

ORDINANCE NO. 025-31

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 IN 95<sup>TH</sup> AVENUE RIGHT-OF-WAY SOUTH OF MONTEBELLO AVENUE AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

WHEREAS, the City of Glendale owns the right-of-way on 95<sup>th</sup> Avenue adjacent to the VAI Resort Office Complex located at 9481 West Montebello Avenue; and

WHEREAS, Salt River Project Agricultural Improvement and Power District (“SRP”) will install equipment in 95<sup>th</sup> Avenue right-of-way to supply power to the office complex; and

WHEREAS, SRP is requesting an easement as legally described in Attachment 1; 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 distribution 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 24<sup>th</sup> day of June, 2025.

\_\_\_\_\_  
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, Interim 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  
95th Avenue  
NW ¼, SEC. 16, T02N, R01E

Agt. Henry A Soliz  
Job # LJ82783 / T3533132  
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 Northwest quarter of Section 16, 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.

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: T3533132  
SRP JOB NAME: VAI RESORT ADMIN BLDG  
TTRRSS: 2N1E16

DATE: 06-09-2025  
PAGE: 1 OF 4

AN EASEMENT WITHIN IN THE NORTHWEST QUARTER OF SECTION 16, 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 CENTER QUARTER CORNER OF SAID SECTION 16, BEING A BRASS CAP FLUSH, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 16, BEING A BRASS CAP FLUSH, BEARS NORTH 00 DEGREES 27 MINUTES 51 SECONDS EAST, A DISTANCE OF 2709.78 FEET (**BASIS OF BEARINGS**);

THENCE NORTH 00 DEGREES 27 MINUTES 51 SECONDS EAST, A DISTANCE OF 967.16 FEET;

THENCE NORTH 89 DEGREES 32 MINUTES 09 SECONDS WEST, A DISTANCE OF 186.33 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 89 DEGREES 31 MINUTES 58 SECONDS WEST, A DISTANCE OF 15.00 FEET;

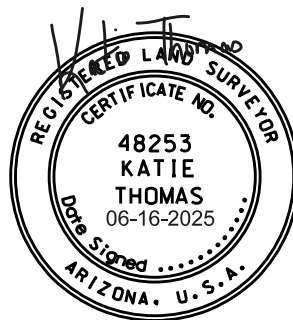
THENCE NORTH 00 DEGREES 28 MINUTES 03 SECONDS EAST, A DISTANCE OF 15.17 FEET;

THENCE SOUTH 89 DEGREES 31 MINUTES 58 SECONDS EAST, A DISTANCE OF 15.00 FEET;

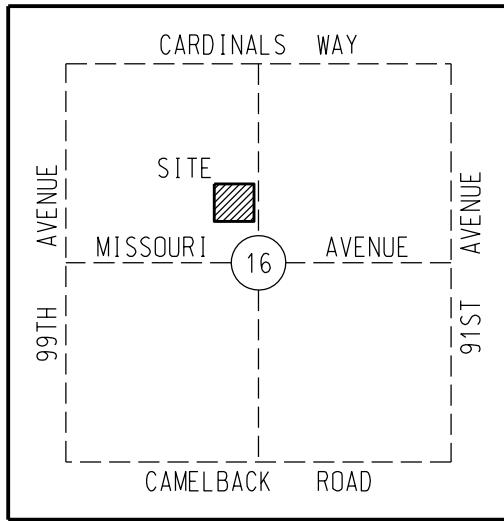
THENCE SOUTH 00 DEGREES 28 MINUTES 04 SECONDS WEST, A DISTANCE OF 15.17 FEET TO SAID **POINT OF BEGINNING**.

SAID EASEMENT CONTAINS AN AREA OF 227 SQUARE FEET OR 0.010 ACRES, MORE OR LESS.

**END OF DESCRIPTION**



# EXHIBIT "A"



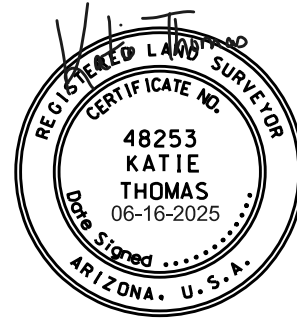
VICINITY MAP (NTS)  
T2N, R1E  
G&SRM

## LEGEND

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

## ABBREVIATION TABLE

MCR	MARICOPA COUNTY RECORDER
(M)	MEASURED
LVI	LAST VISUAL INSPECTION
NTS	NOT TO SCALE
SRP	SALT RIVER PROJECT
R/W	RIGHT OF WAY



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.

