

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

DATE OF MEETING: June 21, 2010

TITLE: Approval of Easement to the City of Tucson on the Grounds of the Wetmore Education Center; Authorization of Administration to Execute Necessary Documentation

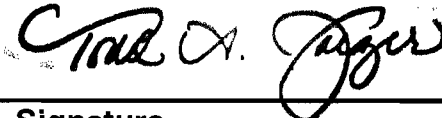
BACKGROUND: As part of the ongoing bond-funded improvements throughout the District, the City of Tucson has requested the District grant it an Easement for the construction and maintenance of waterlines for the new Facilities Support Services building to be constructed on the grounds of the Wetmore Education Center.

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

The City of Tucson will naturally assume liability for risks associated with the construction and indemnify the district from claims associated with that construction.

Mr. Louth 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 City of Tucson.

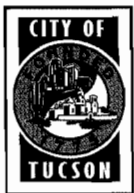
RECOMMENDATION: The administration recommends approval of this item. The administration also recommends the Board authorize Associate to the Superintendent and General Counsel Todd Jaeger to execute the necessary documentation to effect the easement.

INITIATOR:		Todd A. Jaeger	6/16/10
	Signature	Name/Title	

**ASSOCIATE SUPERINTENDENT
SIGNATURE:**

SUPERINTENDENT SIGNATURE:





CITY OF
TUCSON
REAL ESTATE
PROGRAM

May 6, 2010

Amphitheater School District No 10
Attn: Chris Louth
701 W. Wetmore Road.
Tucson, AZ 85705

SUBJECT: Water No. 2010-014, Amphi Public School District #10
Facilities Support Services and Accessory Building.

Dear Mr. Louth:

In order to complete the request to provide water service to the subject development, a water utility easement granted to the City of Tucson will be required.

Please have the enclosed easement document signed by the appropriate party and notarized where I have indicated. Once signed, please return the original easement document to this office in the enclosed postage paid envelope.

If you have any questions I can be reached at 520-837-6719.

Sincerely,


Jim Stoyanoff
Real Estate Agent

EASEMENT

THIS INDENTURE made between Amphitheater Unified School District No. 10, Pima County Arizona,
Grantor(s) and the CITY OF TUCSON, a municipal corporation, Grantee, hereinafter called the CITY.

WITNESSETH:

That the Grantor(s), in consideration of Ten Dollars (\$10.00) and other valuable consideration, the receipt and adequacy of is hereby acknowledged, do(es) hereby convey to the City of Tucson, a municipal corporation, its successors and assigns, a perpetual right-of-way, privilege and easement for any water pipes or mains now laid or which hereafter may be laid, together with the right to enter into and upon for the purpose of maintaining, repairing, and replacing said pipes and mains, including the right of attaching thereto meters, fire hydrants, valves, regulators, services, and all other things necessary in the construction and maintenance thereof, and also the right to enter into and upon for the purpose of removing the same at the sole discretion of the City; said easement being in, on, through, over, across and under the following described parcel of land situate in the County of Pima, State of Arizona, to-wit:

See Attached EXHIBIT "A"

Affidavit Exempt A.R.S. §11-1134 (A) (2) (3)

TO HAVE AND TO HOLD the same unto the City, and to its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has executed this instrument this ____ day of _____, 20__.

Amphitheater Unified School District No. 10, Pima County Arizona,

By: _____

As: _____

STATE OF ARIZONA)
)ss.
COUNTY OF PIMA)

This instrument was acknowledged before me this ____ day of _____, 20__
by _____ as _____
of Amphitheater Unified School District No. 10, Pima County Arizona,

Notary Public



Exhibit "A"

March 18, 2010
EEC No. 209039
Sets 2 through 6

DESCRIPTION OF PUBLIC WATERLINE EASEMENT

That portion of Lots 20 and 21, RILLITO PARK as recorded in Book 3 of Maps and Plats at Page 17, Pima County Recorder's Office, Pima County, Arizona, being a portion of the Southeast One-Quarter (SE ¼) of Section 23, Township 13 South, Range 13 East, Gila and Salt River Meridian, Pima County, Arizona, being a strip of land 15.00 feet wide lying 7.50 feet on each side of the following described centerline;

