

ORDINANCE NO. 024-28

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 AT THE DESERT DIAMOND ARENA AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

WHEREAS, the City of Glendale (City) owns the Desert Diamond Arena; and

WHEREAS, in support of new development west of the Arena, SRP is requesting a new easement as legally described in Exhibit A; and

WHEREAS, the City is willing to provide SRP with the power distribution easement, as attached hereto as Exhibit A, 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 Exhibit A, 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 13th day of August 2024.

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)**

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 102-01-032
NE ¼, SEC. 09, T02N, R01E

Agt. Henry A Soliz
Job # LJ89822 / T3413989
W HAS C _____
R/W # _____

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 and sufficiency 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, and its successors and assigns, hereinafter called Grantee, for use by Grantee and Grantee's employees, contractors, licensees, and invitees, a non-exclusive easement to construct, install, reconstruct, replace, remove, repair, operate and maintain underground electrical conduits and conductors, pipes, cables, switching equipment, transformers, pad-mounted equipment, enclosures, manholes, vaults, and all other appliances, appurtenances and fixtures (collectively, "Facilities") for the transmission and distribution of electricity, communication signals and data, and for all other purposes connected therewith at such locations and elevations, in, upon, over, under, across, through and along the Easement Parcel (defined below), as Grantee may now or hereafter deem convenient or necessary from time to time, together with the right of access to and from the Easement Parcel, over, across, through and along Grantor's Property (defined below) (collectively, the "Easement"). Grantee is hereby authorized to permit others to use the Easement for additional Facilities jointly with or separately from the Grantee for their purposes.

The lands in, upon, over, under, across, through and along which the 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 Northeast quarter of Section 09, Township 02 North, Range 01 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.

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: T3413989
SRP JOB NAME: WESTGATE THIRSTY LION
TTRRSS: 2N1E9

DATE: 07-01-2024
PAGE: 1 OF 4

AN EASEMENT WITHIN A PARCEL OF LAND AS DESCRIBED PER DOCUMENT 2005-0570049 MARICOPA COUNTY RECORDER (MCR) LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 9, BEING A BRASS CAP IN HANDHOLE, FROM WHICH THE CENTER QUARTER CORNER OF SAID SECTION 9, BEING A BRASS CAP IN HANDHOLE, BEARS SOUTH 88 DEGREES 02 MINUTES 23 SECONDS WEST, A DISTANCE OF 2645.13 FEET (**BASIS OF BEARINGS**);

THENCE ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9, SOUTH 89 DEGREES 52 MINUTES 37 SECONDS EAST, A DISTANCE OF 2157.21 FEET;

THENCE NORTH 01 DEGREES 47 MINUTES 01 SECONDS WEST, A DISTANCE OF 800.59 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 01 DEGREES 47 MINUTES 01 SECONDS WEST, A DISTANCE OF 8.00 FEET;

THENCE NORTH 88 DEGREES 59 MINUTES 23 SECONDS EAST, A DISTANCE OF 12.33 FEET;

THENCE NORTH 01 DEGREES 47 MINUTES 14 SECONDS WEST, A DISTANCE OF 94.19 FEET;

THENCE NORTH 88 DEGREES 12 MINUTES 46 SECONDS EAST, A DISTANCE OF 8.00 FEET;

THENCE SOUTH 01 DEGREES 47 MINUTES 14 SECONDS EAST, A DISTANCE OF 102.30 FEET;

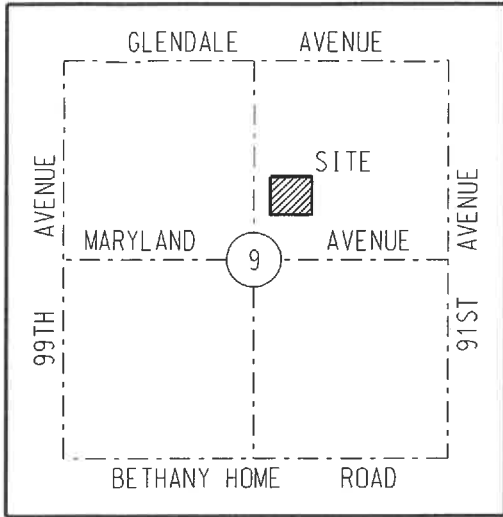
THENCE SOUTH 88 DEGREES 59 MINUTES 23 SECONDS WEST, A DISTANCE OF 20.34 FEET TO SAID **POINT OF BEGINNING**.

SAID EASEMENT CONTAINS AN AREA OF 917 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

END OF DESCRIPTION



EXHIBIT "A"



VICINITY MAP (NTS)
T2N, R1E
G&SRM

LEGEND

- SECTION AND CENTERLINE
- PROPERTY LINE
- LIMITS OF SRP EASEMENT
- TIE LINE
- ◆ SECTION CORNER AS NOTED

ABBREVIATION TABLE

| | |
|-----|--------------------------|
| APN | ASSESSOR'S PARCEL NUMBER |
| MCR | MARICOPA COUNTY RECORDER |
| (M) | MEASURED |
| LVI | LAST VISUAL INSPECTION |
| NTS | NOT TO SCALE |



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

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.