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



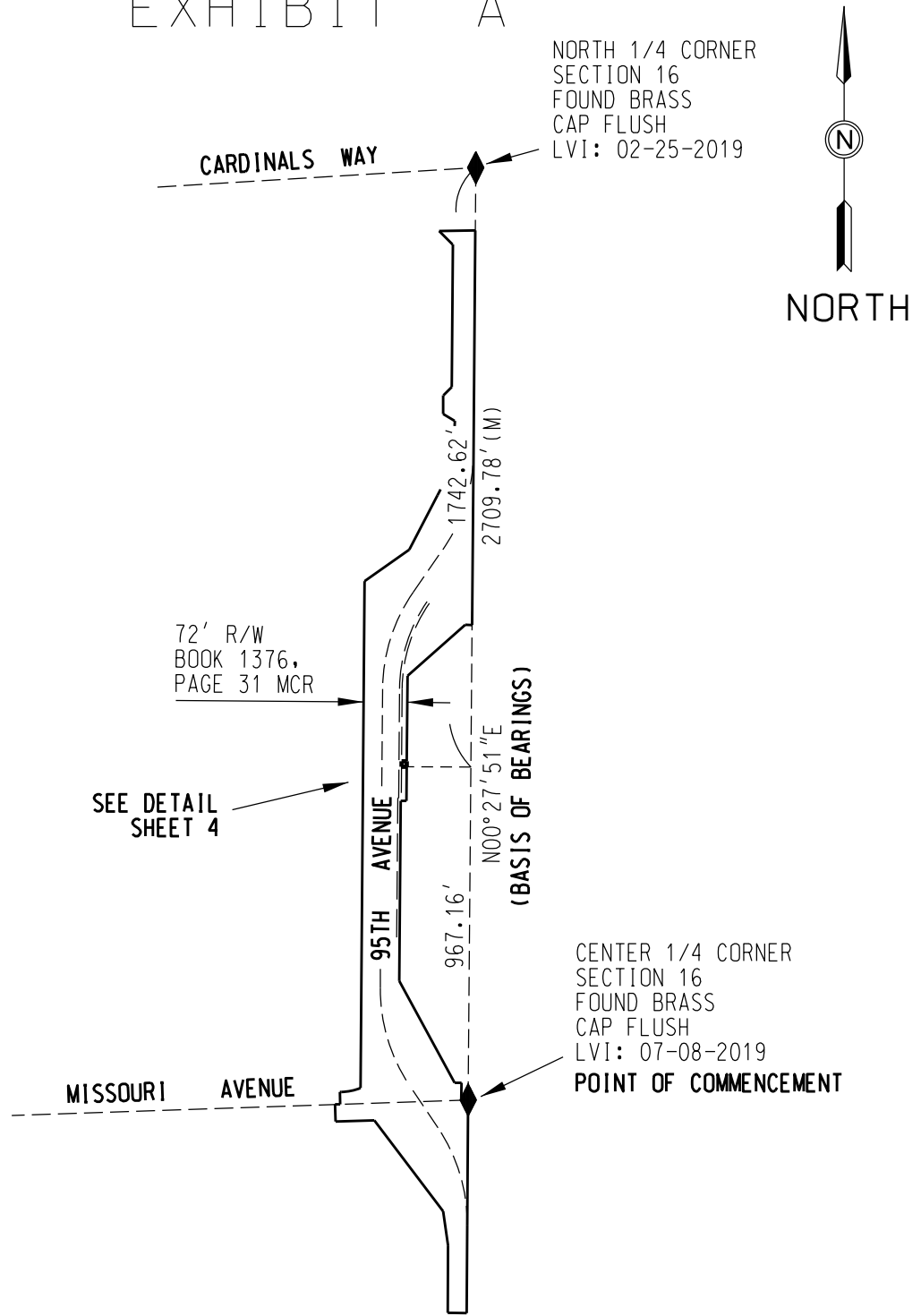
SURVEY DIVISION  
LAND DEPARTMENT

SALT RIVER PROJECT  
AGRICULTURAL IMPROVEMENT & POWER DISTRICT

VAI RESORT ADMIN BLDG  
NW 1/4 SECTION 16  
T.2 N., R.1 E.  
2.38E - 9.81N

SRP JOB NUMBER: T3533132	SCALE: NTS
AGENT: SOLIZ	SHEET: 2 OF 4
DRAWN: HICK	SHEET SIZE: 8.5"x11"
DATE: 06-09-2025	REVISION: 0

