

RESOLUTION NO. 2024-2419

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, FINDING THAT ACQUISITION OF REAL PROPERTY INTERESTS NEEDED FOR THE COMPLETION OF IMPROVEMENTS TO THE WEST HALF OF SARIVAL AVENUE BETWEEN YUMA ROAD AND ELWOOD STREET AND THE INTERSECTION AT LOWER BUCKEYE ROAD AND SARIVAL AVENUE IS A MATTER OF PUBLIC NECESSITY; AUTHORIZING AND DIRECTING CITY STAFF TO ACQUIRE SUCH INTERESTS BY DEDICATION, DONATION, PURCHASE OR THE EXERCISE OF THE POWER OF EMINENT DOMAIN; PROVIDING AUTHORIZATION TO CITY MANAGER AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mayor and Council of the City of Goodyear previously approved Capital Improvement Project Number 42048 Sarival Avenue (West Half) Yuma Road to Elwood Street, to improve and widen the west side of Sarival Avenue between Yuma Road and Elwood Street and Capital Improvement Project Number 42047 Lower Buckeye and Sarival Intersection Improvements Project Number 42047 to improve the intersection at Sarival Avenue and Lower Buckeye Road; and

WHEREAS, the improvements required to improve the intersection at Lower Buckeye Road and Sarival Avenue and to widen the west side of Sarival Avenue between Yuma Road and Elwood Street, include by way of example but not limitation, installation of traffic signals, additional street lanes, turn lanes, bus bays, bike lanes, sidewalks, drainage improvements, landscaping and relocation of existing utilities; and

WHEREAS, the projects' improvements will improve traffic flow and safety at the intersection of Lower Buckeye Road and Sarival Avenue and will improve capacity, traffic flow, safety, and accessibility for motor vehicles, bicycles, and pedestrians heading south on Sarival Avenue between Yuma Road and Elwood Street; and

WHEREAS, the work for both projects will be done under one contract and the completion of the projects require the acquisition of various real property interests, such as the acquisition of additional right-of-way in fee, various permanent easements, and temporary easements; and

WHEREAS, the City of Goodyear has considered alternatives available to it, has balanced the greater public good and the least private injury resulting in the city's acquisition of the real property interests necessary, and has determined that locating the public improvements within the land rights acquired from the properties results in the greater public good and the least private injury.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. The Mayor and Council of the City of Goodyear deem it necessary and essential, as a matter of public welfare, that the real property interests needed for the completion of improvements to the west half of Sarival Avenue between Yuma Road and Elwood Street, and to the intersection at Lower Buckeye Road and Sarival Avenue, be acquired for the purpose of constructing such improvements.

SECTION 2. City Staff is hereby authorized and directed to acquire, by dedication, donation, purchase, or the exercise of the power of eminent domain, the real property

interests needed for the completion of improvements to the west half of Sarival Avenue between Yuma Road and Elwood Street and to the intersection at Lower Buckeye Road and Sarival Avenue from the owners of the properties identified on Exhibit "A" attached hereto, as determined by the final engineering design plans, which includes, but is not limited to, fee ownership of additional right of way; public utility easements, sidewalk easements; drainage easements; and temporary construction easements.

SECTION 3. The City Manager or designee is expressly authorized to take all actions and execute all documents necessary to acquire the real property interests needed for the completion of improvements to the west half of Sarival Avenue between Yuma Road and Elwood Street and to the intersection at Lower Buckeye Road and Sarival Avenue as generally described on Exhibit "A" and to carry out the intent of this Resolution.

SECTION 4. Resolution 2024-2419 shall be effective upon the date of its adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 2024.

Joe Pizzillo, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

EXHIBIT "A"

The four parcels shown below and highlighted in blue are located on the west side of Sarival Avenue. The project is needing Temporary Construction Easements from each of the four property owners. The parcel to the north is within the City of Goodyear and the three parcels to the south are within the jurisdiction of Maricopa County.



The seven parcels shown below and highlighted in blue are located on the west side of Sarival Avenue. The project is needing land rights from the property owners that include right-of-way, public utility & sidewalk easements, drainage easements and temporary construction easements. All of these parcels are within the jurisdiction of Maricopa County.



The five parcels shown below and highlighted in blue are located on the west side of Sarival Avenue. The project is needing land rights from the property owners that include right-of-way, public utility & sidewalk easements, drainage easements and temporary construction easements. All of these parcels are within the jurisdiction of Maricopa County.

