO FORM

By _____
Michael D. Bailey, City Attorney

By _____
Richard A. Bowers, Acting City Manager

Attest:

Pamela Hanna, City Clerk

STATE OF _____)
) ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by Richard A. Bowers and Pamela Hanna, City Manager and City Clerk, respectively, of **THE CITY OF GLENDALE**, an Arizona municipal corporation of the State of Arizona.

My Commission Expires:

Notary Public

Notary Stamp/Seal

Note: This instrument is exempt from the real estate transfer fee and affidavit of legal value required under A.R.S. Sections 11-1132 and 11-1133 pursuant to the exemptions set forth in A.R.S. Sections 11-1134(A)(2) and (A)(3).

Exhibit A-For Reference Only

EXHIBIT "A"

Underground Power Easement
SRP Job No.: 9792
SRP Job Name: Lamar Central, LLC

Date: February 2, 2015
AMP #: T2049225
NW 1/4 Sec 4, T2N, R1E

UNDERGROUND POWER EASEMENT

A strip of land for underground power purposes in the Northwest Quarter of Section 4, Township 2 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona, 8.00 feet in width, 4.00 feet on each side of the following described centerline:

COMMENCING at the West Quarter Corner of said Section 4, a brass cap flush, from which the Northwest Corner of said Section 4, a brass cap in hand hole, bears North 00 degrees 03 minutes 22 seconds East, a distance of 2583.59 feet;

thence North 00 degrees 03 minutes 22 seconds East, along the West line of said Northwest Quarter, a distance of 532.58 feet;

thence South 89 degrees 56 minutes 38 seconds East, a distance of 162.79 feet to the **POINT OF BEGINNING**;

thence South 11 degrees 26 minutes 22 seconds West, a distance of 35.59 feet to a point within a 3.50 foot by 3.50 foot equipment pad

thence South 09 degrees 12 minutes 53 seconds West, a distance of 33.76 feet to the beginning of a non-tangent curve, concave to the southeast, from which a radial line bears South 79 degrees 50 minutes 09 seconds East, and a radius of 2426.83 feet;

thence along said curve, through a central angle of 07 degrees 05 minutes 45 seconds, an arc length of 300.55 feet;

thence South 00 degrees 50 minutes 20 seconds West, a distance of 26.98 feet to a point within a 4.17 foot by 6.33 foot equipment pad;

thence South 03 degrees 03 minutes 45 seconds West, a distance of 72.90 feet to a splice point and the terminus of said easement.

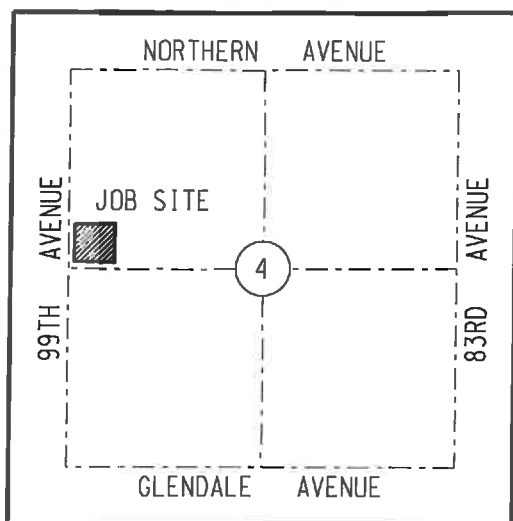
The sidelines of said easement being shortened or elongated so as to form vertices at all angle points.



JRS 2.2.15

REGISTRATION
EXPIRES: 03-31-16

EXHIBIT "A"



VICINITY MAP (N.T.S.)
T2N R1E
G&SRM



REGISTRATION
EXPIRES: 03-31-16

LEGEND

- SECTION AND CENTERLINE
- PROPERTY LINE
- CENTERLINE OF 8'EASEMENT
- EXISTING EASEMENT
- ◆ SECTION CORNER AS NOTED
- EQUIPMENT PAD(S) UNLESS OTHERWISE NOTED ARE PART OF THE EASEMENT
- ✱ SPLICE POINT

ABBREVIATION TABLE

BCHH	BRASS CAP IN HAND HOLE
ACAP	ALUMINUM CAP
BCF	BRASS CAP FLUSH
EPAD	EQUIPMENT PAD
MCR	MARICOPA COUNTY RECORDER
NTS	NOT TO SCALE
LVI	LAST VISUAL INSPECTION
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING

BASIS OF BEARINGS:
THE ARIZONA STATE PLANE COORDINATE
SYSTEM, CENTRAL ZONE, NAD 83 DATUM.

UNDERGROUND ELECTRIC POWER LINE RIGHT-OF-WAY MARICOPA COUNTY, ARIZONA

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.

