

When Recorded Mail To:

City Clerk  
City of Glendale  
5850 West Glendale Avenue  
Glendale, AZ 85301-2599



OFFICIAL RECORDS OF  
MARICOPA COUNTY RECORDER  
HELEN PURCELL  
2002-0283371 03/20/02 13:59  
2 OF 3

DELROSSO

ORDINANCE NO. 2245 NEW SERIES

ELAINE M. SCRUGGS  
MAYOR

ATTEST:

PAMELA OLIVEIRA  
City Clerk

STATE OF ARIZONA )  
County of Maricopa ) ss  
City of Glendale )

(SEAL)

APPROVED AS TO FORM:

RICK FLAAEN  
City Attorney

I, the undersigned, Pam Oliveira, being the duly appointed and qualified City Clerk of the City of Glendale, Maricopa County, Arizona certify that the foregoing Ordinance No. 2245 New Series is a true, correct, and accurate copy of Ordinance No. 2245 New Series, passed and adopted at a regular meeting of the Council of the City of Glendale, held on the 26<sup>th</sup> day of February, 2002, at which a quorum was present and voted in favor of said Ordinance.

REVIEWED BY:

ED BEASLEY  
City Manager

Given under my hand and seal this 15th day of March, 2002.

  
CITY CLERK

ORDINANCE NO. 2245 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 ARIZONA PUBLIC SERVICE COMPANY FOR THE INSTALLATION OF POWER LINES AND RELATED FACILITIES AT THE PYRAMID PEAK WATER TREATMENT FACILITY IN GLENDALE, ARIZONA; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.

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

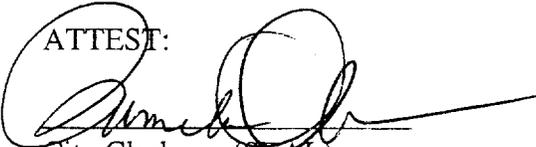
SECTION 1. That the City Council hereby approves the utility easement and all the terms and conditions thereto and directs that the City Manager for the City of Glendale execute said document granting Arizona Public Service Company a utility easement upon, across, over and under the surface of certain property located within existing City property, in the form attached hereto as Exhibit A. The legal description is contained in the Easement.

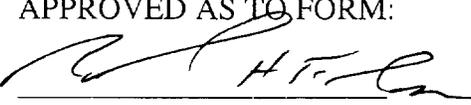
SECTION 2. That the City hereby reserves the right to use the easement premises in any manner that will not prevent or interfere with the exercise by Arizona Public Service Company of the rights granted hereunder; provided, however, that the City shall not obstruct, or permit to be obstructed, the easement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

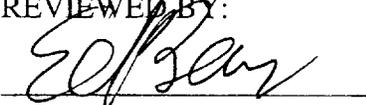
SECTION 3. That the City Clerk be instructed and authorized to forward a certified copy of this ordinance for recording to the Maricopa County Recorder's Office.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 26<sup>th</sup> day of February, 2002.

  
MAYOR

ATTEST:  
  
City Clerk (SEAL)

APPROVED AS TO FORM:  
  
City Attorney

REVIEWED BY:  
  
City Manager

SE-30-5N-2E  
W-89022  
RCB

## RIGHT OF WAY EASEMENT

In consideration of One Dollar (\$1.00), the receipt of which is hereby acknowledged, City of Glendale, a **Municipal Corporation** (hereinafter called "Grantor") does hereby grant and convey to **ARIZONA PUBLIC SERVICE COMPANY** (hereinafter called "Company"), its successors and assigns, an easement 15 feet in width, to construct, operate and maintain electric lines and appurtenant facilities upon, across, under and over the surface of the premises hereinafter described.

The premises through and across which this easement is granted are situated in Maricopa County, Arizona, and are described on EXHIBIT "A" attached hereto and by this reference incorporated herein.

Said easement being more particularly described on EXHIBIT "B" attached hereto and by this reference incorporated herein.

Together with the right to operate, repair, replace, maintain, and remove said lines and appurtenant facilities from said premises; to add to or alter said lines and/or facilities at any reasonable time, and to trim or prune any trees or shrubs located within or outside the limits of this easement that in the judgment of the Company may interfere with the construction or endanger the operation of said lines and/or facilities, with access to said easement and egress therefrom to permit normal operations of the Company in connection with said lines and/or facilities, and to permit the installation of the wires, fixtures, conduits, or cables of any other company within the boundaries of this easement.

