

RESOLUTION NO. 2023-23

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL FINDING THAT TAKING OF PROPERTY INTERESTS IS NECESSARY FOR THE MILTON ROAD AND UNIVERSITY AVENUE RIGHT-OF-WAY PROJECT, A PUBLIC USE, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the City Council has budgeted and approved construction of the Milton Road and University Avenue Right-of-Way Project (also known as the Beulah/University Roadway Project or Beulah/University Realignment Project) (“the Project”), and construction commenced in May 2023; and

WHEREAS, the Project calls for the following improvements: new roadway construction, including a roundabout – with significant grading work, a pedestrian underpass under Milton Road/Highway 89, replacing existing water and sewer mains, water and sewer services, stormwater improvements, and roadway edge improvements (including but not limited to curb and gutter, sidewalk) for the entire Project limits, all of which constitutes a public use; and

WHEREAS, the City Council adopted Ordinance No. 2022-24 and Ordinance No. 2023-10 authorizing acquisition of necessary property interests for the Project, including authority to condemn necessary property interests should the City be unable to reach agreements with affected property owners for the purchase of the necessary property interests.

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 taking of the real property interests legally described and depicted in the attached Exhibit 1 (“the Property”), is necessary for the Project, a public use. A map showing the general location of the Project 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 16th day of May, 2023.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibits:

Exhibit 1: Chart and legal descriptions

Exhibit 2: Map