



**GOVERNING BOARD AGENDA ITEM
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

DATE OF MEETING: **May 1, 2018**

TITLE: **Approval of Easement to the Southwest Gas Corporation on the Grounds of Canyon del Oro High School; Authorization of Administration to Execute Necessary Documentation.**

BACKGROUND: Southwest Gas has requested the District grant it a perpetual easement in order to replace the existing primary supply pipeline to Canyon del Oro High School north from Calle Concordia.

A portion of the primary supply pipeline is currently located along the east side of district property and cuts across the student parking lot to the kitchen and gymnasium. Southwest Gas proposes to build a new pipeline along the west side of the student parking lot to accommodate service needs for Canyon del Oro High School because the old lines are outdated. This replacement is part of a much larger project being completed by Southwest Gas to modernize infrastructure along Calle Concordia.

As the perpetual easement on district-owned real estate will be permanent in nature, the Board's approval is required. Construction is not expected to disrupt school operations.

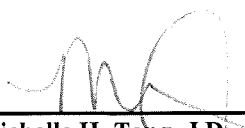
Southwest Gas will naturally assume liability for risks associated with the construction and indemnify the district from claims associated with that construction.

Mr. Burns has reviewed the proposed easement design and has approved it. A legal description and diagram is attached, together with the form of easement, which would be granted to the Southwest Gas Corporation.

RECOMMENDATION:


It is the recommendation of the Administration that the Governing Board approve this item. The administration also recommends the Board authorize Associate to the Superintendent and General Counsel Michelle Tong to execute the necessary documentation to effect the easement.

INITIATED BY:



Michelle H. Tong, J.D.,
Associate to the Superintendent and General Counsel

Date: April 30, 2018



Todd A. Jaeger, J.D., Superintendent

Recording Requested By/Return To:
Southwest Gas Corporation
Attn: Whitney Budinoff; 360-580
P.O. Box 26500
Tucson, AZ 85726-6500

APN 225-11-2680
25 W Calle Concordia



SOUTHWEST GAS CORPORATION
GRANT OF EASEMENT

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

Prepared By	<u>WDB2</u>	Reviewed By	<u>TJR1</u>
Sec. <u>24</u>	<u>T 12S R 13E</u>	Meridian	<u>G&SR</u>
County	<u>Pima</u>	State	<u>Arizona</u>
W.R. No.		LRS No.	<u>5479</u>

I (We) Amphitheater Unified School District No. 10, a political subdivision of the State of Arizona, who acquired title as School District No. 4, Pima County, Arizona

For and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the undersigned, hereinafter referred to as Grantor(s), does hereby grant, convey, quitclaim and release unto **SOUTHWEST GAS CORPORATION**, a California Corporation, its successors and assigns hereinafter referred to as Grantee, a perpetual easement for the installation and maintenance of a natural gas pipeline or pipelines and appurtenances, across, over, under and through the following described property, to wit:

SEE ATTACHED EXHIBIT(s) "A"

together with the right of ingress and egress to and from the said easement and the right 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 direct damages which are caused by the Grantee's exercise of the rights herein granted.

W.R. No. _____ LRS No. **5479** _____

The undersigned hereby affirms that there is no Social Security Number contained in this document submitted for recording.

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

IN WITNESS WHEREOF, the duly authorized representative of the undersigned has executed this Grant of Easement this

_____ day of _____, _____

Amphitheater Unified School District No. 10

Grantor _____

Signature

Grantor _____

Print Name, Title

ACKNOWLEDGMENT

STATE OF _____)

)

COUNTY OF _____)

On _____, before me, _____
(here insert name of the officer)

a notary public, personally appeared _____

who 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/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of _____ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT "A"