SALT RIVER PROJECT
AGRICULTURAL IMPROVEMENT & POWER DISTRICT



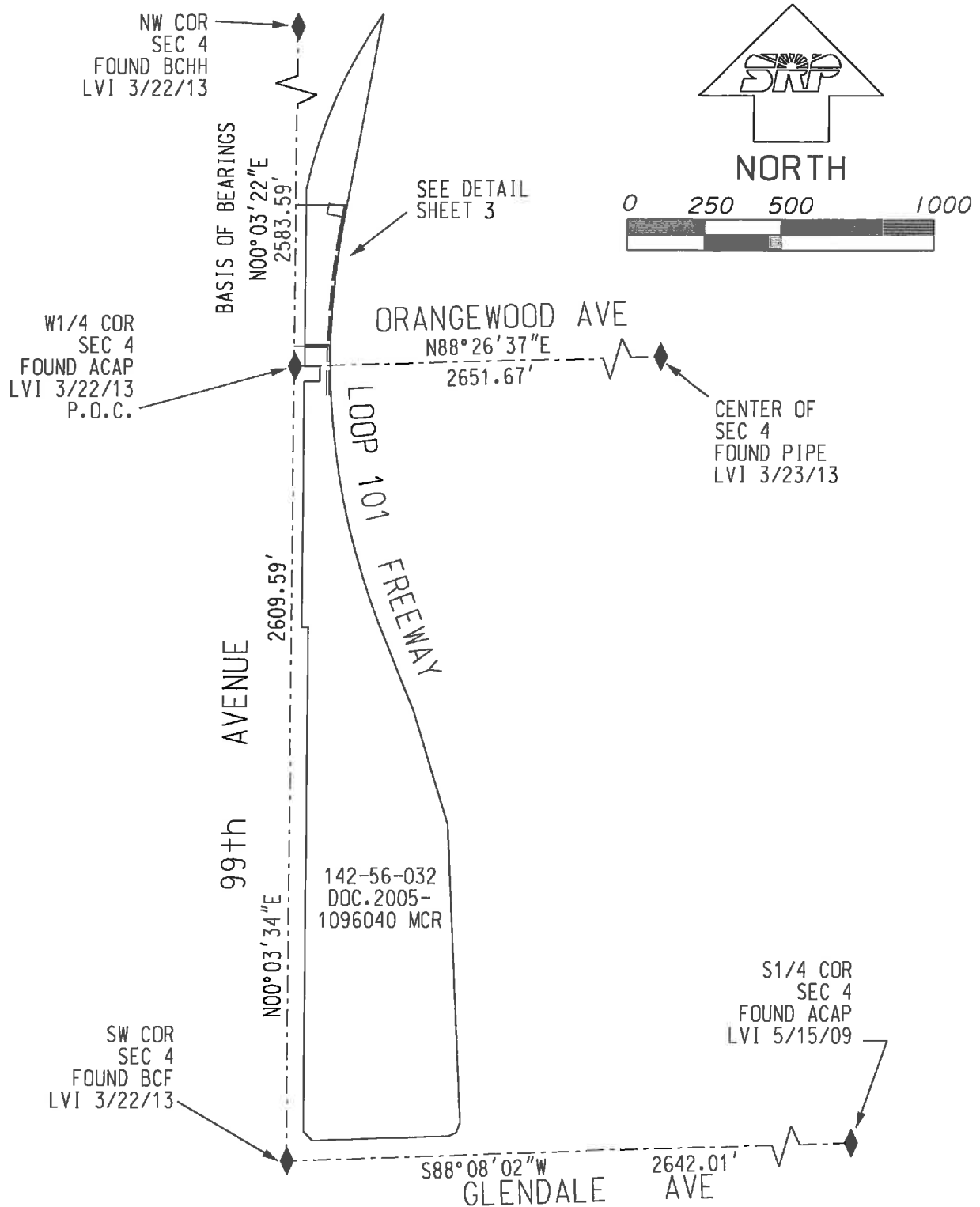
SURVEY DIVISION
LAND DEPARTMENT

LDWR NO.: 9792	SCALE: NTS
I.O. NO.: T2049225	SHEET: 1 OF 3
AGENT: J. CARPENTER <i>JRS 2/2/15</i>	SHEET SIZE: 8.5"x11"
DRAWN: B. HICK	REVISION: 0
CHECKED BY:	CREW CHIEF: B. GOJIC
DATE: 1/20/15	FIELD DATE: 1/8/15

LAMAR CENTRAL OUTDOOR
NW 1/4 SEC 4
T. 2 N., R. 1 E.
2.1E - 11.6N

Exhibit A-For Reference Only

EXHIBIT "A"



