

RESOLUTION 2022-002

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY; GRANTING UTILITY EASEMENTS ON CITY-OWNED PROPERTY; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, the City of Sierra Vista owns property situated in the eastern half of Section 10, Township 22 South, Range 20 East, at the intersection of South Seventh Street and Buffalo Soldier Trail; and

WHEREAS, Sulphur Springs Valley Electric Cooperative (SSVEC), an electric utility provider, desires easements for the placement of electrical facilities across City-owned property at the new Emergency Medical Services Substation; and

WHEREAS, it is settled policy of the City Council, most recently affirmed by Resolution 2021-075, to provide easements on City-owned property as determined to be necessary by the City Council; and

WHEREAS, the City Council has determined it to be necessary to grant an electrical utility easement as identified and attached herein.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

That the settled policy of the City Council, most recently affirmed by Resolution 2021-075, be, and hereby is, reaffirmed.

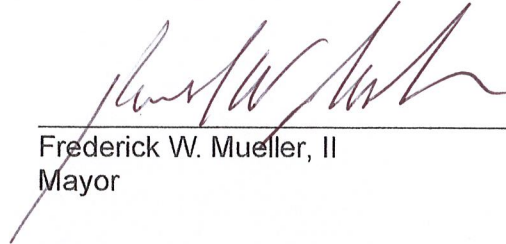
SECTION 2

That it be, and hereby is, determined to be necessary to grant a permanent electrical easement to SSVEC, as described in the attached easement description, on City-owned property at the City of Sierra Vista Emergency Medical Services Substation for the purpose of the placement of electrical services.

SECTION 3

That the City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 13<sup>TH</sup> DAY OF JANUARY 2022.



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Frederick W. Mueller, II  
Mayor

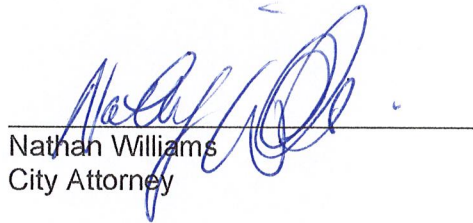
ATTEST:

APPROVED AS TO FORM:



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JILL ADAMS  
City Clerk



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Nathan Williams  
City Attorney

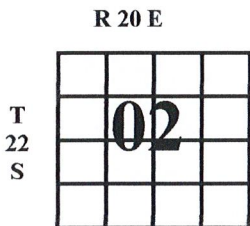
Prepared by: Angela Dixon-Maher, P.E., Senior Civil Engineer

When recorded mail to:

Jill Adams  
City Clerk  
The City of Sierra Vista  
1011 N Coronado Dr.  
Sierra Vista, Arizona 85635

This space reserved for recording information.

## *Underground Utility Right-of-Way Easement*



### **KNOW ALL MEN BY THESE PRESENTS:**

That the undersigned, **CITY OF SIERRA VISTA**, a **Body Politic**, referred to as "Grantor", for good and valuable consideration, the receipt of which is hereby acknowledged grants unto **SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, INC.**, herein after referred to as "Grantee", and to its successors or assigns, a right-of-way easement over, upon, under and across and the right to enter upon the land of the undersigned, situated in the County of Cochise, State of Arizona, described as follows:

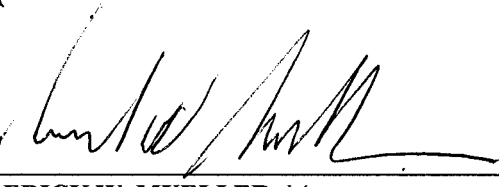
SEE ATTACHED EXHIBIT "A"

All easements shown hereon are hereby dedicated, together with the right of ingress and egress, for the sole purpose of construction, inspection, repair, removal, replacement, and maintenance of said public utilities at will. No non-utility improvements shall be placed upon, over, or under the subject area including, but not limited to, buildings and structures aside from those existing, and except for improvements for street, road, driveway, or landscape purposes, which the grantor agrees shall not interfere or be inconsistent with grantees' exercise of the rights granted herein.