Grantor shall not erect or construct or permit to be erected or constructed any building or other structure or drill any well within the limits of said easement; nor shall Grantor plant or permit to be planted any trees with a mature height of over 15 feet within the limits of said easement without the prior written consent of the Company. Grantor reserves the right to use and occupy said premises for any purpose consistent with the rights and privileges above granted and which will not interfere with or endanger any of the equipment or other property of the Company or the use thereof.

In the event the Company permanently abandons said right of way, all Company's rights hereunder shall cease, except for the right to remove any and all property placed upon said right of way within a reasonable time subsequent to such abandonment.

By accepting this easement, the Company agrees to exercise reasonable care to avoid damage to said premises and all property that may at any time be thereon.

Right of Way Easement  
Page 2

City of Glendale  
a Municipal Corporation

By: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF                    }  
                                  } ss.  
County of                   }

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2002,

by \_\_\_\_\_

IN WITNESS WHEREOF I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

## EXHIBIT "A"

Parcel "3" as referenced in an electric line easement recorded in Document No. 2001-1065877, records of Maricopa County, Arizona and being more particularly described as follows:

That portion of the South half of the Southeast quarter of Section Thirty (30), Township Five (5) North, Range Two (2) East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the South quarter corner of said Section 30, said point being identical to the North quarter of Section 31, as shown on the RESULTS OF SURVEY, recorded in Book 252 of Maps, page 33, Records of Maricopa County, Arizona, Thence North 88 degrees 33 minutes 38 seconds East along the South line of the Southeast quarter of said Section 30 a distance of 666.14 feet, Thence North 01 degrees 26 minutes 22 seconds West a distance of 459.91 feet to a point on the Southwesterly right of way line of the Central Arizona Project as described in Docket 11511, page 1290, records of Maricopa County, Arizona; Thence North 39 degrees 43 minutes 56 seconds West along said Southwesterly line a distance of 1024.36 feet to a point on the West line of the Southeast quarter of said Section 30; Thence South 00 degrees 01 minutes 06 seconds East along the West line of the Southeast quarter of said Section 30, a distance of 1264.27 feet to the Point of Beginning.

### And

Parcel "4" as referenced in an electric line easement recorded in Document No. 2001-1065877, records of Maricopa County, Arizona and more particularly described as follows:

Situate in Maricopa County, Arizona:

A parcel of land in Section Thirty (30), Township Five (5) North, Range Two (2) East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

BEGINNING at a point at the intersection of the South line of said Section 30, and the Southerly right of way line of the Central Arizona Project Canal, from which the Southeast corner of said Section 30 bears North 88 degrees 33 minutes 38 seconds East, 1,465.02 feet, said point being so indicated on Book 252, page 33 of the Records of Maricopa County, Arizona; Thence North 61 degrees 28 minutes 26 seconds West, along said Southerly right of way line, 66.78 feet; Thence continuing along said Southerly right of way line, North 39 degrees 43 minutes 56 seconds West, 543.48 feet; Thence leaving said Southerly right of way line, South 01 degrees 26 minutes 22 seconds East, 459.91 feet to the South line of said Section 30; Thence North 88 degrees 33 minutes 38 seconds East along said South line, 394.63 feet to the TRUE POINT OF BEGINNING.

Excepting therefrom that portion conveyed to the United States of America in Instrument No. 84-500848, records of Maricopa County, Arizona.

## EXHIBIT "B"

**An easement for an electric line situated on Parcel "3", as described on the attached EXHIBIT "A" being 15 feet in width, 7.5 feet each side of the following described centerline:**

Commencing at the Northeast corner of Parcel "3";

THENCE: South 01° 26' 47" East (South 01° 26' 22" East) along the East line of Parcel "3" a distance of 23.77 feet to the TRUE POINT OF BEGINNING of the easement herein described;

THENCE: North 12° 11' 53" West a distance of 23.84 feet to a POINT OF TERMINATION.

**An easement for an electric line situated on Parcel "4", as described on the attached EXHIBIT "A" being 15 feet in width, 7.5 feet each side of the following described centerline:**

Commencing at the most Northerly corner of said Parcel "4";

THENCE: South 01° 26' 47" East (South 01° 26' 22" East, record) along the West line of Parcel "4" a distance of 23.77 feet to the TRUE POINT OF BEGINNING of the easement herein described;

