

RESOLUTION NO. 2023-60

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, AUTHORIZING CONDEMNATION OF REAL PROPERTY FOR THE HIGHWAY 180 CULVERT PROJECT; PROVIDING FOR DELEGATION OF AUTHORITY, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, on April 18th, 2023 the Flagstaff City Council adopted Ordinance No. 2023-08 authorizing acquisition of real property interests for the Highway 180 Culvert Project; and

WHEREAS, the City Council may adopt a resolution authorizing condemnation of property interests necessary for a public use, as provided for in Section 2 of the Ordinance No. 2023-08 upon review of the necessary property interests and legal descriptions, which resolution shall be immediately effective; and

WHEREAS, the City has been unable to acquire certain property for the Highway 180 Culvert Project despite good faith negotiations.

ENACTMENTS:

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

SECTION 1. In General

The City Council hereby finds that the certain real property located on the east side of Fort Valley Road (Highway 180) south of Creekside Drive in Flagstaff, Arizona 86001, identified as Coconino County Assessor Parcel No. 111-01-025D- and legally described and depicted in the attached Exhibit 1 ("the Property") is necessary for a public use, the Highway 180 Culvert Project, ("Highway 180 Culvert Project").

The City Council hereby authorizes the filing of a condemnation proceeding to acquire the Property for such public use.

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 upon adoption.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 5th day of December, 2023.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibits:

Exhibit 1: Legal description