

## **RESOLUTION NO. 2026-2520**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ACQUISITION OF REAL AND PERSONAL PROPERTY INTERESTS NEEDED FOR MC85 AND LITCHFIELD ROAD INTERSECTION IMPROVEMENT PROJECT.

WHEREAS, the Mayor and Council of the city of Goodyear previously approved Capital Improvement Project (CIP) Number 42090 MC85 and Litchfield Road Intersection Improvement Project ("MC85 & Litchfield") to reconstruct the Litchfield Road & MC 85 traffic signal for ADA compliance, including but not limited to sidewalk, curb, gutter, pavement improvements, and utility improvements (the "Project Improvements");

WHEREAS, The Project will replace the existing aging traffic signal infrastructure and associated conduit and fiber infrastructure; modifying medians and pedestrian crossings for ADA compliance; installing sidewalk across Union Pacific Railroad (UPRR) infrastructure at the northwest side of the intersection to connect to existing sidewalk;

WHEREAS, the completion of the Project Improvements will bring aging existing infrastructure to current standards and will improve safety and accessibility pedestrians along MC85 and Litchfield Road;

WHEREAS, design plans for the Project Improvements are 60% complete and the City's design consultants have identified the portions of real property over which a permanent easement and temporary construction and access easements will be required;

WHEREAS, the completion of the Project Improvements will require the City to acquire a temporary construction and access easement that will provide for the staging of equipment and access needed for the construction of Project Improvements from a lot within the City of Goodyear and (iii) personal property located within the easements being acquired that will be removed or impacted by the construction of the Project Improvements;

WHEREAS, the completion of the Project Improvements will require the City to acquire the following real and personal property interests in property located within the City of Avondale: (i) a permanent easement for the construction, operation, maintenance, repair and replacement of right-of-way and utility improvements; (ii) a temporary construction and access easement that will provide for the staging of equipment and access needed for the construction of Project Improvements; and (iii) personal property located within the easements being acquired that will be removed or impacted by the construction of the Project Improvements;

WHEREAS, the City cannot condemn property for right-of-way outside the City of Goodyear's jurisdictional boundaries;

WHEREAS, if the City cannot purchase the real and personal property interests located in property located within the City of Avondale, the City will need to enter into an Intergovernmental Agreement with the City of Avondale to have it acquire the required real and personal property interests needed from the property located within the City of Avondale, which agreement will be presented to council for approval; and

WHEREAS, alternatives to the City's acquisition of the real property interests described herein and generally depicted on the Strip Map attached hereto as Exhibit "A," City of Goodyear were considered and the City of Goodyear has determined that the acquisition of the real property interests as described herein within the areas generally depicted in the Strip Map as Exhibit "A" attached hereto results in the greatest 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 Council of the City of Goodyear finds that the acquisition of Land Rights within the areas described and depicted in Exhibit "A" attached hereto and any personal property located within the Land Rights being acquired that will need to be removed or that will be impacted to accommodate the Project Improvements is needed for the completion of CIP Number 42090 MC85 and Litchfield Road Intersection Improvement 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 Goodyear.

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 within the areas located within the City of Goodyear described herein and generally depicted in Exhibit "A" attached hereto as determined by the final engineering design plans and any personal property located within the Land Rights being acquired that will need to be removed or that will be impacted 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 his designee.

SECTION 3. If city staff is not able to acquire the real and personal property interests located within the City of Goodyear 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 Goodyear, 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 is 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.

SECTION 4. City staff is hereby authorized and directed to acquire, by dedication, donation, or purchase the real property interests within the areas located within the City of Avondale described herein and generally depicted in Exhibit "A" attached hereto as determined by the final engineering design plans and any personal property located within the real property interests being acquired that will need to be removed or that will be impacted 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 his designee.

SECTION 5. If city staff is not able to acquire the real and personal property interests located within the City of Avondale needed for the completion of the Project Improvements by dedication, donation, or purchase within a reasonable period of time, the city staff is hereby authorized and directed to negotiate an Intergovernmental Agreement with the City of Avondale to have the City of Avondale acquire the required real and personal property interests needed from the property located within the City of Avondale, which agreement will be presented to council for approval.

SECTION 5. The City Manager or designee is expressly authorized to take all actions and execute all documents necessary to acquire the real and personal property interest needed for the completion of the CIP 42090 MC85 and Litchfield Road Intersection Improvement Project as authorized herein, and to carry out the intent of this Resolution.

SECTION 6. This Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a \_\_\_\_\_ vote, this 4th day of May, 2026.

\_\_\_\_\_  
Joe Pizzillo, Mayor

Date: \_\_\_\_\_

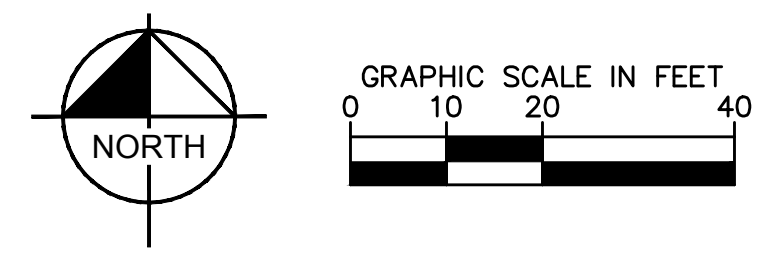
ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Jasmine Pernicano, City Clerk

\_\_\_\_\_  
Roric Massey, City Attorney

EXHIBIT A  
STRIP MAP



LITCHFIELD AND MC85  
ROW STRIP MAP

LEGEND

- PROPOSED TCE
- PROPOSED RIGHT-OF-WAY  
IMPROVEMENT AND UTILITY EASEMENT

