

ORDINANCE NO. 02017-032

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AUTHORIZING AND GRANTING A UTILITY EASEMENT, HEREAFTER DESCRIBED, TO ARIZONA PUBLIC SERVICE COMPANY, FOR THE REASON THAT SUCH EASEMENT IS REQUIRED FOR THE DEVELOPMENT, OPERATION, AND MAINTENANCE OF THE FLEET SERVICES MAINTENANCE SHOP

WHEREAS, the City of Yuma ("City") is authorized, pursuant to the City Charter, Article III, Section 2, to convey easement rights of real property; and,

WHEREAS, Arizona Public Service Company ("APS") currently maintains a right-of-way easement for its powerlines and utilities across the City's property that is to be developed for the City's new Fleet Service Maintenance Shop (the "Fleet Service Property"); and,

WHEREAS, the City and APS desire to relocate APS's existing utility easement to the perimeter of the Fleet Service Property to accommodate construction of the new Fleet Services Maintenance Shop; and,

WHEREAS, the conveyance of easement rights to APS along the perimeter of the Fleet Service Property is necessary for and beneficial to the development, operation and maintenance of the City's Fleet Services Maintenance Shop.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: It is deemed necessary and essential, as a matter of public necessity and public welfare, that a utility easement, legally described in Exhibit 1, attached and by this reference made a part of this ordinance, be granted to Arizona Public Service Company by the City of Yuma, as such easement is required to construct and improve the Fleet Services Maintenance Shop (CIP-127) infrastructure for the public interest and public benefit.

SECTION 2: The City Administrator is hereby authorized and directed to grant the described utility easement on behalf of the City of Yuma.

SECTION 3: That the duly authorized disbursing officers of the City of Yuma are hereby authorized and directed to pay all sums necessary to convey said easement, together with recording fees and all other costs.

Adopted this _____ day of _____, 2017.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

APPROVED AS TO FORM:

Lynda L. Bushong
City Clerk

Richard W. Files
City Attorney