

AGENDA ITEM #: _____

DATE: May 9, 2016

COAC #: 16-5821

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: Acceptance of the Assignment Rider for the Union Pacific Railroad Pipeline Crossing Agreement at MC 85 and Litchfield Road.

STAFF PRESENTER: Linda R. Beals, Real Estate Coordinator

CASE NUMBER: N/A

OTHER PRESENTER: N/A

RECOMMENDATION:

Accept the Assignment Rider of the Union Pacific Railroad Pipeline Crossing Agreement for the 30-inch water line crossing located just north of MC 85 and west of Litchfield Road.

PURPOSE:

The Acceptance of the Assignment Rider for the Union Pacific Railroad Pipeline Crossing Agreement originally executed by the Union Pacific Railroad Company ("UPRR") and CP Goodyear LLC ("CP Goodyear") on or about May 23, 2012, for the placement, operation, maintenance and repair of a 30-inch water line ("Crossing Agreement").

BACKGROUND AND PREVIOUS ACTIONS:

As part of the CP Goodyear Development located north of MC 85 along Litchfield Road, a 30-inch water line was constructed and subsequently accepted by the city. This line crosses the UPRR right-of-way which required CP Goodyear to enter into the Crossing Agreement in order to construct the water line. As previously noted, the Crossing Agreement was initially entered into by UPRR and CP Goodyear.

STAFF ANALYSIS:

City staff required the Assignment of the Crossing Agreement to the city for the continued operation, maintenance and repair of the water line. The UPRR standard Assignment Rider has been executed by CP Goodyear and requires the city's acceptance to complete the assignment.

FISCAL ANALYSIS:

The fees associated with the UPRR Crossing Agreement have been paid by CP Goodyear. The water line has been constructed by CP Goodyear and accepted by the city. There are no additional fees or costs anticipated with regard to the acceptance of this Assignment Rider.

ATTACHMENTS:

Assignment Rider
Pipeline Crossing Agreement