

ORDINANCE NO. O2024-037

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AUTHORIZING THE ACQUISITION OF CERTAIN PARCELS OF REAL PROPERTY AND TEMPORARY CONSTRUCTION EASEMENTS, HEREAFTER DESCRIBED, BY DONATION, PURCHASE, OR BY THE POWER OF EMINENT DOMAIN FOR THE PEDESTRIAN HYBRID BEACONS, CAPITAL IMPROVEMENT PROJECT (0032-ROAD8), TRAFFIC SIGNALS AND ADA SIDEWALK RAMPS, AND AUTHORIZING PAYMENT THEREFOR, TOGETHER WITH COSTS NECESSARY FOR THE ACQUISITION

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

WHEREAS, the City has identified the acquisition of certain necessary parcels of real property and temporary construction easements necessary for the construction of public improvements on 4th Avenue and Court Street, 4th Avenue between 4th Street and 5th Street, 4th Avenue between 12th Street and 13th Street, 24th Street and 6th Avenue, and Giss Parkway between 1st Avenue and Madison Avenue; and,

WHEREAS, acquiring these property interests will be of public benefit and in the public interest.

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

SECTION 1: It is deemed necessary and essential, as a matter of public necessity and public welfare, that certain parcels of real property and temporary construction easements described and depicted in Exhibits A and B (Legal Descriptions and Sketches for APN 633-34-128, 633-42-206, 633-42-207, 633-43-061, 633-50-082, 665-18-361, 665-19-075, 633-42-001, 633-43-062, 633-44-084, 633-44-085 and 665-58-031) attached and by this reference made a part of this ordinance, be acquired by the City of Yuma, as such acquisitions are required to extend and install new traffic signals as well as ADA sidewalk ramps for the public interest of the City that will be of public benefit.

SECTION 2: City staff is authorized and directed to acquire the described real properties and any necessary property rights by gift, easement or purchase and, in the event the City of Yuma, in its sole discretion, is unable to acquire the properties upon satisfactory terms, City staff is authorized and directed to perform all acts necessary to acquire title to and possession of the described properties under the power of eminent domain, for the City of Yuma.

SECTION 3: The duly authorized disbursing officer of the City of Yuma is authorized and directed to pay all sums necessary to acquire the described properties and property rights, together with recording fees, escrow, title insurance, closing and all other costs necessary in the acquisition of the properties.

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