

ORDINANCE NO. 2561 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE FOLLOWING ELECTRICAL TRANSMISSION LINE EASEMENTS IN FAVOR OF SALT RIVER PROJECT: (1) ACROSS 83RD AVENUE SOUTH OF GLENDALE AVENUE; AND (2) ALONG 83RD AVENUE SOUTH OF GLENDALE AVENUE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.

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

SECTION 1. That the City Council hereby approves the electrical transmission line easements and all the terms and conditions thereto and directs that the City Manager for the City of Glendale execute said documents granting Salt River Project easements upon, across, over and under the surface of certain property located within existing City property, in the form attached hereto as Exhibit A. The legal descriptions are contained in the easements.

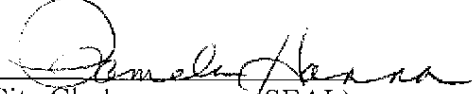
SECTION 2. That the City hereby reserves the right to use the easement premises in any manner that will not prevent or interfere with the exercise by Salt River Project of the rights granted hereunder; provided, however, that the City shall not obstruct, or permit to be obstructed, the easement premises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

SECTION 3. That the City Clerk be 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 24th day of April, 2007.


MAYOR

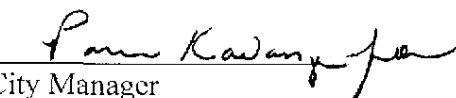
ATTEST:


City Clerk (SEAL)

APPROVED AS TO FORM:


City Attorney

REVIEWED BY:


City Manager

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT

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

EASEMENT

Maricopa County
83rd Avenue
PTN. NW/4, Sec. 11, T2N, R1E

R/W # 2382 Agt. WB
Job # XA3-3717
W WB C WA

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

hereinafter called Grantor, for and in consideration of the sum of Ten Dollars, 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 a line or lines of poles, towers, or other supporting structures and conductors or cables *suspended thereon and supported thereby, and underground conduits, conductors, pipes, cables, vaults, manholes, guys, anchorage, crossarms, braces, transformers and all other appliances, appurtenances and fixtures for the transmission and distribution of electricity, and for all other purposes connected therewith and for the transmission and distribution of telephone, audio and/or visual signal and other communication or data transmission purposes (collectively "Facilities")* at such locations and elevations, in, upon, over, under, across 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 and with the right to use lands adjacent to said easement during temporary periods of construction.

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:

83rd Avenue located in a portion of the Northwest quarter of Section 11, Township 2 North, Range 1 East, 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. Notice is also hereby given that any activity performed within the Easement Parcel shall comply with the Arizona Overhead Powerline Safety Law, Arizona Revised Statutes 40-360.41-45.

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 to construct, modify and maintain access openings at such locations and of such dimensions as solely determined by Grantee in walls or fences within the Easement Parcel. Grantor shall, at its expense, provide Grantee openings, at such locations and of such dimensions as solely determined by Grantee in future walls or fences within the Easement Parcel. Grantor shall have the right to install gates across said openings and Grantor and Grantee shall have the right to use said gates, provided that any locked gates be subject to joint access by Grantor and Grantee by provision of a multiple locking device.

Subject to the provisions set forth herein, Grantor reserves the right to use and occupy the Easement Parcel for any purpose consistent with the rights and privileges above granted, provided, however, that such use shall not unreasonably interfere with Grantee's right and ability to construct, access, maintain and use the Facilities, or endanger any of the Facilities or the use thereof.

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.

NW COR SEC 11
T2N, R1E
FND BCF

N1/4 COR SEC 11
T2N, R1E
FND BCHH

GLENDALE AVENUE

DOCUMENT
2005-1029869
MCR

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.

EASEMENT AREA
7193 SQUARE FEET



NTS

83RD AVENUE

LAMAR ROAD



2620.40' (M) 500° 07' 18" W

370.59' (C)

S89° 52' 42" E
56.92' (C)
(TIE)

POB

S89° 52' 37" E
8.06' (C)

245.26' (C)

500° 07' 23" W

233.67' (C)

S45° 17' 48" E
2.84' (C)

81.24' (C)

318.71' (C)

570.12' (C)

500° 07' 18" W

S44° 42' 03" W
9.36' (C)

BK 537, PG 22
MCR

SRP JOB NO.
XA3-3717

SALT RIVER PROJECT A.I.
& POWER DISTRICT
MARICOPA COUNTY, ARIZONA

THE GLEN AT 83RD AVE
4.1 EAST - 10.9 NORTH
NW1/4, SEC 11, T2N, R1E
OVERHEAD ELECTRIC
POWER LINE RIGHT-OF-WAY

DESIGNED	ALDRED	AGENT	BIGGS
DRAWN	MARTIN	APPROVED:	
DATE	03-14-07		
SCALE	N.T.S.	SHEET	1 OF 2

MATCH LINE SHEET 2

MATCH LINE SHEET 1

LEGEND

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

- SECTION AND CENTERLINE
- PROPERTY LINE
- LIMITS OF EASEMENT

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BK 537, PG 22
MCR



83RD AVENUE

OCOTILLO ROAD

W1/4 COR SEC 11
T2N, R1E
FND BCHH

MARYLAND AVENUE

SRP JOB NO.
XA3-3717



SALT RIVER PROJECT A.I. & POWER DISTRICT MARICOPA COUNTY, ARIZONA			
THE GLEN AT 83RD AVE 4.1 EAST - 10.9 NORTH NW1/4, SEC 11, T2N, R1E OVERHEAD ELECTRIC POWER LINE RIGHT-OF-WAY			
DESIGNED	ALDRED	AGENT	BIGGS
DRAWN	MARTIN	APPROVED:	
DATE	03-14-07		
SCALE	N.T.S.	SHEET	2 OF 2