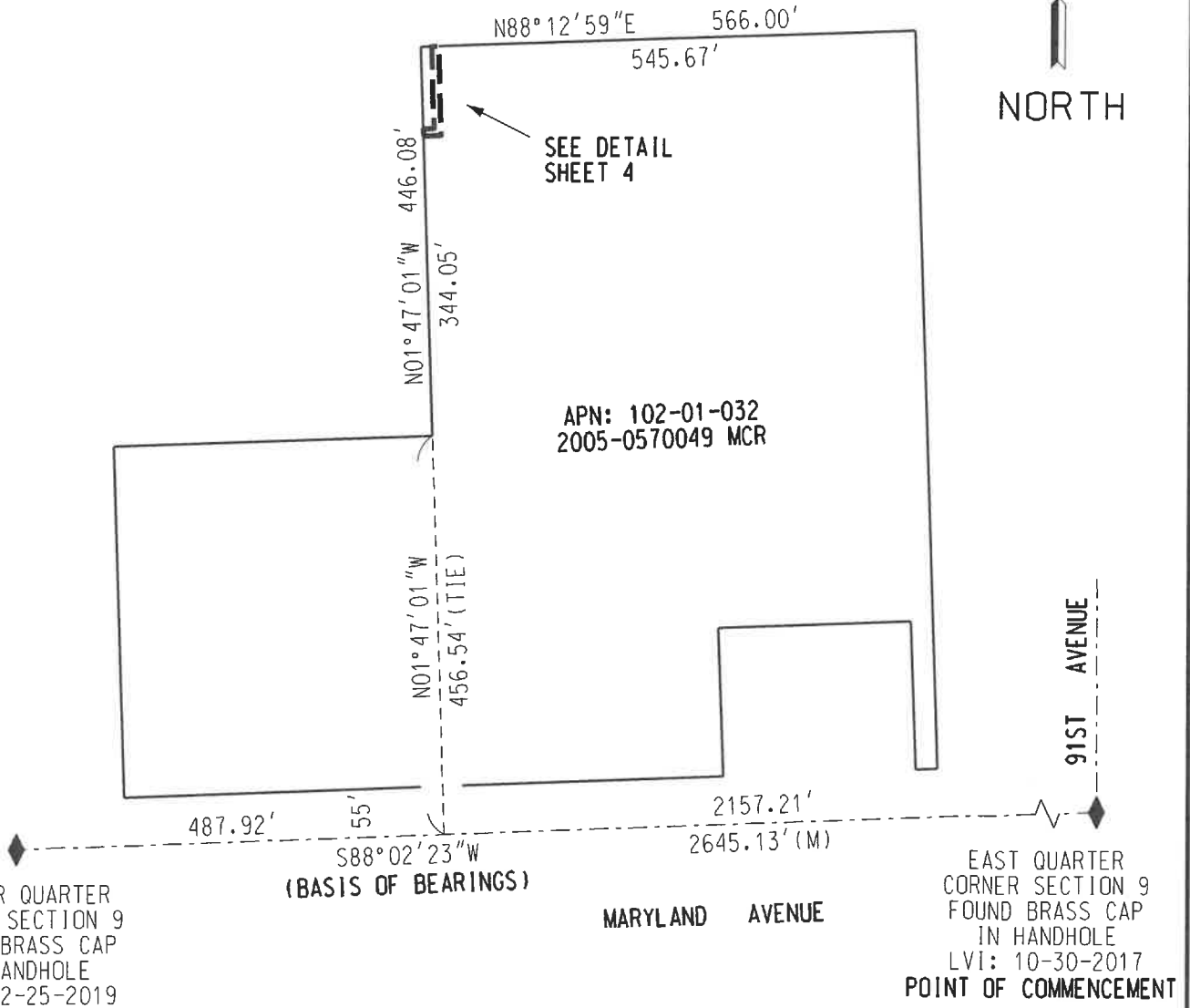
| | | |
|---|------------------------|---|
| SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER DISTRICT | |  SURVEY DIVISION LAND DEPARTMENT |
| SRP I.O. NUMBER: T3413989 | SCALE: NTS | |
| LJ NUMBER: 89822 | SHEET: 2 OF 4 | WESTGATE THIRSTY LION NE1/4 SECTION 9 T.2 N., R. 1 E. 2.56E - 10.69N |
| AGENT: SOLIZ | SHEET SIZE: 8.5"x11" | |
| DRAWN: HICK | REVISION: 0 | |
| CHECKED BY: HOWARD | CREW CHIEF: BG | |
| DATE: 07-01-2024 | FIELD DATE: 06-26-2024 | |

EXHIBIT "A"



(BASIS OF BEARINGS)

