



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: August 1, 2018
DEPARTMENT: City Attorney
DIVISION: Real Estate Services

- ☐ Motion
- ☐ Resolution
- ☐ Ordinance - Introduction
- ☒ Ordinance - Adoption
- ☐ Public Hearing

TITLE:

Vacate Alley Right-of-Way

SUMMARY RECOMMENDATION:

Vacate the described alley right-of-way in the 1200 South Block between 2nd Avenue and 3rd Avenue for use as part of the Utilities Administration Complex. (City Attorney) (Richard W. Files)

REPORT:

To construct the new Utilities Administration Complex (C.I.P. Project 0038-Water), the City of Yuma (City) acquired a number of parcels of real property north of the 200-298 block of West 13th Street as shown in the attached location map. Prior to the lot-tie of the surrounding City-owned parcels, the alley between 2nd Avenue and 3rd Avenue, described in Exhibit "A" to the ordinance, needs to be vacated pursuant to Arizona Revised Statutes (A.R.S.) § 28-7205(3). This statute provides that upon vacating right-of-way, "title to the roadway [alley] vests in the owners of the abutting land" to the centerline.

The described alleyway is approximately 8615 square feet or 0.198 acres. At the time the proposed ordinance goes into effect, the City will own all of the abutting land, so title to the vacated roadway will vest in the City as the abutting property owner to the centerline of the alley. With construction of the new Utilities Administration Complex, the alley will no longer be necessary for access to the abutting parcels.

Vacating the alleyway and tying the various parcels is necessary for the construction of the Utilities Administration Complex. The attached proposed ordinance declares the alleyway surplus as right-of-way and authorizes vacating the alley right-of-way as described.

FISCAL REQUIREMENTS	CITY FUNDS:	\$0.00	BUDGETED:	\$0.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$0.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP:	
	TOTAL:	\$0.00		
	FISCAL IMPACT STATEMENT:			
ADDITIONAL INFORMATION	SUPPORTING INFORMATION NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT IS ON FILE IN THE OFFICE OF THE CITY CLERK: 1. 2. 3. 4. 5.			
	IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL? <input type="radio"/> Department <input type="radio"/> City Clerk's Office <input type="checkbox"/> Document to be recorded <input type="checkbox"/> Document to be codified			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Gregory K. Wilkinson		7/10/2018	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		7/9/2018	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Richard W. Files		6/20/2018		
WRITTEN/SUBMITTED BY:		DATE:		
Erica Rivera		6/14/2018		