

ORDINANCE NO. O23-23

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A POWER DISTRIBUTION EASEMENT IN FAVOR OF SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT ALONG OCOTILLO ROAD BETWEEN 65<sup>TH</sup> AND 67<sup>TH</sup> AVENUES AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

WHEREAS, the City has requested, through its Municipal Aesthetics Program, Salt River Project Agricultural Improvement and Power District (SRP) to underground the existing overhead power lines in Ocotillo Road from 65<sup>th</sup> Avenue to 67<sup>th</sup> Avenue; and

WHEREAS, to support this request, SRP is requesting an easement in Ocotillo Road right-of-way, as described in Exhibit "A"; and

WHEREAS, the City is willing to provide SRP with the power distribution easement, as attached hereto as Attachment 1, to protect its facilities.

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

SECTION 1. That the City Council hereby approves granting the power distribution easement to SRP and authorizes and directs the City Manager to execute said easement, attached hereto as Attachment 1, on behalf of the City.

SECTION 2. That the City Clerk is instructed and authorized to forward a certified copy of this Ordinance and power transmission easement for recording to the Maricopa County Recorder's Office.

SECTION 3. That the provisions of this ordinance shall become effective thirty (30) days after passage of this ordinance by the Glendale City Council.

(Signatures on following page)

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale,  
Maricopa County, Arizona, this 27<sup>th</sup> day of June, 2023.

\_\_\_\_\_  
Mayor Jerry P. Weiers

ATTEST:

\_\_\_\_\_  
Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael D. Bailey, City Attorney

REVIEWED BY:

\_\_\_\_\_  
Kevin R. Phelps, City Manager

**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)**

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**POWER DISTRIBUTION EASEMENT**

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Maricopa County  
67th Avenue and Ocotillo Road  
NW ¼, SEC. 07, T02N, R02E

Agt. HAS  
Job # LJ91241 / T3398120  
W HAS C JEP  
R/W #

**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 07, Township 02 North, Range 02 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**Easement Parcel:**

See Exhibit "A" attached hereto and by their reference 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.

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.

Notwithstanding anything in this instrument, or laws, statutes, ordinances, rules, or regulations to the contrary, if Grantor requires Grantee to relocate or modify the Facilities, Grantor will (i) pay and/or reimburse Grantee any and all costs incurred for such relocation or modification and (ii) provide a reasonable new location for the Facilities, and easement rights therefor, that meets the standards set forth in this instrument. Grantor acknowledges that the Facilities are being located within public right-of-way at the request of Grantor, and that Grantee materially relied on the provisions of this paragraph in agreeing to Grantor's request.

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 "A"

SRP JOB NUMBER: T3398120

DATE: 12-01-2022

SRP JOB NAME: CUS UW OCOTILLO RD-65TH AVE TO 67TH AVE CONV-AESTHETICS

PAGE: 1 OF 4

TTRRSS: 2N2E07

AN EASEMENT LOCATED IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

**COMMENCING** AT THE NORTHWEST CORNER OF SAID SECTION 7, BEING A BRASS CAP IN HAND HOLE, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 7, BEING A BRASS CAP IN HAND HOLE, BEARS SOUTH 00 DEGREES 07 MINUTES 18 SECONDS WEST, A DISTANCE OF 2635.16 FEET, **(BASIS OF BEARING)**;

THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, SOUTH 00 DEGREES 07 MINUTES 18 SECONDS WEST, A DISTANCE OF 1283.14 FEET;

THENCE SOUTH 89 DEGREES 52 MINUTES 42 SECONDS EAST, A DISTANCE OF 65.00 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF 67TH AVENUE AND THE NORTHERLY RIGHT OF WAY OF OCOTILLO ROAD;

THENCE ALONG SAID NORTHERLY RIGHT OF WAY, NORTH 88 DEGREES 51 MINUTES 38 SECONDS EAST, A DISTANCE OF 3.77 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY, NORTH 88 DEGREES 51 MINUTES 38 SECONDS EAST, A DISTANCE OF 584.07 FEET;

THENCE SOUTH 01 DEGREES 08 MINUTES 22 SECONDS EAST, A DISTANCE OF 8.00 FEET;

THENCE SOUTH 88 DEGREES 51 MINUTES 38 SECONDS WEST, A DISTANCE OF 141.00 FEET;

THENCE SOUTH 00 DEGREES 07 MINUTES 19 SECONDS WEST, A DISTANCE OF 58.01 FEET TO THE SOUTHERLY RIGHT OF WAY OF SAID OCOTILLO ROAD;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY, SOUTH 88 DEGREES 51 MINUTES 38 SECONDS WEST, A DISTANCE OF 8.00 FEET;

THENCE NORTH 00 DEGREES 07 MINUTES 19 SECONDS EAST, A DISTANCE OF 58.01 FEET;

