

ORDINANCE NO. 2019-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, GRANTING NON-EXCLUSIVE UTILITY EASEMENTS TO ARIZONA PUBLIC SERVICE COMPANY IN, OVER, AND ACROSS CERTAIN CITY PROPERTY, WITHIN THE AREA OF SOUTH BEULAH BOULEVARD AND WEST UNIVERSITY HEIGHTS DRIVE; DELEGATING AUTHORITY TO COMPLETE THE TRANSACTIONS; AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the City is willing to grant non-exclusive utility easements to Arizona Public Service Company for its utility purposes, in, over and across certain real property owned by City (affecting Coconino County Assessor Parcel Numbers 112-20-012B and 112-19-010C); and

ENACTMENTS:

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

SECTION 1. In General.

The City hereby authorizes the grant of non-exclusive utility easements to Arizona Public Service Company for its utility purposes, in, over and across certain real property legally described and depicted in Exhibit A, without any warranty of title, in consideration for payment to City of \$4.00 per square foot of the easement area.

SECTION 2. Delegation of Authority.

The Mayor is hereby authorized to execute all documents necessary to accomplish the purposes of this ordinance as provided for herein. All documents shall be in a form approved by the City Attorney and Real Estate Manager.

The City Clerk is hereby authorized to take such other and further measures and actions as are necessary and appropriate to carry out the terms, provisions, and intent of this resolution, including, but not limited to the recording of the documents in the Office of the Coconino County Recorder.

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 April, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Attachments:

Exhibit A: Map showing location of APS Utility Easement(s)