COMMENCING at a Brass Cap Survey Monument at the Center of said Section 23, from said point an ACP (1.67 feet East of) the East One-Quarter (E ¼) corner of said Section 23 bears S 89°37'00" E a distance of 2,632.87 feet;

THENCE S 89°37'00" E, along the North Line of said Southeast One-Quarter (SE ¼), a distance of 1,014.94 feet;

THENCE S 00°16'26" E 60.00 feet to the **POINT OF BEGINNING** on a line 60.00 feet Southerly of and parallel with the North Line of said Southeast One-Quarter (SE ¼);

THENCE continue S 00°16'26" E 234.00 feet to "Point 20";

THENCE continue S 00°16'26" E 60.28 feet;

THENCE S 35°00'58" E 63.22 feet to "Point 10";

THENCE continue S 35°00'58" E 10.00 feet;

THENCE N 90°00'00" E 373.63 feet to "Point 18";

THENCE continue N 90°00'00" E 105.29 feet;

THENCE N 45°00'00" E 43.15 feet to "Point 12";

THENCE continue N 45°00'00" E 35.60 feet;

THENCE N 00°12'36" E 294.69 feet to the **POINT OF TERMINATION** on a line 60.00 feet Southerly of and parallel with said North Line of Southeast One-Quarter (SE ¼);

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The sidelines of said strip of land to be shortened or extended to meet at angle points and to terminate on the North on a line 60.00 feet Southerly of and parallel with the North Line of said Southeast One-Quarter (SE $\frac{1}{4}$);

TOGETHER WITH

That portion of said Lot 21 being a strip of land 15.00 feet wide lying 7.50 feet on each side of the following described centerline;

BEGINNING at said "Point 20";

THENCE S 89°43'34" W 12.13 feet to the **POINT OF TERMINATION**.

TOGETHER WITH

That portion of said Lot 20 being a strip of land 15.00 feet wide lying 7.50 feet on each side of the following described centerline;

BEGINNING at said "Point 18";

THENCE S 00°00'00" E 242.94 feet to the **POINT OF TERMINATION** on the South Line of said Lot 20;

The sidelines of said strip of land to be shortened or extended to terminate on the South on the South Line of said Lot 20;

TOGETHER WITH

That portion of said Lot 20 being a strip of land 15.00 feet wide lying 7.50 feet on each side of the following described centerline;

BEGINNING at said "Point 12";

THENCE N 45°00'00" W 14.67 feet to the **POINT OF TERMINATION**.

TOGETHER WITH

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That portion of said Lot 21 being a strip of land **25.00** feet wide lying **12.50** feet on each side of the following described centerline;

BEGINNING at said "Point 10";

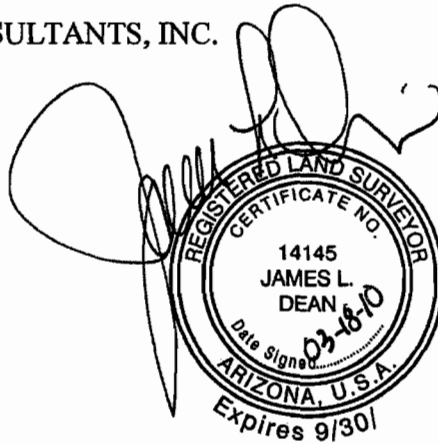
THENCE S 54°59'02" W 16.95 feet to the **POINT OF TERMINATION**.