THENCE SOUTH 88 DEGREES 51 MINUTES 38 SECONDS WEST, A DISTANCE OF 232.00 FEET;

THENCE SOUTH 00 DEGREES 07 MINUTES 18 SECONDS WEST, A DISTANCE OF 58.01 FEET TO SAID SOUTHERLY RIGHT OF WAY;

EXHIBIT "A"

SRP JOB NUMBER: T3398120

DATE: 12-01-2022

SRP JOB NAME: CUS UW OCOTILLO RD-65TH AVE TO 67TH AVE CONV-AESTHETICS

PAGE: 2 OF 4

TTRRSS: 2N2E07

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY, SOUTH 88 DEGREES 51 MINUTES 38 SECONDS WEST, A DISTANCE OF 8.00 FEET;

THENCE NORTH 00 DEGREES 07 MINUTES 18 SECONDS EAST, A DISTANCE OF 58.01 FEET;

THENCE SOUTH 88 DEGREES 51 MINUTES 38 SECONDS WEST, A DISTANCE OF 187.07 FEET;

THENCE SOUTH 01 DEGREES 08 MINUTES 22 SECONDS EAST, A DISTANCE OF 58.00 FEET TO SAID SOUTHERLY RIGHT OF WAY;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY, SOUTH 88 DEGREES 51 MINUTES 38 SECONDS WEST, A DISTANCE OF 8.00 FEET;

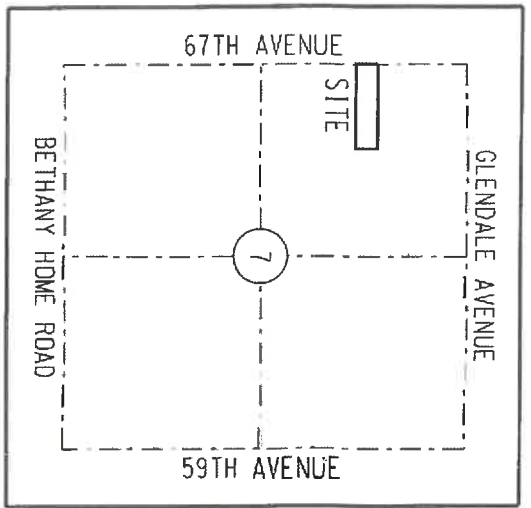
THENCE NORTH 01 DEGREES 08 MINUTES 22 SECONDS WEST, A DISTANCE OF 66.00 FEET TO SAID POINT OF BEGINNING.

SAID EASEMENT CONTAINS AN AREA OF 6064.80 SQUARE FEET, OR 0.14 ACRE, MORE OR LESS.

END OF DESCRIPTION








# EXHIBIT "A"



VICINITY MAP (NTS)  
T2N, R2E  
G8SRM

## LEGEND

-  SECTION AND CENTERLINE
-  PROPERTY LINE
-  TIE LINE
-  SECTION CORNER AS NOTED
-  EASEMENT AREA

## 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
MCR	MARICOPA COUNTY RECORDER
(M)	MEASURED
LV1	LAST VISUAL INSPECTION
NTS	NOT TO SCALE
POB	POINT OF BEGINNING
R/W	RIGHT OF WAY



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

## SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER DISTRICT

SRP LDWR NUMBER: NA	SCALE: NTS
I.O. NUMBER: 13398120	SHEET: 3 OF 4
AGENT: SOLIZ	SHEET SIZE: 8.5" x 11"
DRAWN: MALEK	REVISION: 0
CHECKED BY: GOREHAM	CREW CHIEF: BAFALOUKOS
DATE: 12-01-2022	JEP FIELD DATE: 08-31-2022