SALT RIVER PROJECT
AGRICULTURAL IMPROVEMENT & POWER DISTRICT



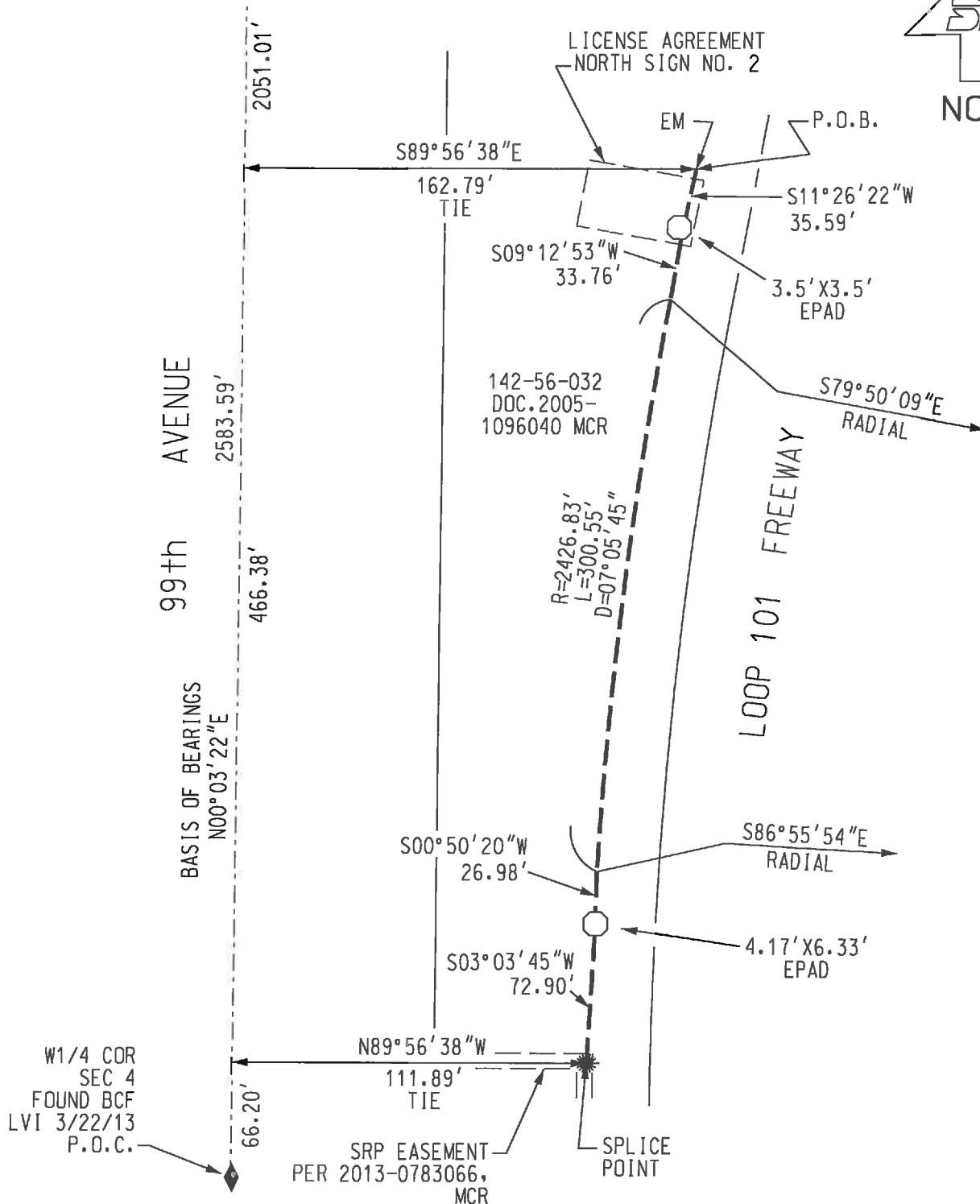
SURVEY DIVISION
LAND DEPARTMENT

LDWR NO.: 9792	SCALE: 1"=500'
I.O. NO.: T2049225	SHEET: 2 OF 3
AGENT: J. CARPENTER <i>JRS 3.2.15</i>	SHEET SIZE: 8.5"x11"
DRAWN: B. HICK	REVISION: 0
CHECKED BY:	CREW CHIEF: B. GOJIC
DATE: 1/20/15	FIELD DATE: 1/8/15

LAMAR CENTRAL OUTDOOR
NW 1/4 SEC 4
T. 2 N., R. 1 E.
2.1E - 11.6N

Exhibit A-For Reference Only

EXHIBIT "A"



SALT RIVER PROJECT
AGRICULTURAL IMPROVEMENT & POWER DISTRICT

LDWR NO.: 9792

SCALE: NTS

I.D. NO.: T2049225

SHEET: 3 OF 3

AGENT: J. CARPENTER

SHEET SIZE: 8.5"x11"

DRAWN: B. HICK

REVISION: 0

CHECKED BY:

CREW CHIEF: B. GOJIC

DATE: 1/20/15

FIELD DATE: 1/8/15



SURVEY DIVISION
LAND DEPARTMENT

LAMAR CENTRAL OUTDOOR
NW 1/4 SEC 4
T. 2 N., R. 1 E.
2.1E - 11.6N