

2020-11383 ORDER
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Requested By: SAN LUIS CITY CLERK
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WHEN RECORDED MAIL TO:



**CITY OF SAN LUIS
ATTN: CITY CLERK
P.O. BOX 1170
SAN LUIS, ARIZONA 85349**

The above area is to be reserved for recording information

CAPTION HEADING:

Order No. 2020-11

An order of the Mayor and City Council of the City of San Luis, Arizona, authorizing and directing the acquisition of all property necessary for the completion of the construction of a portion of County 23½ Street within the City of San Luis by dedication, donation, purchase, exchange, or under the power of eminent domain as a matter of public necessity.



Order

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 2020-11

AN ORDER OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AUTHORIZING AND DIRECTING THE ACQUISITION OF ALL PROPERTY NECESSARY FOR THE COMPLETION OF THE CONSTRUCTION OF A PORTION OF COUNTY 23½ STREET WITHIN THE CITY OF SAN LUIS BY DEDICATION, DONATION, PURCHASE, EXCHANGE, OR UNDER THE POWER OF EMINENT DOMAIN AS A MATTER OF PUBLIC NECESSITY.

WHEREAS, the City of San Luis is experiencing rapid growth of residential subdivisions in the territory of the city south of the County 23rd Street alignment, east of Avenue F and west of Avenue E;

WHEREAS, a traffic study conducted by Nicklaus Engineering, Inc. has determined that development of County 23½ Street to connect to Ave. E is necessary for public health and safety due to residential growth as described above;

WHEREAS, acquiring certain property for right of way purposes is necessary and convenient to the design, construction, expansion, widening, maintenance, improvements, and ongoing use of County 23½ Street between Avenue F and Avenue E within the city limits of the City of San Luis; and

WHEREAS, the Mayor and City Council of the City of San Luis, Arizona, determine and find that the property to be taken is necessary for these public purposes.

NOW, THEREFORE, IT IS HEREBY ORDERED BY the Mayor and City Council of the City of San Luis, Arizona as follows:

Section 1: That it is deemed necessary and essential as a matter of public use and necessity that County 23½ Street be developed to connect from Ave. F to Ave. E (the "Project"). That it is deemed essential as a matter of public use and necessity that the property and associated rights of way be acquired, including by eminent domain, for construction, maintenance, and completion of the Project, described as:

The north 40 feet of the Northeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 10, Township 11 South, Range 24 West, Gila, and Salt River Base and Meridian, Yuma County, Arizona, except the east

33 feet thereof and except that property deeded to Yuma County per warranty deed recorded at Fee 2006-01559, and including the right to discharge stormwater from both County 23 1/2 Street and 21st Avenue onto the adjacent property.


The Project is further depicted on Exhibit "A" attached hereto.

Section 2: That staff is directed to proceed with the acquisition of the above-described property, including by eminent domain, for construction, maintenance, and completion of the Project.

Section 3: That the property affected by this Order is necessary for the development, design, and construction of the Project.

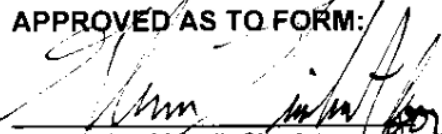
Section 4: Should the need arise, the Mayor or the City Manager are authorized to execute any documents that may be necessary to carry out this Order.

PASSED, ADOPTED and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona this 15th day of April 2020.


Gerardo Sanchez, Mayor

ATTEST:


Melissa Lopez, Deputy City Clerk

APPROVED AS TO FORM:

Kay Marion Macuil, City Attorney

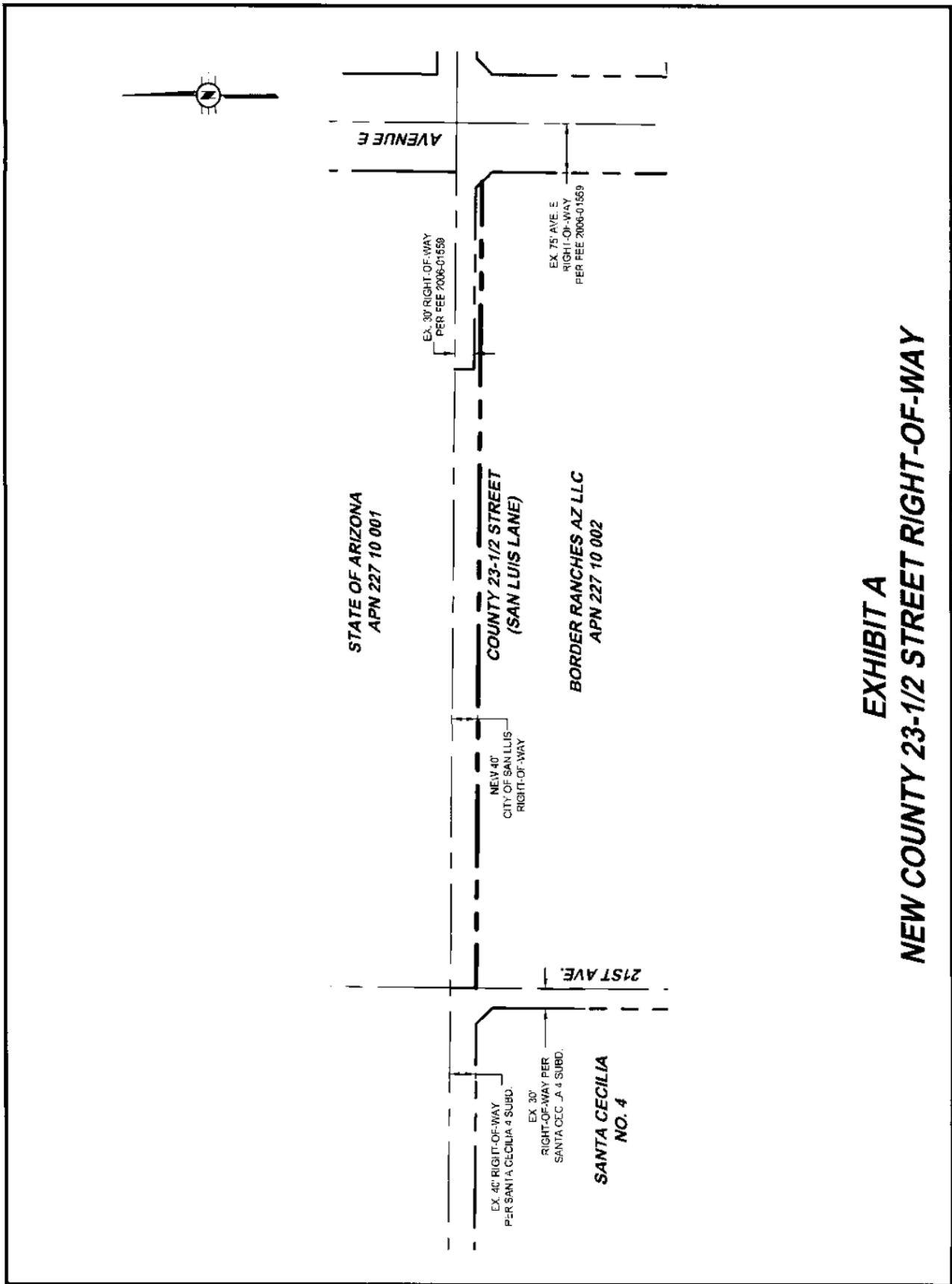


EXHIBIT A
NEW COUNTY 23-1/2 STREET RIGHT-OF-WAY