



# REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:**

October 21, 2020

**DEPARTMENT:**

Engineering

**DIVISION:**

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

**TITLE:**

Declare Surplus and Real Property Exchange and Development Agreement: Arizona West RV Park

**SUMMARY RECOMMENDATION:**

Authorize the City Administrator to execute the appropriate document to declare surplus for the exchange of the surplus property for fee title to one parcel of 32nd Street right-of-way, and one parcel of Avenue 7E Street right of way, and vacate the surplus right-of-way to the abutting property owner through the recording of a quit claim deed. (Engineering) (Jeffrey Kramer)

**REPORT:**

Arizona Department of Transportation (ADOT) (formerly the Arizona State Highway Department), obtained a 100-foot easement for the south half of 32nd Street (previously Highway 80) on July 8, 1948. The City obtained the ADOT easement for 32nd Street on September 20, 2010 through an ADOT Resolution of abandonment.

The City of Yuma has consistently classified 32nd Street as an expressway requiring an 80-foot half width right-of-way (ROW), allowing the south 20 feet of the existing 100 feet roadway easement to be abandoned/vacated.

Birmingham, LLC is the owner of the Arizona West RV Park (Owner), the property south of 32<sup>nd</sup> Street and west of Avenue 7E. Owner owns underlying fee title to the 32nd Street ROW, and underlying fee title to the existing Avenue 7E, with the existing west 33 feet of Avenue 7E ROW being a declaration of a county roadway on a section line. The City of Yuma Transportation Master Plan calls Avenue 7E a collector street at this location requiring a 40 feet ROW on the west half. Additionally a corner triangle with 40-foot legs is needed at the southwest corner of 32nd Street and Avenue 7E.

The Owner is in agreement to dedicate the underlying fee title to 32<sup>nd</sup> Street and Avenue 7E, plus the additional 7 feet of ROW along the Avenue 7E frontage, plus the corner triangle in exchange for vacating the south 20 feet of 32nd Street adjoining the property frontage that is not part of the needed corner triangle. In exchange, the City will make certain improvements to Owner's property including the installation of a private vehicular access frontage road on the northern portion of the Owner's property and two vehicular driveways off of 32<sup>nd</sup> Street.

Future Avenue 7E turn lane improvements, currently shown as a 2024 construction project on page 71 of the 2021-2025 Capital Improvement Program book, will impact the current 32nd Street access locations for the park. The Owner was agreeable to reducing the current seven access locations to two access location along 32nd Street frontage, with an addition of a private frontage type road on the owners property tying the current 7 streets into the frontage road, and developing two right-in right-out access locations at City cost. The design of the frontage road in concept is similar to the existing private streets. There are septic tank locations near the 32nd Street frontage, which under the proposed Real Property Exchange and Development Agreement, are not the responsibility of the City if the proposed road improvements impact the tanks.

Design & construction of the private frontage road, and two access locations onto 32nd Street will may increase the proposed cost of the 32<sup>nd</sup> Street and Avenue 7E turn lane CIP project. Cost will be updated during the next CIP update cycle.

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: \$0.00	
	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. 2021-2025 Capital Improvement Program 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 checked="" type="radio"/> City Clerk's Office <input checked="" type="checkbox"/> Document to be recorded <input type="checkbox"/> Document to be codified			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Philip A. Rodriguez		9/30/2020	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		9/28/2020	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Jeffrey A. Kramer		9/8/2020		
WRITTEN/SUBMITTED BY:		DATE:		
Andrew McGarvie		9/7/2020		