# EXHIBIT "A"



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



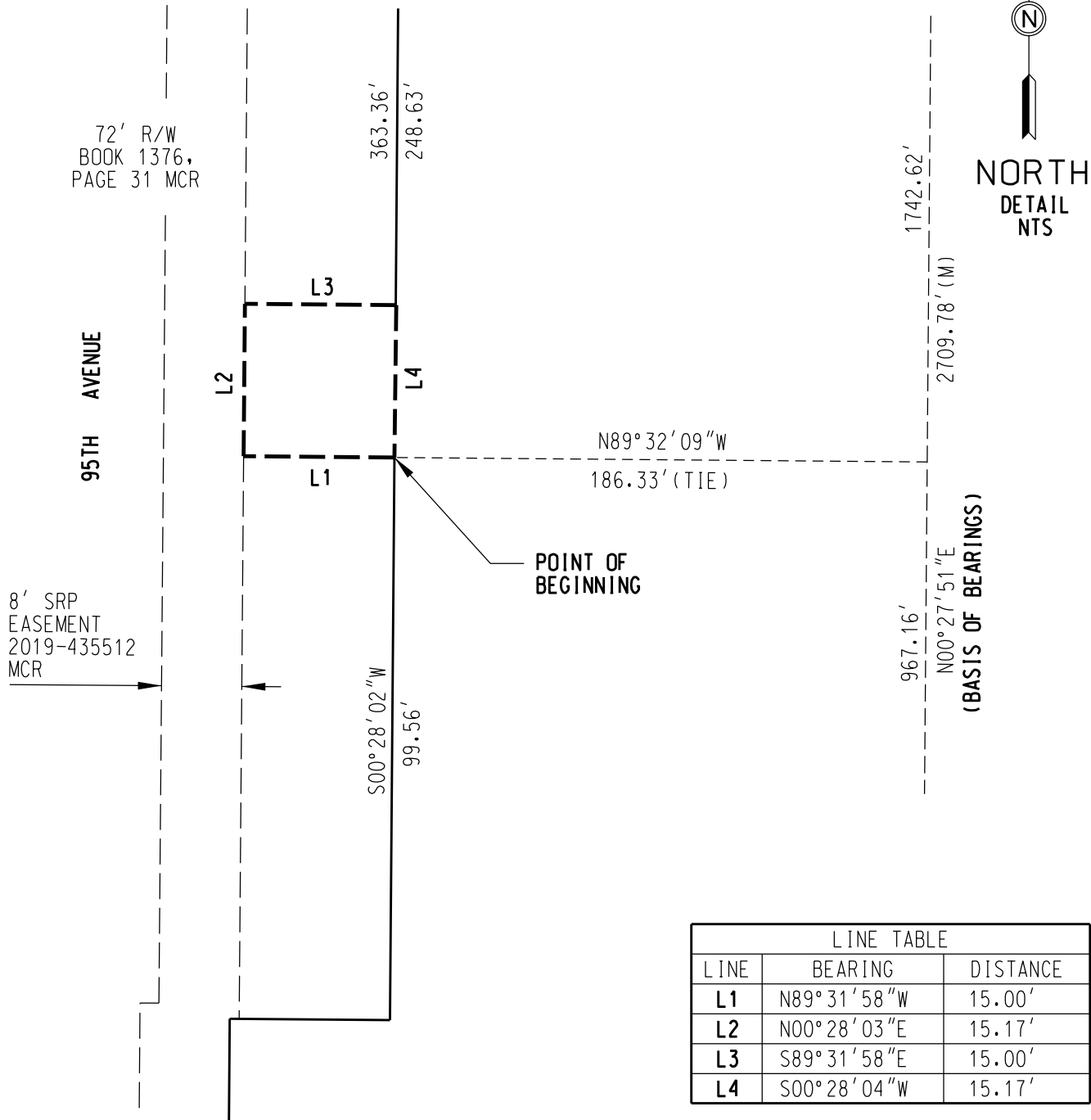
SURVEY DIVISION  
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SRP JOB NUMBER: T3533132	SCALE: NTS
AGENT: SOLIZ	SHEET: 3 OF 4
DRAWN: HICK	SHEET SIZE: 8.5"x11"
DATE: 06-09-2025	REVISION: 0

# EXHIBIT "A"



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N89°31'58"W	15.00'
L2	N00°28'03"E	15.17'
L3	S89°31'58"E	15.00'
L4	S00°28'04"W	15.17'

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



SURVEY DIVISION  
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SRP JOB NUMBER: T3533132	SCALE: NTS
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DRAWN: HICK	SHEET SIZE: 8.5"x11"
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