



# Ordinance

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

NO. 355

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA AUTHORIZING EXCHANGE OF REAL PROPERTY FOR WASTEWATER DIVERSION LIFT STATION PROJECT; AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of San Luis acquired 10,000 square feet of land from Somerton Farming Company in 2014 for the purpose of locating a diversion sewer lift station so that wastewater can be diverted from the West Main Wastewater Treatment Plant to the East Main Wastewater Treatment Plant;

**WHEREAS**, when the San Luis Wastewater Diversion Lift Station Project was in design, the design engineers, Dahl Robbins, recommended that the existing parcel be exchanged for a different parcel with a resulting savings of an estimated \$66,250.00 in project construction costs;

**WHEREAS**, Somerton Farming Company is the owner of the parcel that is desired for construction of said project;

**WHEREAS**, Somerton Farming Company is willing to exchange parcels on the terms and conditions set forth below;

**WHEREAS**, the two parcels, as shown on exhibit A, are equal in size and are substantially equal in value, however in severing the parcel that is to be acquired severance damages to the remaining land will occur, lessening the value and utility of the remaining land;

**WHEREAS**, A.R.S. §9-407 authorizes an incorporated city to exchange a parcel of land owned by the city for another parcel of land by ordinance; and

**WHEREAS**, by the adoption of this ordinance as an emergency measure it will allow the Wastewater Diversion Lift Station Project to proceed without further delay, thereby resulting in cost savings in construction costs and creating treatment capacity in the West Main Wastewater Treatment Plant with a resulting beneficial impact to public health and safety.

**BE IT ORDAINED** by the Mayor and City Council of the City of San Luis, Arizona, as follows;

**Section 1:** That the City Manager is hereby authorized to exchange the parcel of land described on exhibit B hereto for the parcel of land described on exhibit C hereto by special warranty deed.

**Section 2:** That the City Manager is authorized to pay \$10,000.00 to Somerton Farming Company as full payment for acquisition of the parcel described on exhibit C, in addition to the exchange for the parcel described on exhibit B, including all costs for title insurance and any and all other costs or claims including claims for severance damages. City staff is authorized and directed to execute any and all documents and take such actions as may be needed or necessary to effectuate the exchange of property authorized herein.

**Section 3:** The City will perform such work or take such actions as may be needed or necessary to approve a lot tie so that the parcel described on exhibit B may be rejoined to the land from which it came at no cost to Somerton Farming Company.

**Section 4:** Whereas, it is necessary for the preservation of the peace, health, safety and welfare of the City of San Luis, Arizona, and for further reason that the that the best interests of the City require the provisions of this ordinance to go into immediate effect so that construction project delays may be avoided with a resulting savings to the public treasury and a beneficial impact to public health and safety by creating capacity in the West Main Wastewater Treatment Plant when the project is completed, an emergency is hereby declared to exist, and this ordinance shall become immediately operative and in force and effect from and after the date of posting hereof.

PASSED AND ADOPTED by the Mayor and Council of the City of San Luis, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Gerardo Sanchez, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Sonia Cornelio, City Clerk

\_\_\_\_\_  
Kay Marion Macuil, City Attorney

**EXHIBIT A**



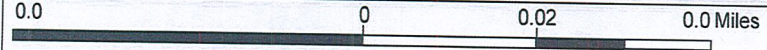
# City of San Luis Wastewater Diversion Lift Station



**Legend**

- Parcels
- Vicinities

**Notes**



NAD\_1983\_StatePlane\_Arizona\_West\_FIPS\_0203\_Feet  
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**EXHIBIT B**

## EXHIBIT B

10,000 sq. ft. (100' x 100') of land presently owned by Grantor being part of Yuma County Assessor Parcel **#776-33-240** and more particularly described as the South 100 feet of the West 100 feet of the East 130 feet of Tract 9 of State Plat No. 17 – Comite de Bienestar, a subdivision of portions of Section 7, Township 10 South, Range 24 West, Gila and Salt River Base and Meridian, as recorded in Book 11 of Plats, Page 86, Records of Yuma County, Arizona.

**EXHIBIT C**

**CITY OF SAN LUIS - JUAN SANCHEZ BLVD. LIFT STATION  
LIFT STATION PARCEL  
LEGAL DESCRIPTION**

That portion of Tract 9, STATE PLAT No. 17 COMITE DE BIENESTAR, according to the Plat of Record in the Office of the County Recorder of Yuma County, Arizona in Book 11 of Plats, Pages 86 through 88, being located in the Northwest quarter of Section 7, Township 11 South, Range 24 West, Gila and Salt River Base and Meridian, Yuma County, Arizona more particularly described as follows:

Beginning at the Northwest corner of the Northwest quarter of said Section 7;

Thence South 89°41'09" East along the North line of the Northwest quarter of said Section 7 a distance of 661.44 feet to the northeast corner of the Northwest quarter of the Northwest quarter of said Section 7;

Thence South 00°34'20" West along the East line of the Northwest quarter of the Northwest quarter of said Section 7 a distance of 33.00 feet to the Northwest corner of said Tract 9;

Thence continuing South 00°34'20" West along the West line of said Tract 9 a distance of 32.00 feet to the TRUE POINT OF BEGINNING;

Thence South 89°41'09" East parallel with and 65.00 feet southerly of the North line of the Northwest quarter of said Section 7 a distance of 99.85 feet;

Thence South 00°18'51" West perpendicular to the North line of the Northwest quarter of said Section 7 a distance of 100.00 feet;

Thence North 89°41'09" West parallel with and 165.00 feet southerly of the North line of the Northwest quarter of said Section 7 a distance of 100.30 feet to the West line of said Tract 9;

Thence North 00°34'20" East along the West line of said Tract 9 a distance of 100.00 feet to the TRUE POINT OF BEGINNING;

Said parcel contains 10,008 square feet, more or less.