Grantee shall not be liable for any damage to said improvements placed upon the easement due to necessary utility operations using reasonable care. However, in the event that a grantee fails to use reasonable care in exercising its right of entry for construction, maintenance, or repairs of said utility system, the grantee shall be responsible for any damages caused to the grantor's improvements and shall restore the surface or the ground to its former state.

The grantor covenants that it is the owner of the above-described land and that said land is free and clear of encumbrances and liens.

IN WITNESS WHEREOF, the undersigned set his hand this 13th day of January, 2021.

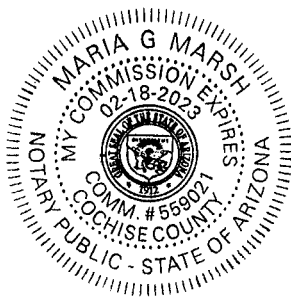
  
\_\_\_\_\_  
**FREDERICK W. MUELLER, Mayor**  
City of Sierra Vista

STATE OF Arizona  
                  )  
COUNTY OF Cochise) ss

On this, the 13th day of January, 2021, before me, the undersigned Notary Public, personally appeared Frederick W. Mueller

\_\_\_\_\_ known to me to be the person(s) whose name(s) is/are subscribed herein and acknowledged that he executed said document for the purposes set forth therein.

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



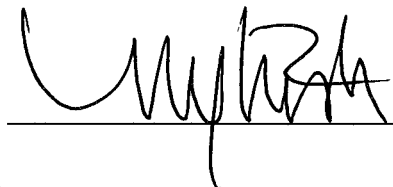
  
\_\_\_\_\_  
NOTARY PUBLIC

EXHIBIT "A"

PARCEL DESCRIPTION:

Lots 8 & 9 of Section 10, Township 22 South, Range 20 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona;

AND

The "Drainageway & Accessway" as shown on and dedicated to the Public per SUMMIT ESTATES, according to Book 11 of Maps, page 93 records of Cochise County, Arizona, being a portion of the Southwest quarter of Section 11, Township 22 South, Range 20 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona.

EASEMENT DESCRIPTION:

A 20.00-foot-wide easement lying 10.00 feet on each side of the following described centerline:

COMMENCING at the Northwest corner of the above-described "Drainageway & Accessway";

thence South 25° 13' 15" East, a distance of 105.17 feet to the POINT OF BEGINNING for said easement;

thence South 50° 47' 23" West, a distance of 57.84 feet to a point on the West line of said "Drainageway & Accessway", said point also being a point on the East line of the above-described Lot 9;

thence continuing South 50° 47' 23" West, a distance of 10.46 feet;