SOUTHWEST GAS CORPORATION
GRANT OF EASEMENT

LRS # 5479

Page 3 of 3

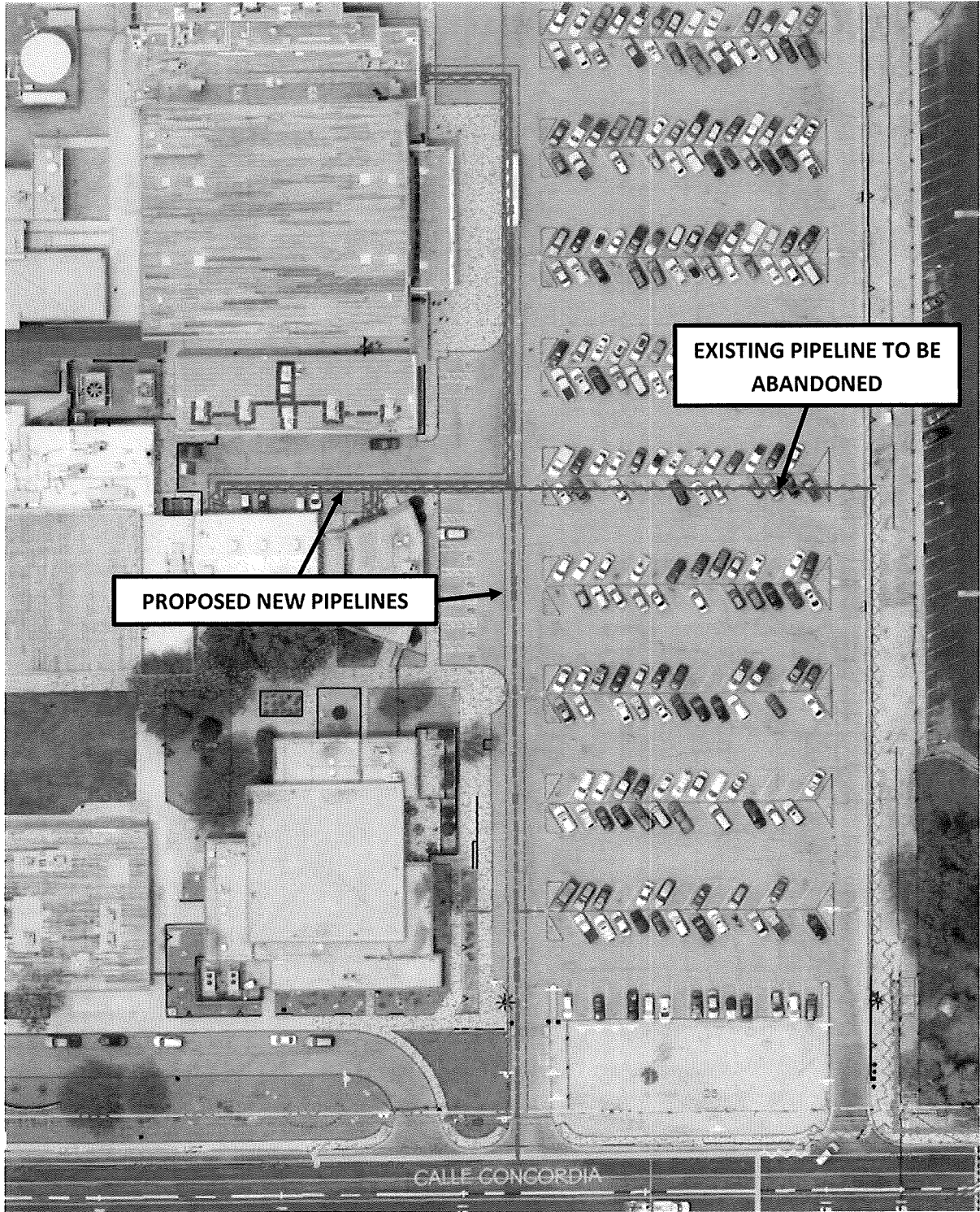
APN 225-11-2680

THOSE PORTIONS OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 24, TOWNSHIP 12 SOUTH, RANGE 13 EAST, GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

STRIPS OF LAND 10.00 FEET IN WIDTH, BEING 5.00 FEET ON EACH SIDE OF THE CENTERLINES OF THE NATURAL GAS PIPELINES LYING WITHIN LOTS 35, 36, 49 AND 50 OF "LINDA VISTA CITRUS TRACTS NO. 2", RECORDED IN OFFICIAL RECORDS OF PIMA COUNTY, ARIZONA, IN BOOK 6 OF MAPS AND PLATS, PAGE 79, ON NOVEMBER 1, 1937 AND THAT PORTION OF CALLE ALMENDRA ABANDONED IN ABANDONMENT PROCEEDINGS NO. 1152 RECORDED IN OFFICIAL RECORDS OF PIMA, COUNTY, ARIZONA, IN BOOK 9 OF ROAD MAPS, PAGE 31, ON MAY 6, 1968.

EXCEPTING THEREFROM A PARCEL OF LAND AS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS OF PIMA COUNTY, ARIZONA, IN BOOK 1542, PAGE 43, ON JANUARY 6, 1960.

25 W CALLE CONCORDIA / APN 225-11-2680



LOCATION IS APPROXIMATE / NOT TO SCALE
FOR REFERENCE PURPOSES ONLY.