

## RESOLUTION NO. 5812

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING THE ACQUISITION OF APPROXIMATELY 0.9197 ACRES (40,062 SQUARE FEET) OF VACANT LAND LOCATED EAST OF THE NORTHEAST CORNER OF COOPER ROAD AND HUNT HIGHWAY FOR MARKET VALUE PLUS CLOSING COSTS AND ESCROW FEES; AND AUTHORIZING THE CITY'S REAL ESTATE ADMINISTRATOR TO SIGN, ON BEHALF OF THE CITY, THE PURCHASE AGREEMENT, AND ANY OTHER DOCUMENTS NECESSARY TO FACILITATE THESE ACQUISITIONS; AUTHORIZING EMINENT DOMAIN PROCEEDINGS AS NEEDED TO ACQUIRE SAID REAL PROPERTY AND OBTAIN IMMEDIATE POSSESSION THEREOF; AND, RELOCATION ASSISTANCE AS MAY BE REQUIRED BY LAW.

WHEREAS, the City requires additional well sites for future growth; and

WHEREAS, the City has determined that an approximately 0.9197 acre (40,062 square feet) parcel of vacant land owned by the Cooper Commons Community Association that is located east of the northeast corner of Cooper Road and Hunt Highway (the "Property") and that is adjacent to an existing City water production facility meets those needs; and

WHEREAS, the acquisition of this property will provide an additional well site for future City requirements.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chandler, Arizona, as follows:

- Section 1. Determines that the acquisition of the Property as described in Exhibit "A" attached hereto and made a part hereof, will benefit the City of Chandler.
- Section 2. Authorizes and directs the City of Chandler to purchase the Property described in Exhibit "A" for an amount equal to the market value, plus closing costs and escrow fees. The written offer must be in a form approved by the Chandler City Attorney prior to being deposited into escrow.
- Section 3. Subject to Section 2 above, authorizes the City's Real Estate Administrator, any city real estate officer acting on the Administrator's behalf, or any retained right-of-way consultant acting at the direction of the Real Estate Administrator, to make the written offer for the Property and, when accepted, to execute, deliver and deposit into escrow as required, the approved purchase agreement along with all other documents and instructions necessary to consummate the purchase of the Property.
- Section 4. Authorizes and directs the Chandler City Attorney to commence condemnation (eminent domain) proceedings to acquire the Property in the name of the City of Chandler, including any improvements thereon, and to secure immediate possession of the Property, for the public purpose of constructing a potable water well and

associated facilities on the site, and further directs the Chandler City Attorney to do and perform all acts necessary to further the acquisition of title to and immediate possession of the Property.

Section 5. Authorizes the City of Chandler to provide relocation assistance, including benefits, as may be required by law. The City's Real Estate Administrator will make the initial determination of any of any claim received for relocation benefits; any administrative appeal from such decision will be considered and acted upon by and through the Real Estate Administrator or persons acting under the Administrator's direction or on the Administrator's behalf for such purpose, whose decision is final in accordance with applicable law.

PASSED AND ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

#### CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5812 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CITY ATTORNEY

**EXHIBIT "A"**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA AND IS DESCRIBED AS FOLLOWS:

Tract B of Cooper Commons II Parcel 4, according to Book 504 of Maps, page 43, records of Maricopa County, Arizona.