

**RESOLUTION NO. 2023-21**

**A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL APPROVING THE FILING OF CONDEMNATION PROCEEDINGS TO ACQUIRE EASEMENTS NECESSARY FOR THE SWITZER CANYON WATER TRANSMISSION MAIN PROJECT, PHASE IV, A PUBLIC USE; AND ESTABLISHING AN EFFECTIVE DATE**

**RECITALS:**

WHEREAS, the City Council adopted Ordinance No. 2019-26 authorizing the acquisition of real property and/or easements needed for the Switzer Canyon Water Transmission Main Project, Phases IV & V within Sections 3, 4, and 10, Township 21 North, Range 7 East, Gila and Salt River Meridian, Coconino County, Arizona, by means of purchase, exchange, gift, donation, dedication or condemnation for a public use; and

WHEREAS, Ordinance No. 2019-26 provides that that the City Council shall approve any condemnation necessary for public use, including site access, by resolution referencing this ordinance, and including a legal description and map of the property interests sought to be condemned, which resolution shall be immediately effective; and

WHEREAS, on September 6, 2022 the City Council adopted Resolution No. 2022-45 authorizing condemnation proceedings to be filed for acquisition of necessary property interests for Phase IV; and

WHEREAS, the City Council desires to adopt this Resolution in order to authorize condemnation proceedings to be filed for acquisition of additional necessary property interests consisting of access and maintenance road easements should the City be unable to reach agreements with affected property owners for purchase of the easements.

**ENACTMENTS:**

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

SECTION 1. In General.

The City Council hereby approves the filing of condemnation proceedings to acquire the real property interests legally described and depicted in the maps attached hereto as Exhibit 1 (“the Property”), necessary for the Switzer Canyon Water Transmission Main Project, Phase IV, a public use, in accordance with applicable laws. A map showing the general location of the water transmission main, Phase IV, is attached hereto as Exhibit 2.

SECTION 2. Effective Date.

This resolution shall be immediately effective upon adoption.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 23<sup>rd</sup> day of May, 2023.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY

Exhibits:

- Exhibit 1: List of easements to be acquired  
Legal descriptions and maps
- Exhibit 2: Map showing Phase IV route

EXHIBIT 1  
LIST OF EASEMENTS TO BE ACQUIRED

<b><u>APN:</u></b>	<b><u>Current Owner:</u></b>	<b><u>Easement:</u></b>	<b><u>Size (sq.ft):</u></b>
110-14-017A	Lockett Estates HOA	AccessRoad	2.67 acres
110-12-018D	Salce	Access Road	16,350
110-12-018H	McCormick	Access Road	12,224
110-12-018J	Balzer Trust	Access Road Maintenance Road	29,872 2,560
110-12-002E	Heflin/Mike	Access Road Maintenance Road	9,600 3,677
110-03-004	Hughes	Access Road	91,040

LEGAL DESCRIPTIONS AND MAPS

EXHIBIT 2  
MAP OF PHASE IV WATER MAIN ROUTE