

RESOLUTION NO. 2022-35

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF,
AUTHORIZING CONDEMNATION OF REAL PROPERTY FOR THE LONE
TREE OVERPASS PROJECT; PROVIDING FOR DELEGATION OF
AUTHORITY, AND ESTABLISHING AN EFFECTIVE DATE**

RECITALS:

WHEREAS, on July 6, 2021, the Flagstaff City Council adopted Ordinance No. 2021-15 authorizing acquisition of real property interests for the Lone Tree Overpass Project;

WHEREAS, pursuant to Section 3 of the Ordinance No. 2021-15 the City Council may approve any condemnation necessary for public use, including site access, by resolution referencing this ordinance, and including a legal description and map of the properties sought to be condemned, which resolution shall be immediately effective.

ENACTMENTS:

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF,
ARIZONA AS FOLLOWS:**

SECTION 1. In General

The City Council hereby authorizes the filing of a condemnation proceeding to acquire that certain real property located at 633 E. Brannen Avenue, Flagstaff, Arizona 86001, identified as Coconino County Assessor Parcel No. 104-04-011D and legally described in the attached Exhibit 1; and, that certain real property located at 510 E. Brannen Avenue, Flagstaff, Arizona 86001, identified as Coconino County Assessor Parcel No. 104-01-097D and legally described in the attached Exhibit 2, (such parcels collectively referred to hereafter as “the Property”), for a public use, the Lone Tree Railroad Overpass from Butler Avenue to Route 66, along with related pedestrian, bicycle, and street connections (“Lone Tree Overpass Project”).

SECTION 2. Delegation of Authority.

The Mayor, City Manager, City Attorney, City Clerk, Finance Director, City Engineer, Real Estate Manager, or their delegates or agents, are hereby authorized and directed to take all steps and execute all documents necessary to acquire the Property and to carry out the purpose and intent of this resolution, and to acquire the Property through purchase, exchange, gift, donation, dedication, or condemnation.

SECTION 3. Effective Date

This Resolution shall be immediately effective.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 5th day of July, 2022.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibits:

Exhibit 1: Legal description

Exhibit 2: Legal description