

RESOLUTION NO. R26-38

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE AUTHORIZING THE ACQUISITION OF REAL AND PERSONAL PROPERTY INTERESTS NEEDED FOR THE 74TH AVENUE AND CLAREMONT SCALLOP STREET PROJECT.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

WHEREAS, the Mayor and Council of the city of Glendale previously approved Capital Improvement Project (CIP) CIPST22065 74TH Avenue and Claremont Scallop Street Project (the "Project"); and

WHEREAS, the Project will widen the roadway at 74th Avenue and Claremont to align with the new right of way limits associated with development to the east; and

WHEREAS, design plans for the Project Improvements are 90% complete and the City's design consultants have identified the portions of real property over which right of way will be required; and

WHEREAS, staff is hereby authorized and directed to acquire, by dedication, donation, purchase, or the exercise of the power of eminent domain, the right-of-way in fee, permanent right-of-way easements; Public Utility Easement and Temporary Construction Easements within the areas described and depicted in Exhibit "A" attached hereto as determined by the final engineering design plans and any personal property located within the right-of-way and easements being acquired that will need to be removed or that will be damaged to accommodate the Project Improvements. Written offers and purchase agreements for the real and personal property interests to be acquired shall be in a form approved by the City Attorney or designee; and

WHEREAS, the city of Glendale has considered alternatives available to it, has balanced the greater public good and the least private impact that will result from the City's acquisition of the real property interests necessary for the completion of the Project Improvements and, the removal of any personal property thereon if required to accommodate the Project Improvements; and

WHEREAS, the City of Glendale has determined that the acquisition of the right-of-way, permanent easements, temporary construction easements, and real property as described above within the areas described and depicted in Exhibit "A" hereto results in greater public good and the least private impact.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

1. The Council of the City of Glendale finds that the acquisition of right-of-way in fee, permanent right-of-way easements; Public Utility Easements and Temporary Construction Easements within the areas described and depicted in Exhibit "A" attached hereto and any personal property located within the right-of-way and easements being acquired that will

need to be removed or that will be damaged to accommodate the Project Improvements is needed for the completion of CIPST22065 74TH Avenue and Claremont Scallop Street Project and the securing of immediate possession of such real and personal property interests is for a necessary public purpose and is in the best interest of the citizens of the City of Glendale.

2. If city staff is not able to acquire the real and personal property interests needed for the completion of the Project Improvements by dedication donation, or purchase within a reasonable period of time, the City Attorney, or his designee is hereby authorized and directed to commence or cause the commencement of condemnation proceedings, through the exercise of the power of eminent domain, to acquire, in the name of the City of Glendale, the real and personal property interests needed for the construction of the Project Improvements and to secure immediate possession of such real and personal property interests. The City Attorney and/or his designee are further authorized and directed to undertake all actions and to perform all acts necessary in furtherance of the acquisition of such real and personal property interests.

3. The City Manager, or designee, are expressly authorized to take all actions and execute all documents necessary to acquire the real and personal property interests needed for the completion of CIPST22065 74TH Avenue and Claremont Scallop Street Project as authorized herein, and to carry out the intent of this Resolution.

Resolution R26-38 shall be effective upon the date of its adoption.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 28th day of April, 2026.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Patrick S. Banger, City Manager

EXHIBIT "A"
Right of Way Strip Map

