

**ORDINANCE NO. O2018-030**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA,  
ARIZONA, DECLARING A CITY ALLEY LOCATED IN THE 1200  
SOUTH BLOCK BETWEEN 2ND AVENUE AND 3RD AVENUE  
SURPLUS FOR USE AS A ROADWAY, AND UPON THE  
RECORDATION OF A DEED VESTING FEE TITLE IN THE CITY OF  
YUMA AS THE ABUTTING PROPERTY OWNER(S), THE VACATING  
OF THE ALLEY FOR ROADWAY PURPOSES**

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

WHEREAS, Arizona Revised Statutes (A.R.S.) Title 28, Chapter 20, Article 8 provides for the disposition of public roadways; and,

WHEREAS, A.R.S. § 28-7201 defines “roadway” to include all or part of an alley and A.R.S. § 28-7205(3) provides that upon vacating a roadway, “title to the roadway vests in the owners of the abutting land” to the centerline; and,

WHEREAS, the City is the owner of the alley right-of-way located in the 1200 S. Block between 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue, and legally described in Exhibit A attached (Alley); and,

WHEREAS, the City has acquired, or will have acquired, all of the land abutting the Alley for the relocation and construction of the City’s new Utilities Administration Complex (Utilities Complex); and,

WHEREAS, the Alley is no longer needed for access but will be needed as part of the Utilities Complex; and,

WHEREAS, the City needs to vacate the Alley to accommodate the construction of the Utilities Complex, which is necessary for maintaining the Utility Department’s daily operations in a central location within the community.

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

SECTION 1: The Alley described in Exhibit A and incorporated into this Ordinance by reference is no longer needed for access and is declared surplus for use as a roadway.

SECTION 2: The Alley will be vacated in accordance with A.R.S. § 28-7205(3) upon the recording of a deed vacating the property to the abutting property owner(s).

SECTION 3: On behalf of the City of Yuma, the City Administrator is authorized to execute all necessary documents necessary to vacate the use of the Alley as a roadway and transfer fee title to the City as the abutting property owner.

SECTION 4: Vacating the Alley will take effect when the City records the deed vacating the property in accordance with A.R.S. § 28-7205(3).

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVED:

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Douglas J. Nicholls  
Mayor

ATTESTED:

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Lynda L. Bushong  
City Clerk

APPROVED AS TO FORM:

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Richard W. Files  
City Attorney