

YUMA COUNTY

CITY OF YUMA

**Transfer and Annexation of County 8th Street, from Avenue C ½
west 140.00 feet, to the City of Yuma**

IN THE MATTER OF transfer and annexing a portion of County 8th Street, from Avenue C ½ west 140.00', hereafter be referred to as the "Road" which is within the unincorporated area of the County of Yuma, Arizona, a political body ("County") to the City of Yuma, Arizona, a municipal corporation of the State of Arizona ("City"); and

WHEREAS, the City annexed County 8th Street to the west of this Road under Annexation Ordinance 0213-39, recorded as FEE # 2013-25196 Yuma County Records (Y.C.R.); and

WHEREAS, the City annexed County 8th Street to the east of this Road under City of Yuma Annexation Ordinance 02008-45, recorded as FEE#2009-01624 Y.C.R.; and

WHEREAS, the County and the City desires for the transfer and annexation of this Road in accordance with the _____, 2017 Intergovernmental Agreement between the County of Yuma and the City of Yuma for the Improvement of County 8th Street, between Avenue C and Avenue D; and

WHEREAS, the Yuma County Board of Supervisors established County 8th Street, between Avenue C to East of River as a County Highway on July 17, 1902, Book 7 of Miscellaneous Records, page 494, and Survey No. 37, recorded May 3, 1911 Y.C.R.; and

WHEREAS, Arizona Revised Statutes §9-471, Paragraph N, specifies that:

A county right-of-way or roadway may be transferred to an adjacent city or town by mutual consent of the governing bodies of the county and city or town if the property transferred is adjacent to the receiving city or town and if the city or town and county each approve the proposed transfer as a published agenda item at a regular public meeting of their governing bodies. A transfer of property made pursuant to this subsection shall be treated by the receiving city or town as if the transferred property was newly annexed territory.

NOW, THEREFORE BE IT RESOLVED, that a portion of County 8th Street, as described on the attached Exhibit 'A', is transferred to the City by mutual consent of both governing bodies.

BE IT FURTHER RESOLVED, that the above described Road shall be treated by the City as if the transferred property was newly annexed territory.

Date: _____

Date: _____

Marco A. "Tony" Reyes, Chairman
Yuma County Board of Supervisors

Gregory K. Wilkinson
City of Yuma Administrator

Attest:

Susan K. Thorpe
County Administrator/Clerk of the Board

Lynda L. Bushong
City Clerk

Approved as to form:

Richard W. Files, Yuma City Attorney

Approved as to form:

Jon R. Smith, County Attorney

By: Edward P. Feheley, Deputy County Attorney

EXHIBIT A

County 8th Street Legal

A portion of the Southeast quarter of the Southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 24 and a portion of the Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 25, both in Township 8 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona, both adjoining City of Yuma Annexation Ordinance O2013-39, recorded as FEE # 2013-25196 Yuma County Records (Y.C.R.) to the West and City of Yuma Annexation Ordinance O2008-45, recorded as FEE # 2009-01624 Y.C.R. to the East, being more particularly described as follows:

The South 58.00 feet of the East 140.00 feet of the Southeast quarter of the Southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 24, Township 8 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona.

AND

The North 33.00 feet of the East 140.00 feet of the Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 25, Township 8 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona.

Containing a total of 12,760 square feet or 0.292 of an acre, more or less.