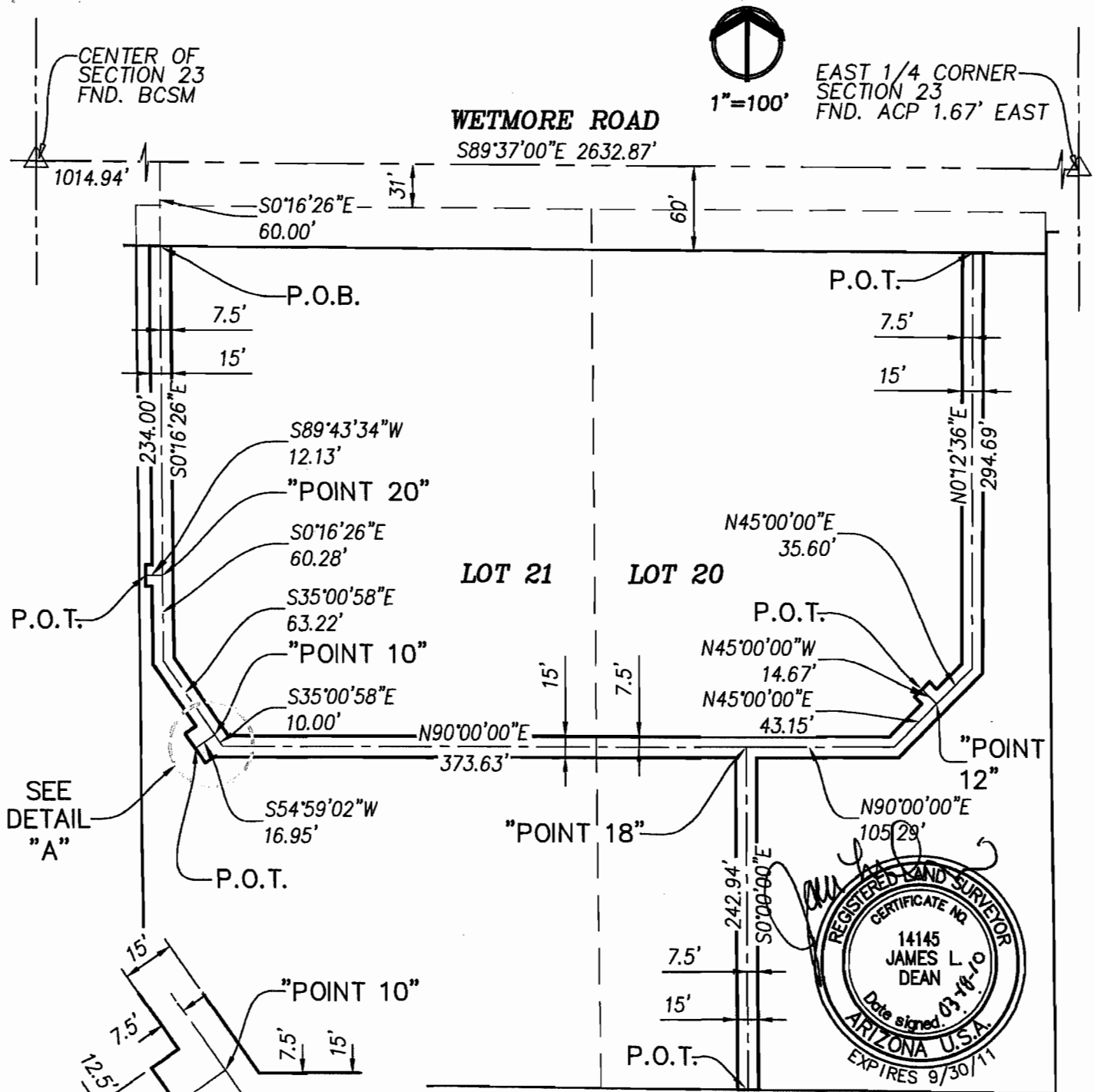
Prepared by:
ENGINEERING AND ENVIRONMENTAL CONSULTANTS, INC.

James L. Dean, R.L.S.

JLD:\bh

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DEPICTION SHOWING
PUBLIC WATERLINE EASEMENT
 SEC 23, T13S, R13E
 G&SRM, PIMA COUNTY, ARIZONA



Engineering and Environmental Consultants, Inc.

4625 E. FT. LOWELL RD.

TUCSON, ARIZONA 85712 520-321-4625

SETS 2-6

03/18/2010

EEC 209039

SHEET 1/1