

ORDINANCE NO. O2024-015

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA,
ARIZONA, AUTHORIZING THE GRANT OF AN EASEMENT TO THE
YUMA COUNTY WATER USERS ASSOCIATION FOR INSTALLATION
AND MAINTENANCE OF A NEW IRRIGATION LINE FOR THE THACKER
LATERAL**

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 Yuma County Water Users’ Association (“YCWUA”) maintains the United States Bureau of Reclamation’s (“USBR”) Thacker Lateral on 28th Street, between Avenue C and 33rd Drive, in Yuma, Arizona; and,

WHEREAS, the Thacker Lateral is beginning to fail and YCWUA intends to install a new irrigation line on 28th Street, between Avenue C and 33rd Drive; and,

WHEREAS, to avoid possible damage to a soon to be constructed 28th Street, the City desires YCWUA to install the new irrigation line within a 20-foot strip of right-of-way (“ROW”) with a crossing along the south side of 28th Street as depicted in Exhibit A attached and incorporated as part of this ordinance; and,

WHEREAS, YCWUA has promised to place the new irrigation line within the City’s 20-foot ROW if the City grants an easement substantially in the form of the Contract and Grant of Easement attached and incorporated as Exhibit B and on file in the Office of the City Clerk.

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

SECTION 1: It is deemed a matter of public necessity and public welfare, that the City grant an easement to YCWUA substantially in the form of the Contract and Grant of Easement attached as Exhibit B which is approved according to its terms.

SECTION 2: On behalf of the City of Yuma, the City Administrator is authorized to execute all necessary documents to grant the above-referenced easement to YCWUA.

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

Exhibit A

