

RESOLUTION NO. R2018-035

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA,
ARIZONA, AUTHORIZING AND APPROVING THE EXECUTION OF A
PREANNEXATION DEVELOPMENT AGREEMENT WITH THE
OWNER OF REAL PROPERTIES LOCATED ON 5TH STREET EAST OF
AVENUE C**

WHEREAS, the City of Yuma (City) is authorized under Arizona Revised Statutes Section 9-500.05 to enter into development agreements with owners of real property situated in unincorporated lands; and,

WHEREAS, the owner of certain real properties located on 5th Street east of Avenue C (the Property) desires to annex the Property into the boundaries of the City, but does not meet the annexation requirements at this time; and,

WHEREAS, the City adopted its General Plan in 2012, and the use and development of the Property is consistent with the goals and objectives of the City of Yuma General Plan, as amended; and,

WHEREAS, the Property is located in unincorporated lands which is territory that is desired by the City to be annexed into the boundaries of the City; and,

WHEREAS, the Property owner desires certain assurances and commitments from the City prior to and upon annexation of the Property into the City.

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

SECTION 1: The Preannexation Development Agreement between the Property owner and the City of Yuma, attached as Exhibit A and incorporated as part of this Resolution by reference, is approved according to its terms.

SECTION 2: The City Administrator is authorized and directed to execute the attached Preannexation Development Agreement on behalf of the City of Yuma.

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