

ORDINANCE NO. O2025-013

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA,
ARIZONA, GRANTING A SETBACK AND PARKING EASEMENT TO
THE ABUTTING PROPERTY OWNER**

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

WHEREAS, the City owns approximately 20,928 square feet of right-of-way (ROW) at the 7th Street alignment between 21st Avenue and 24th Avenue in Yuma, Arizona as depicted and described in Exhibit A (7th Street ROW) to the attached Grant of Easement; and,

WHEREAS, the 7th Street ROW is unpaved and is not used for vehicular traffic but contains a 42" storm sewer line owned by the City; and,

WHEREAS, Cafe Main Street Properties LLC (Cafe Main Street) is a California limited liability company and owns the parcel (APN 623-61-361) immediately south of the 7th Street ROW as depicted in Exhibit A; and,

WHEREAS, Cafe Main Street is developing a company housing project called Calle Ocho Norte on APN 623-61-361 and seeks an easement from the City to avoid the ROW from becoming a trash collection site between Calle Ocho Norte to the south and the Pecan Grove Elementary School to the north and to meet required minimum setback requirements; and,

WHEREAS, the City's storm sewer line is adequately protected through easement covenants preserving City access to the storm sewer line and prohibiting construction, the operation of heavy equipment, and the planting of trees and shrubs within the footprint of the 7th Street ROW.

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

SECTION 1: Upon receipt of payment from Cafe Main Street, the City Administrator is authorized and directed to execute and record the attached Grant of Easement and to take all acts consistent with the intent of this ordinance.

Adopted this ___ day of May 2025.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney

EXHIBIT A

Map

(ROW to be deeded to Cafe Main Street and protected under an easement reserved to the City)



LOCATION MAP



LEGEND



NOTE:
THIS MAP IS PREPARED TO SHOW
GENERAL SITE LOCATION ONLY.

PREPARED BY: ISRAEL M.

CITY OF YUMA
ENGINEERING DEPARTMENT

DATE: 04-07-2025

SCALE: NTS

Legal Description

(ROW to be deeded to Cafe Main Street and protected under an easement reserved to the City)

A portion of the South half of the Southwest quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 20, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, City of Yuma, County of Yuma, State of Arizona, also described in the Hansberger Subdivision No. 3, dated 6/29/1951, Recorded in Book 3 of Plats, Page 79, Yuma County Records (YCR) , and adjacent to the Pecan Garden Estates Subdivision, dated 9/30/2015, FEE # 2015-21970, Recorded in Book 28 of Plats, Page 2, YCR, and further described as follows:

Commencing at the intersection of the centerlines of 24th Avenue and 7th Street described said Hansberger Subdivision No. 3 plat, and said Pecan Garden Estates Subdivision plat;

Thence North 89° 32' 43" East (Record) along the centerline of 7th Street, a distance of 30.00 feet (Record) to the Northwest Corner of Lot 1 in the Pecan Garden Estates Subdivision, being the True Point of Beginning;

Thence continuing North 89° 32' 43" East (Record) along the Centerline of 7th Street, also being the Northline of said Lot 1, a distance 697.62 feet (Record) to the Northeast corner of said Lot 1;

Thence North 00° 25' 16" West (Calculated) along a northly extension of the West property line of said Lot 1, a distance of 30.00 feet (Record) to the southeast corner of Block 4, described in the said Hansberger Subdivision No. 3;

Thence South 89° 32' 43" West (Calculated) along the north right-of-way line of 7th Street, a distance of 697.61 feet, more or less (Calculated), (697.72 from Hansberger Plat) to the southwest corner of Lot 20, Block 3, of said Hansberger Subdivision No. 3;

Thence South 00° 24' 40" East (Calculated) along a northerly extension of the West line of said Lot 1 of said Pecan Garden Estates subdivision, a distance of 30.00 feet (Record) to the True Point of Beginning.

Containing 20,928.37 square feet or 0.480 of an Acre, more or less.

Description Verified By:	Andrew McGarvie
City Engineering Department	4/7/2025