

**ORDINANCE NO. O2023-038**

**AN ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF YUMA, ARIZONA, DECLARING  
CERTAIN CITY-OWNED REAL PROPERTIES,  
HEREAFTER DESCRIBED, SURPLUS FOR CITY  
USE AND AUTHORIZING THE SALE OF EACH  
OF THE SURPLUS PROPERTIES THROUGH  
SEPARATE OR COLLECTIVE COMPETITIVE  
PROCESSES SUCH AS REQUESTS FOR  
PROPOSALS**

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

WHEREAS, the City acquired certain real properties, one parcel of which is located at the northwest corner of N. Madison Avenue and W. 1<sup>st</sup> Street (Parcel 1), legally described and depicted in Exhibit A; and,

WHEREAS, the second parcel is located at 120 N. Main Street (Parcel 2), legally described and depicted in Exhibit B; and,

WHEREAS, since 2005, the described properties were encumbered under a Master Development and Disposition Agreement which the parties terminated pursuant to a partial termination recorded as Yuma County Recorder's Fee #2022-23700; and,

WHEREAS, both parcels of real property are no longer required by the City and can be returned through a competitive process to private ownership and placed on the property tax roll as a productive use within the City.

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

SECTION 1: The real properties described in Exhibit A and Exhibit B, attached and by this reference made a part of this Ordinance, are declared surplus for use by the City and the sale of the surplus properties will serve the public interest of the City and would be of public benefit.

SECTION 2: City staff is authorized and directed to perform all acts necessary to effectuate the exchange or sale of the City Property through the use of separate or collective Request For Proposals or other competitive processes, with the award of the sale documented in a real property sale and development agreement approved by City Council resolution that, among other things, includes conditions relating to the timing of the development of each surplus parcel, project description, and other development related considerations, all in accordance with the conditions of this ordinance.

SECTION 3: The City Administrator is authorized to execute all necessary documents on behalf of the City of Yuma to affect the sale and transfer of the City surplus properties identified in Exhibit A and Exhibit B.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

APPROVED

\_\_\_\_\_  
Douglas J. Nicholls  
Mayor

ATTEST:

\_\_\_\_\_  
Lynda L. Bushong  
City Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
Richard W. Files  
City Attorney

**Exhibit A to Ordinance No.02023-038**

Legal Description

APN: 633-36-259

Old APN: 633-36-258

GIS Address: 150 N. Madison Avenue

A portion of Section 35, Township 16 South, Range 22 East of the San Bernardino Base and Meridian, City of Yuma, Yuma County, State of Arizona, and more particularly described as:

Lot 8 of the Pivot Point Yuma subdivision, dated 12/17/2013, FEE# 2013-33774, recorded in Book 26 of Plats, Pages 92 through 96, Yuma County Records.

Containing 52,607 square feet or 1.2077 acres, more or less.

City Engineer's Approval of Legal Description	Date:



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

EXHIBIT "A"  
APN: 633-36-259

Prepared by: JOHN NYE

CITY OF YUMA  
ENGINEERING DEPARTMENT

Date: 7-5-2023

SCALE: N.T.S.



**Exhibit B to Ordinance No.02023-038**

Legal Description

APN: 633-36-262

Old APN: 633-36-207, 633-36-208, 633-36-209, 633-36-210

New GIS Address: 120 N. Main Street

A portion of Section 35, Township 16 South, Range 22 East of the San Bernardino Base and Meridian, City of Yuma, Yuma County, State of Arizona, and more particularly described as:

Lot 7 of the Amended Map of KGH Lot Split, dated 2/5/2018, FEE# 2018-03035, recorded in Book 29 of Plats, Page 63, Yuma County Records.

Containing 14,404 square feet or 0.3307 of an acre, more or less.

City Engineer's Approval of Legal Description	Date:



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

EXHIBIT "B"  
APN: 633-36-262

Prepared by: JOHN NYE

CITY OF YUMA  
ENGINEERING DEPARTMENT

Date: 7-5-2023

SCALE: N.T.S.