SURVEY DIVISION  
LAND DEPARTMENT

CUS UW OCOTILLO RD  
65TH AVE TO 67TH AVE CONV  
NW 1/4, SECTION 7  
T.2 N. - R.2 E.  
10.4 NORTH - 6.1 EAST

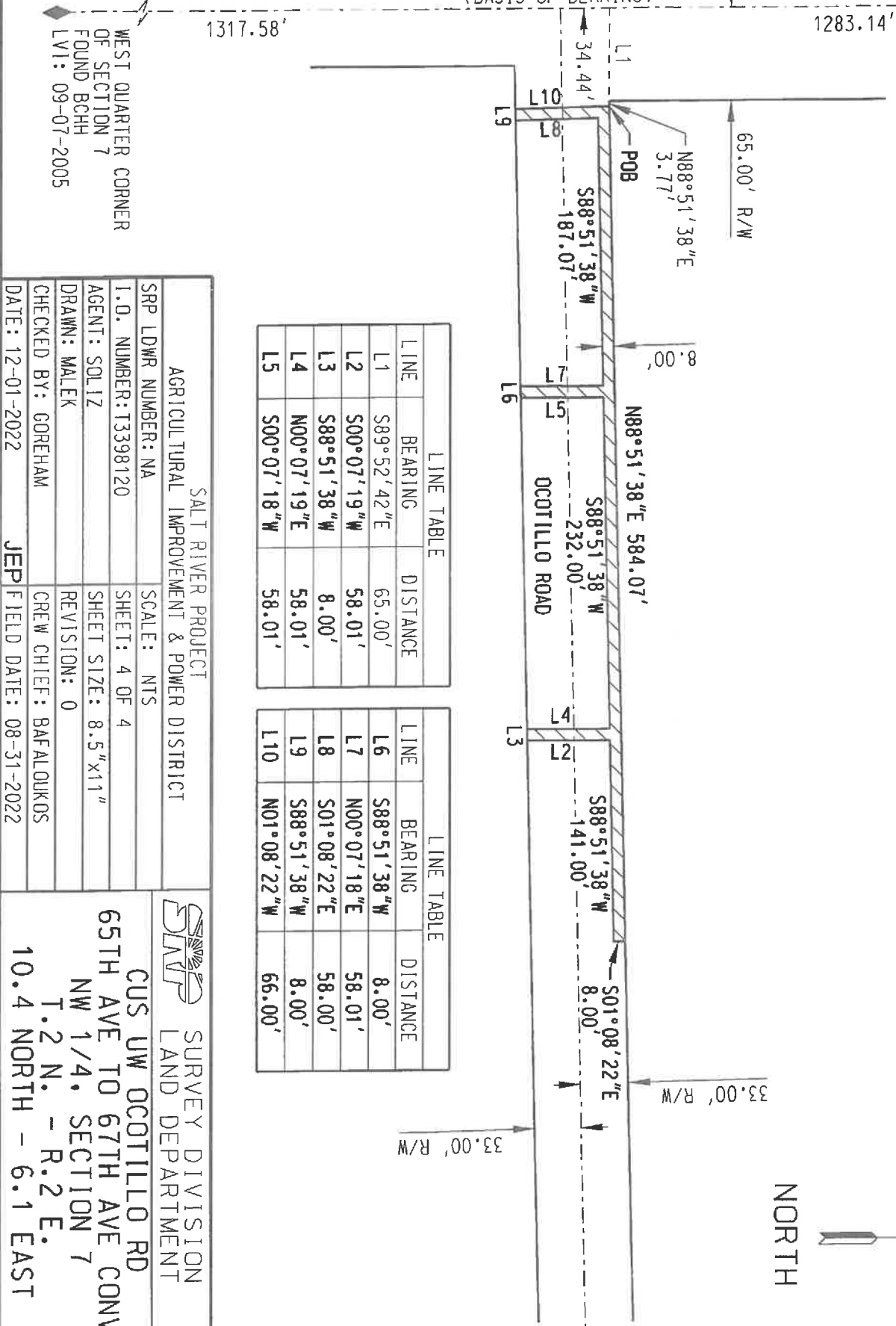
NORTHWEST CORNER OF SECTION 7  
 FOUND BCHH  
 LV1: 10-03-2007  
 POINT OF COMMENCEMENT

# EXHIBIT "A"



NORTH


67TH AVENUE  
 500°07'18"W 2635.16' (M)  
 (BASIS OF BEARING)



LINE	BEARING	DISTANCE
L1	S89°52'42"E	65.00'
L2	S00°07'19"W	58.01'
L3	S88°51'38"W	8.00'
L4	N00°07'19"E	58.01'
L5	S00°07'18"W	58.01'

LINE	BEARING	DISTANCE
L6	S88°51'38"W	8.00'
L7	N00°07'18"E	58.01'
L8	S01°08'22"E	58.00'
L9	S88°51'38"W	8.00'
L10	N01°08'22"W	66.00'

SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER DISTRICT	
SRP LDWR NUMBER: NA	SCALE: NTS
I.D. NUMBER: 13398120	SHEET: 4 OF 4
AGENT: SOL IZ	SHEET SIZE: 8.5"x11"
DRAWN: MALEK	REVISION: 0
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 SURVEY DIVISION  
 LAND DEPARTMENT  
**CUS UW OCOTILLO RD**  
**65TH AVE TO 67TH AVE CONV**  
**NW 1/4, SECTION 7**  
**T.2 N. - R.2 E.**  
**10.4 NORTH - 6.1 EAST**

WEST QUARTER CORNER  
 OF SECTION 7  
 FOUND BCHH  
 LV1: 09-07-2005

1317.58'

1283.14'

65.00' R/W

8.00'

33.00' R/W

33.00' R/W

L1

L10

L9

L8

L7

L6

L5

L4

L3

L2

L1

L10

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