

ORDINANCE NO. O2018-036

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA,
ARIZONA, AUTHORIZING THE ACQUISITION OF CERTAIN REAL
PROPERTY, TOGETHER WITH CERTAIN ACCESS AND
CIRCULATION EASEMENTS**

WHEREAS, the City of Yuma (City) is authorized, pursuant to the City Charter, Article III, Section 2, to acquire and dispose of real property; and,

WHEREAS, PMG Partnership, LLC owns certain real property described in Exhibit A attached; and,

WHEREAS, the City has identified the need to acquire a portion of the real property and certain easements in the real property owned by PMG Partnership, LLC; and,

WHEREAS, the described property will serve a necessary and public use and be of public benefit in the redevelopment of the north east corner of 16th Street and 4th Avenue.

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 portion of the real property described in Exhibit A and by this reference made a part of this Ordinance, be acquired by the City of Yuma, together with certain easements for the purpose of access and circulation.

SECTION 2: The acquisition of the easements and fee simple title to a portion of the described real property shall be subject to the terms of a Real Property Exchange, Settlement and Re-development Agreement to be separately approved by resolution of the City Council.

Adopted this _____ day of _____, 2018.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney

EXHIBIT A
PMG Building Parcel

LEGAL DESCRIPTION OF THE REMAINDER
OF APN 665-27-044 AFTER NEW RIGHT-OF-WAY FOR THE NORTH SIDE OF 16th STREET
YUMA, ARIZONA

The West 279.67 feet of the South 282.05 feet of the following described property:

The Southwest quarter of the Southwest quarter of the Southeast quarter of Section 28, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona;

EXCEPT the West 190 feet thereof; and

EXCEPT the North 29.3 feet thereof; and

EXCEPT the South 48 feet thereof; and

EXCEPT the East 30 feet thereof; and

EXCEPT that portion conveyed to the City of Yuma, Arizona, a municipal corporation of the State of Arizona in instrument recorded in Document No. 2016-13781