

ORDINANCE NO. 2019-23

AN ORDINANCE OF THE FLAGSTAFF CITY COUNCIL AUTHORIZING TRANSFER OF REAL PROPERTY ALONG ARIZONA HIGHWAY 180/HUMPHREYS STREET FROM ROUTE 66 TO ASPEN AVENUE TO THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR RIGHT-OF-WAY PURPOSES; DELEGATING AUTHORITY, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the City of Flagstaff desire to transfer certain real property to the Arizona Department of Transportation ("ADOT") for public right-of-way purposes, specifically the widening of Humphreys Street between Route 66 and Aspen Avenue; and

WHEREAS, pursuant to Article VII, Section 5 of the Flagstaff City Charter, the Council shall by ordinance provide for acquisition, sale, or exchange of public real property.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1: In General.

The City Council hereby authorizes the transfer of certain real property located along the east side of Humphreys Street (adjacent to the Marriott Residence Inn), as legally described and depicted in the attached Exhibit A, to the Arizona Department of Transportation by Quit Claim Deed for public right-of-way purposes.

The City Council hereby authorizes the transfer of certain real property located along the west side of Humphreys Street (adjacent to City Hall), as depicted in the attached Exhibit B, to the Arizona Department of Transportation by Quit Claim Deed for public right-of-way purposes; provided, however, transfer is contingent upon City Engineer review and approval of the final legal descriptions.

The City Council hereby authorizes the grant of temporary construction easements for the purposes of widening Humphreys Street; provided, however, the grant is contingent upon City Engineer approval of the final locations.

In consideration for the transfers of real property interests approved herein, and other valuable consideration or public benefit, the Arizona Department of Transportation shall widen Humphreys Street as part of an ADOT project anticipated to be commence in FY19-20, and such project shall include complete street improvements, including restoration of any affected adjacent properties to good condition following completion of the project.

The Quit Claim Deed and Temporary Construction Easements shall be in a form approved by the City Real Estate Manager and City Attorney.

SECTION 2: Delegation of Authority.

The Mayor is authorized to execute all documents approved herein. The City Manager, the City Attorney, the City Clerk, the Finance Director, the City Real Estate Manager, or other employees or agents as deemed necessary, are hereby authorized and directed to take all steps and execute all documents necessary to carry out the purpose and intent of this ordinance.

SECTION 3: Effective Date

This ordinance shall become effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 2nd day of July, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Attachments:

Exhibit A

Exhibit B