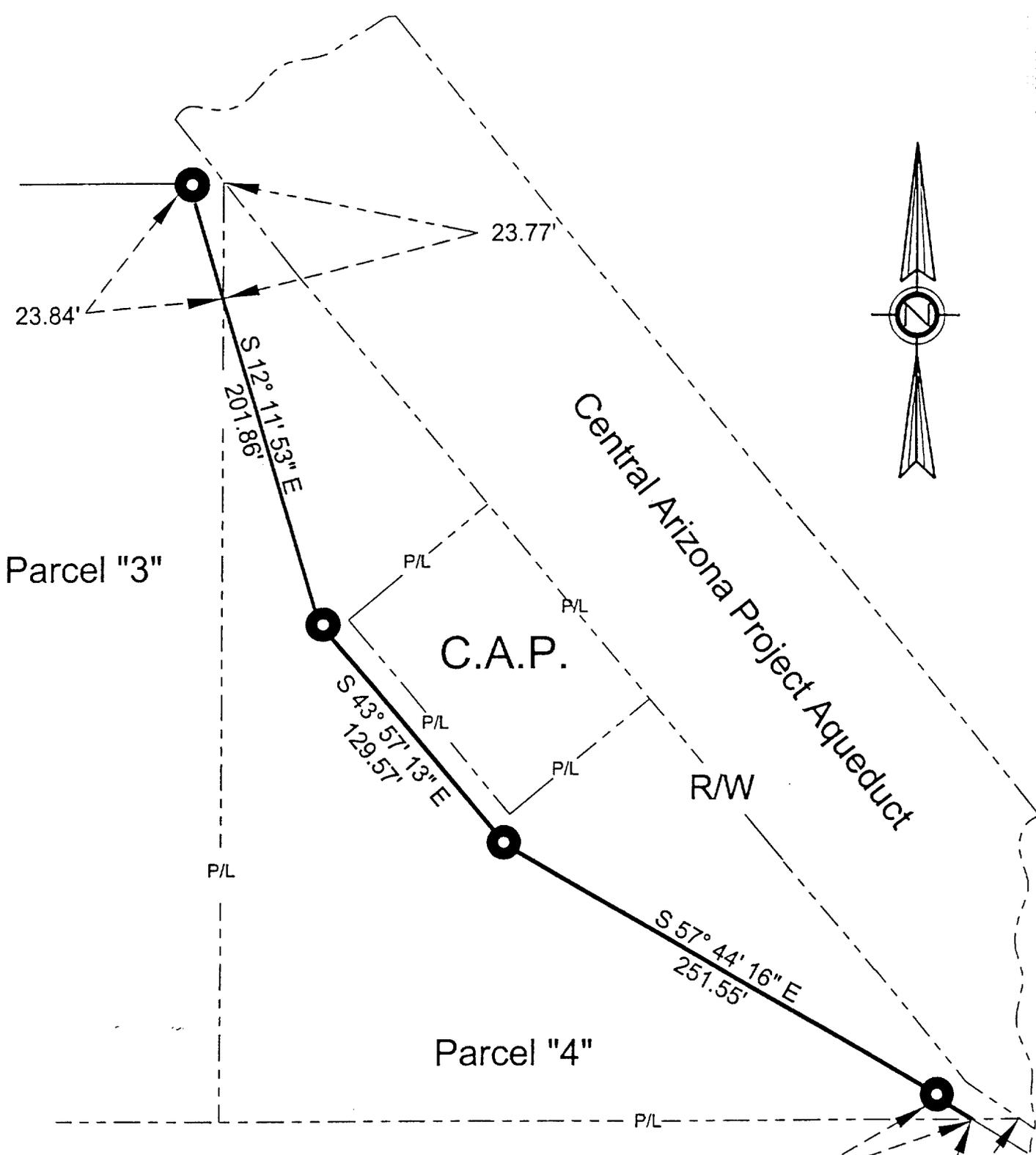
THENCE: South 12° 11' 53" East a distance of 201.86 feet;

THENCE: South 43° 57' 13" East a distance of 129.57 feet;

THENCE: South 57° 44' 16" East a distance of 251.55 feet;

THENCE: South 61° 26' 50" East (South 61° 28' 26" East, record) on a line parallel to and 7.5 feet Southwesterly of the Northwesterly property line a distance of 55.96 feet to a POINT OF TERMINATION on the South line of Parcel "4", from whence the most Easterly corner thereof bears North 88° 33' 51" East (North 88° 33' 38" East, record), 14.96 feet distant.

**Basis of Bearings for this easement being the Arizona State Plane Coordinate System  
Central Zone, NAD 27 (Central Arizona Project) Datum  
All bearings are Grid (Except Where Noted as Record)  
All distances are Ground**



<b>APS</b>	Drawing That Shows The Location of An APS Electric Line Realignment On The Glendale Water Treatment Plant Property	
	WO#: W89022	DATE: January 31, 2002
	BY: R. Bott	SCALE: None
	FILENAME:	SHEET 1 OF 1

● = APS Pole