

**ORDINANCE NO. O2024-002**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AUTHORIZING THE AMENDMENT OF AN INTERGOVERNMENTAL AGREEMENT WITH YUMA COUNTY AND AUTHORIZING THE ACQUISITION OF A NEW EASEMENT AREA NECESSARY FOR THE CONSTRUCTION OF A NEW SEWER LIFT STATION AND MANHOLE NEAR 40TH STREET AND 4TH AVENUE**

WHEREAS, the City of Yuma (City) is authorized, pursuant to the City Charter, Article III, Section 13, to enter into and amend intergovernmental agreements; and,

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 real property interests; and,

WHEREAS, Ordinance No. O2023-003 authorized the City to enter into an intergovernmental agreement with Yuma County for the acquisition of an easement on Yuma County property necessary for the construction of a new sewer lift station along 40<sup>th</sup> Street, between 4<sup>th</sup> Avenue and Arizona Avenue; and,

WHEREAS, the City has subsequently identified a need to acquire additional easement area for the construction of a new manhole necessary to connect existing sewer lines to the new lift station; and,

WHEREAS, Yuma County is willing to provide the City with the necessary additional easement area as described and depicted in Exhibit A to the *Amendment to Intergovernmental Agreement Between the City of Yuma and the County of Yuma With Signature Consent By the Yuma County Airport Authority, Inc. For 40<sup>th</sup> Street Liftstation and Force Main Improvements* on file with the Yuma City Clerk and made a part of this ordinance by reference.

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

SECTION 1: The City is authorized to acquire the easement area described and depicted in Exhibit A to the *Amendment to Intergovernmental Agreement Between the City of Yuma and the County of Yuma With Signature Consent By the Yuma County Airport Authority, Inc. For 40<sup>th</sup> Street Liftstation and Force Main Improvements*.

SECTION 2: On behalf of the City of Yuma, the City Administrator is authorized to amend the intergovernmental agreement approved in Ordinance No. O2023-003 to allow the acquisition of the new easement area and to take all necessary acts to effectuate the intent of this ordinance.

SECTION 3: Pursuant to Arizona Revised Statutes § 9-802, the City Clerk shall maintain all referenced exhibits on file at the City Clerk's Office.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED:

\_\_\_\_\_  
Douglas J. Nicholls  
Mayor

ATTESTED:

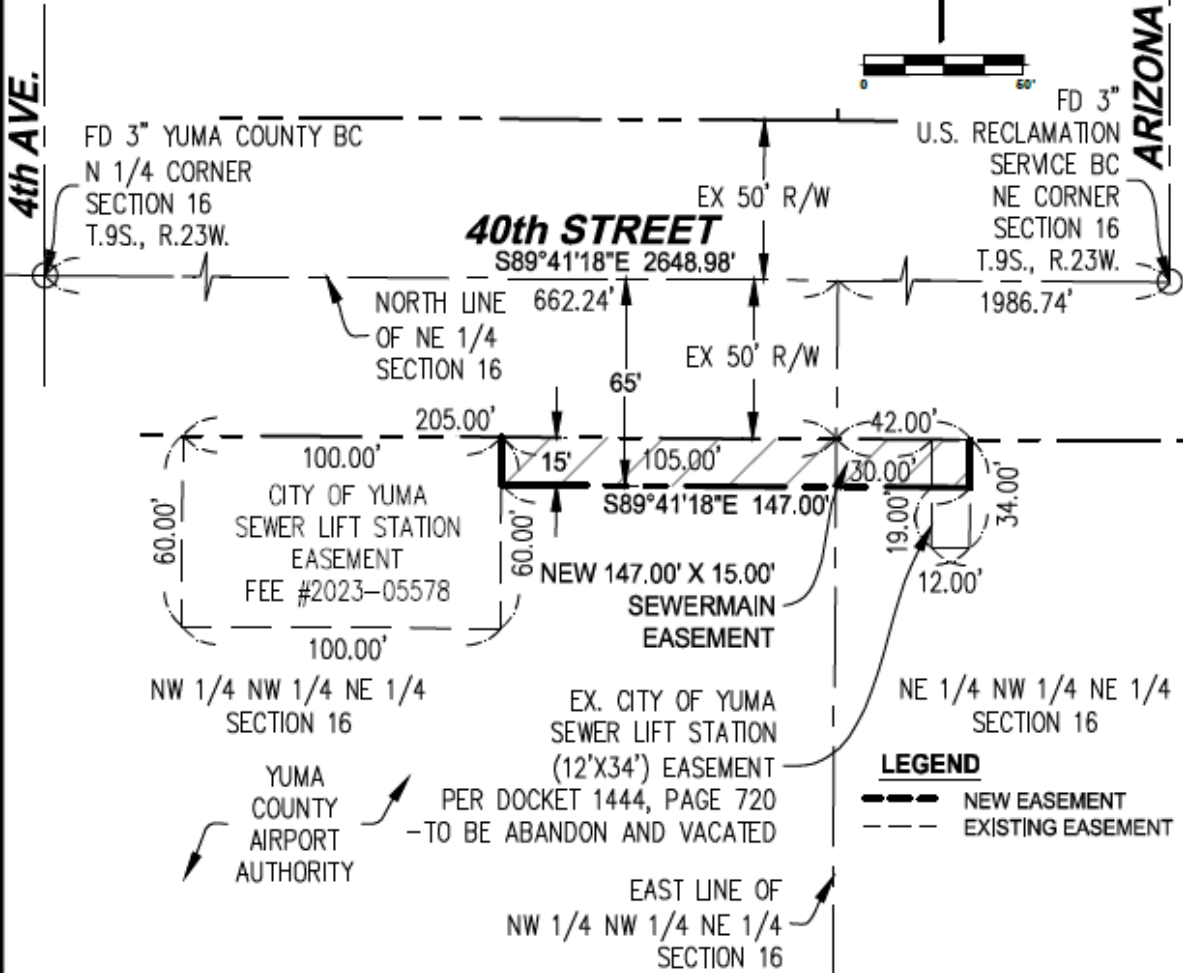
APPROVED AS TO FORM:

\_\_\_\_\_  
Lynda L. Bushong  
City Clerk

\_\_\_\_\_  
Richard W. Files  
City Attorney

**EXHIBIT A**

CITY OF YUMA  
40th STREET  
LIFT STATION SEWERMAIN EASEMENT



**LEGEND**  
 - - - - NEW EASEMENT  
 - - - - EXISTING EASEMENT

**NEW LIFT STATION SEWERMAIN LEGAL DESCRIPTION**

AN EASEMENT IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4 NW1/4 NE1/4) AND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NW1/4 NE1/4) OF SECTION 16, TOWNSHIP 9 SOUTH, RANGE 23 WEST, GILA & SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, STATE OF ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 15.00' OF THE NORTH 65.00' OF THE EAST 105.00' OF SAID NW1/4 NW1/4 NE1/4 OF SAID SECTION 16

AND

THE SOUTH 15.00' OF THE NORTH 65.00' OF THE WEST 42.00' OF SAID NE1/4 NW1/4 NE1/4 OF SAID SECTION 16.

THE ABOVE DESCRIBED PARCEL CONTAINS 2,205 SQUARE FEET OR 0.051 ACRE MORE OR LESS.



Legal Description Verified By:	Vidal Ochoa
City Engineering Department	12/11/2023