N00° 28' 02" E
318.71' (C)

N00° 07' 18" E
2620.40' (M)

N00° 07' 18" E

N01° 06' 28" E
403.05' (C)

N00° 07' 18" E
570.12' (C)

S45° 17' 03" E
1.94' (C)

S01° 06' 28" W
72.00' (C)

N88° 53' 32" W
12.00' (C)

"Exhibit A"

A part of the Northwest Quarter of Section 11, Township 2 North, Range 1 East, Maricopa County, Arizona, Salt River Meridian, more particularly described as follows:

Commencing at the Northwest corner of said section 11 being a found brass cap flush, from which the North Quarter corner of said section a found brass cap in handhole bears N89°15'02"E, a distance of 2625.51 feet, (Basis of Bearing);

Thence coincident with the West line of the Northwest Quarter of said section 11, S00°07'18"W, 370.59 feet;

Thence departing said West line of said section 11, S89°52'42"E, 56.92 feet to the point of beginning;

Thence S89°52'37"E, 8.06 feet to a point on the East right-of-way line of 83rd Avenue;

Thence coincident with said East right-of-way line of 83rd Avenue S00°07'23"W, 233.67 feet;

Thence S45°17'48"E, 2.84 feet, leaving said 83rd Avenue right-of-way line;

Thence S00°28'02"W, 81.24 feet;

Thence S44°42'03"W, 9.36 feet to the East right-of-way line of 83rd Avenue;

Thence coincident with said East right-of-way of 83rd Avenue S00°07'18"W, 570.12 feet:

Thence S45°17'03"E, 1.94 feet, leaving said 83rd Avenue right-of-way line;

Thence S01°06'28"W, 72.00 feet;

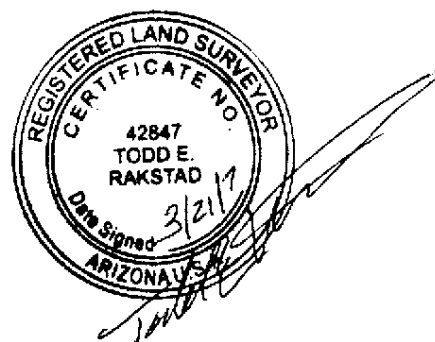
Thence N88°53'32"W, 12.00 feet;

Thence N01°06'28"E, 403.05 feet;

Thence N00°28'02"E, 318.71 feet;

Thence N00°06'10"E, 245.26 feet to the point of beginning.

Said parcel contains 7193 square feet.



WHEN RECORDED MAIL TO:

SALT RIVER PROJECT

Land Department/PAB400

P. O. Box 52025

Phoenix, Arizona 85072-2025

EASEMENT

Maricopa County

83rd Avenue

PTN. NW/4, Sec. 11, T2N, R1E

R/W # 2382 Agt. WB

Job # XA3-3717

W WB C MT

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an Arizona municipal corporation,**

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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.

NW COR SEC 11
T2N, R1E
FND BCF

N1/4 COR SEC 11
T2N, R1E
FND BCHH

GLENDALE AVENUE

N89°15'02"E (BASIS OF BEARING) 2625.51' (M)

EXHIBIT "A"

83RD AVENUE

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.

EASEMENT AREA:
2128 SQUARE FEET

DOCUMENT
2005-1029869
MCR



DOCUMENT
2003-1533663
MCR



W1/4 COR SEC 11
T2N, R1E
FND BCHH

MARYLAND AVENUE

LEGEND

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

- SECTION AND CENTERLINE
- PROPERTY LINE
- - - - - CENTERLINE OF PROPOSED 10' EASEMENT

NOTE: THIS EXHIBIT IS INTENDED TO ACCOMPANY AN EASEMENT, IT IS NOT A SURVEY AND SHOULD NOT BE CONSTRUED AS SUCH.

SRP JOB NO.
XA3-3717

SALT RIVER PROJECT A.1.
& POWER DISTRICT
MARICOPA COUNTY, ARIZONA

THE GLEN AT 83RD AVE
4.1 EAST - 10.9 NORTH
NW1/4, SEC 11, T2N, R1E
OVERHEAD ELECTRIC
POWER LINE RIGHT-OF-WAY

DESIGNED	ALDRED	AGENT	BIGGS
DRAWN	MARTIN	APPROVED:	
DATE	03-14-07		
SCALE	N.T.S.	SHEET	1 OF 1

"Exhibit A"

A part of the Northwest Quarter of Section 11, Township 2 North, Range 1 East, Maricopa County, Arizona, Salt River Meridian, more particularly described as follows:

Commencing at the Northwest corner of said section 11 being a found brass cap flush, from which the North Quarter corner of said section a found brass cap in handhole bears N89°15'02"E, a distance of 2625.51 feet, (basis of bearing);

Thence coincident with the West line of the Northwest Quarter of said section 11, S00°07'18"W, 293.32 feet to the point of beginning and hereafter also known as point A;

Said centerline hereafter described being the centerline of a 10 foot easement, 5 feet on each side;

Thence departing said West line S39°14'31"E, 102.46 feet to a point of terminus;

Thence from said point A, N39°14'31"W, 110.37 feet to a point of terminus;

Said parcel contains 2128 square feet.