0 100 200 400




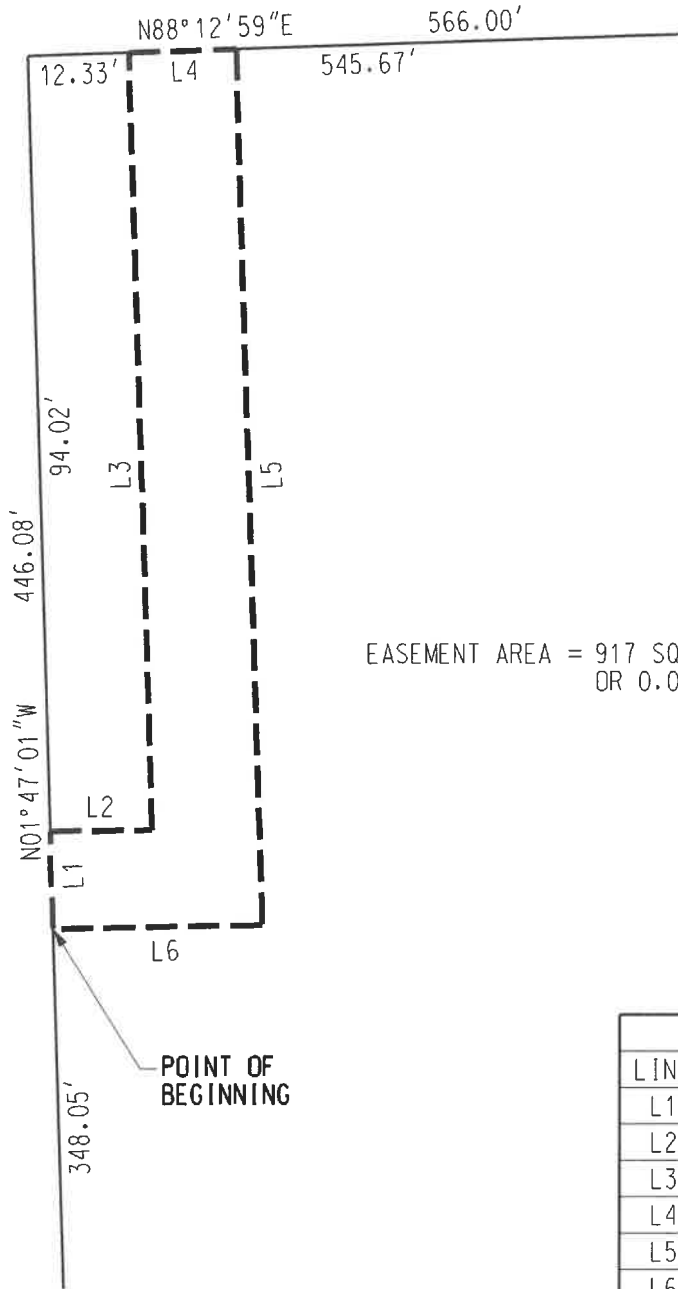
| | | |
|---|------------------------|---|
| SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER DISTRICT | |  SURVEY DIVISION LAND DEPARTMENT |
| SRP I.O. NUMBER: T3413989 | SCALE: 1" = 200' | |
| LJ NUMBER: 89822 | SHEET: 3 OF 4 | WESTGATE THIRSTY LION NE 1/4 SECTION 9 T. 2 N., R. 1 E. 2.56E - 10.69N |
| AGENT: SOLIZ | SHEET SIZE: 8.5"x11" | |
| DRAWN: HICK | REVISION: 0 | |
| CHECKED BY: HOWARD | CREW CHIEF: BG | |
| DATE: 07-01-2024 | FIELD DATE: 06-26-2024 | |

EXHIBIT "A"



EASEMENT AREA = 917 SQUARE FEET
OR 0.02 ACRES MORE OR LESS

| LINE TABLE | | |
|------------|-------------|----------|
| LINE | BEARING | DISTANCE |
| L1 | N01°47'01"W | 8.00' |
| L2 | N88°59'23"E | 12.33' |
| L3 | N01°47'14"W | 94.19' |
| L4 | N88°12'46"E | 8.00' |
| L5 | S01°47'14"E | 102.30' |
| L6 | S88°59'23"W | 20.34' |

| | |
|---|------------------------|
| SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER DISTRICT | |
| SRP I.O. NUMBER: T3413989 | SCALE: NTS |
| LJ NUMBER: 89822 | SHEET: 4 OF 4 |
| AGENT: SOLIZ | SHEET SIZE: 8.5"x11" |
| DRAWN: HICK | REVISION: 0 |
| CHECKED BY: HOWARD | CREW CHIEF: BG |
| DATE: 07-01-2024 | FIELD DATE: 06-26-2024 |

SURVEY DIVISION
LAND DEPARTMENT

WESTGATE THIRSTY LION
NE1/4 SECTION 9
T.2 N., R. 1 E.
2.56E - 10.69N