



CITY OF GLENDALE

Council Communication

Business-Voting Agenda

05/10/2005
Item No. 17

TO: Honorable Mayor and City Council

FROM: Ed Beasley, City Manager

PREPARED BY: Larry J. Broyles, P.E., City Engineer
Kathie A. Sholly, Property Manager

SUBJECT: **SOUTHWEST GAS CORPORATION EASEMENT:
NORTHWEST CORNER OF 55th AVENUE AND UNION
HILLS DRIVE**

Purpose

This is a request for the City Council to grant an easement in favor of Southwest Gas Corporation (SGC) for service to the city's proposed Foothills Recreation and Aquatic Center at the northwest corner of 55th Avenue and Union Hills Drive.

Background

To accommodate the development of the Aquatic Center, the city has requested SGC relocate its regulator station and gas piping facilities. SGC needs an easement to protect its relocated facilities.

Recommendation

Waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute an easement in favor of Southwest Gas Corporation.

Ed Beasley
City Manager



Memorandum

DATE: May 10, 2005

TO: Ed Beasley, City Manager

FROM: Larry J. Broyles, P.E., City Engineer

SUBJECT: SOUTHWEST GAS CORPORATION EASEMENT AT THE
NORTHWEST CORNER OF 55TH AVENUE AND UNION HILLS
DRIVE

(See Attachments)

City Engineer

Date

Deputy City Manager

4/22/05

Date

LG\km

ATTACHMENTS

Sketch

Ordinance



**SOUTHWEST GAS EASEMENT
THE AQUATIC CENTER
55th AVE & UNION HILLS DR**



ORDINANCE NO. _____ NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A UTILITY EASEMENT IN FAVOR OF SOUTHWEST GAS CORPORATION AT THE NORTHWEST CORNER OF 55TH AVENUE AND UNION HILLS DRIVE; 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 utility easement and all the terms and conditions thereto and directs that the City Manager for the City of Glendale execute said document granting Southwest Gas Corporation a utility easement 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 description is 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 said property owner 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 the property owner.

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 _____ day of _____, 2005.

MAYOR

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

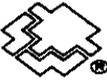
City Attorney

REVIEWED BY:

City Manager

Hold for Pick-Up Box
Southwest Gas Corporation

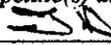
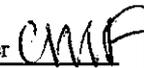
9 So. 43rd Avenue
Phoenix, AZ 85009
Mail Sta 420-586



SOUTHWEST GAS CORPORATION
GRANT OF EASEMENT

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City of Glendale
APN # 200-26-003C

This form is used to acquire land rights for installation of pipeline(s) and appurtenances.

Prepared By Troy Hollinger  Approved By Claudia Fisher 
Sec. SW ¼ 29 T 4 N R 2 E Meridian G&SRB&M
W.R. No. 0501302446 W.O. No. _____

For and in consideration of the sum of One Dollar (\$1.00) and other goods and valuable consideration, receipt of which is hereby acknowledged, the undersigned, hereinafter referred to as Grantor, does hereby grant, convey, quitclaim and release unto SOUTHWEST GAS CORPORATION, hereinafter referred to as Grantee, a permanent easement N/A feet wide for the installation and maintenance of a gas pipeline or pipelines and appurtenances, across, over, under and through the following described property, to wit:
SEE ATTACHED EXHIBIT "A" & "B"

together with the right of ingress and egress to and from the said right-of-way and the rights to use existing roads for the purpose of constructing, inspecting, repairing, and maintaining said pipeline or pipelines and appurtenances and the removal or replacement of same, in whole or in part, at will.

Grantor agrees that no buildings, structures, fences or trees shall be placed upon, over or under said parcel of land, except for street, road or driveway purposes, which Grantor agrees shall not interfere with Grantee's exercise of the rights herein granted. Grantee agrees to work with due care in the exercise of its rights on the property and to restore it to reasonably the same condition which existed before the work was performed.

Except as provided above, Grantee agrees to pay all damages which are caused by the exercise of the rights herein granted.

TO HAVE AND TO HOLD said easement unto Grantee, its successors and assigns, together with all rights granted hereby, forever.

IN WITNESS WHEREOF, the undersigned has executed this Grant of Easement this _____ day of _____, 2005

ACKNOWLEDGEMENT

STATE OF _____) Grantor _____
_____)

COUNTY OF _____) Grantor _____

On _____, before me, _____ personally appeared

_____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he, she or they executed the same in his, her or their authorized capacity(ies), and that by his, her or their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____ (Seal)

"EXHIBIT "A"

GRANT OF EASEMENT

SOUTHWEST GAS CORPORATION

WR 0501302446

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A portion of the Southwest quarter of Section Twenty-Nine (29), Township Four (4) North, Range Two (2) East of the Gila and Salt River Base and Meridian more particularly described in Docket 85-571162 as recorded at Maricopa County Records Office, Skunk Creek Park Site, Arrowhead Ranch, Glendale, Arizona for Paloma Corporation, PARCEL NO. 1;

Along the following described line on the above described premises:

Beginning at the South Quarter ($S \frac{1}{4}$) corner of said Section 29, Thence South $89^{\circ} 16' 06''$ West along the South line of said Section 29 to a point 20.00 feet West of the North-South midsection line of said Section 29, a distance of 20.00 feet; Thence North $01^{\circ} 28' 23''$ West parallel to and 20.00 feet West of the North-South midsection line of said Section 29 to a point 50.00 North of the South line of said Section 29 a distance of 50.00 feet; Thence South $89^{\circ} 16' 06''$ West 225.00 feet to **THE TRUE POINT OF BEGINNING**; Thence North $01^{\circ} 28' 23''$ West 41.00 feet to a point; Thence South $89^{\circ} 16' 06''$ West 22.00 feet to a point; Thence South $01^{\circ} 28' 23''$ East 22.00 feet to a point; Thence North $89^{\circ} 16' 06''$ East 12.00 feet to a point; Thence South $01^{\circ} 28' 23''$ East 19.00 feet to a point; Thence North $89^{\circ} 16' 06''$ east 10.00 feet more or less to **THE POINT OF BEGINNING**.

"EXHIBIT "B"

GRANT OF EASEMENT

SOUTHWEST GAS CORPORATION

WR 0501302446

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