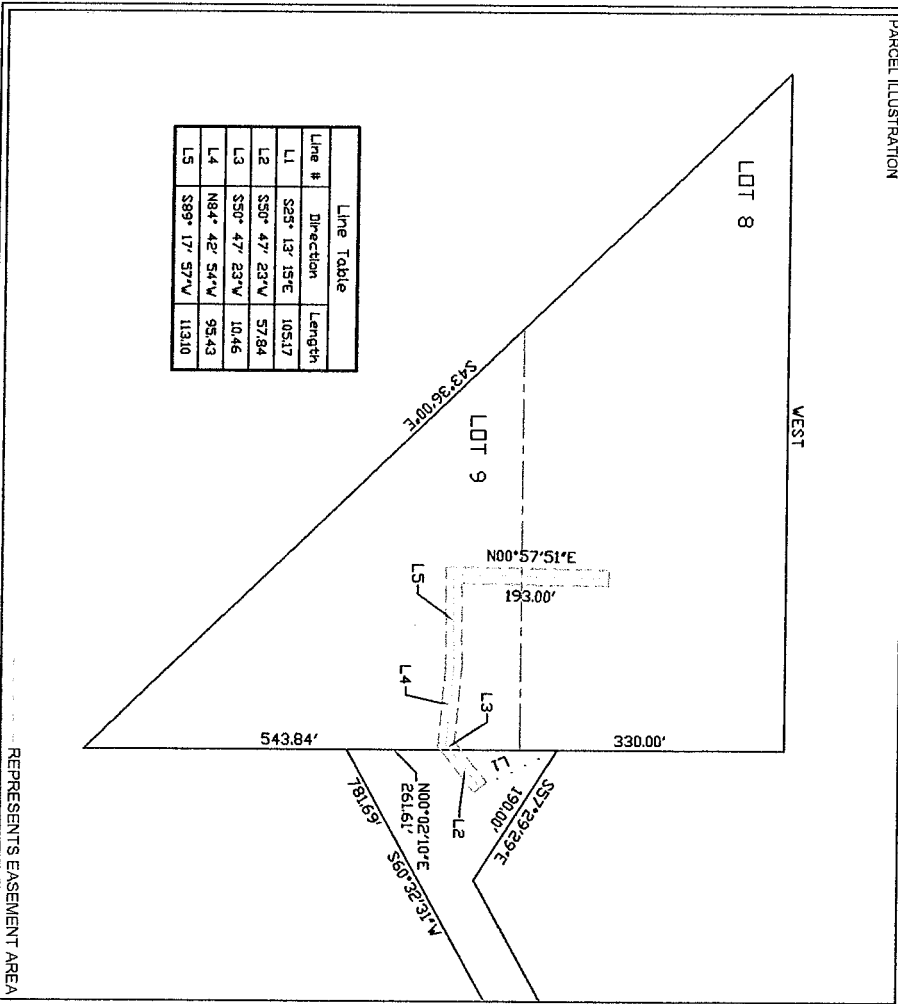
thence North 84° 42' 54" West, a distance of 95.43 feet;

thence South 89° 17' 57" West, a distance of 113.10 feet;

thence North 00° 57' 51" East, a distance of 193.00 feet to the POINT OF TERMINUS for said easement.

The sidelines of the above-described easement are to be lengthened or shortened to intersect at angle points and terminate at property lines.

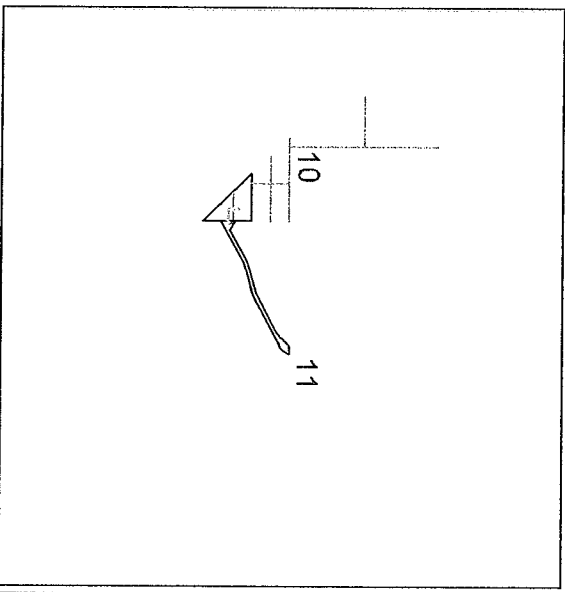
PARCEL ILLUSTRATION



Line #	Direction	Length
L1	S25° 13' 15"E	105.17
L2	S50° 47' 23"V	57.84
L3	S50° 47' 23"V	10.46
L4	N84° 42' 54"V	95.43
L5	S89° 17' 57"V	113.10

SECTION REPRESENTATION

R 20 E



SECTION 10 & 11

EXHIBIT "A"

DRAWING NOT TO SCALE - FOR REPRESENTATION PURPOSES ONLY

GRANTOR: City of Sierra Vista	EASEMENT NO. E18956
DRAWN BY: Ruth Bigelow	WORK ORDER NO. 94700
DATE DRAWN: January 3, 2021	FILE NO.



Sulphur Springs Valley  
Electric Cooperative, Inc.