



Order

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 2023-01

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 21ST AVENUE BETWEEN COUNTY 23½ STREET AND COUNTY 24TH STREET, A PORTION OF COUNTY 24TH STREET BETWEEN 21ST AVENUE AND AVENUE E, AND LAND NECESSARY FOR A WASTEWATER LIFT STATION ON THE CORNER OF COUNTY 24TH STREET AND 21ST AVENUE 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 in the area of County 24th Street east of Avenue E½ (also known as 20th Avenue) and west of Avenue E; and

WHEREAS, a traffic study conducted by Nicklaus Engineering, Inc. has determined that improvements to County 24th Street to the intersection with Avenue E are necessary for public health and safety due to the eastbound and westbound traffic loads due to the growth on County 24th Street; and

WHEREAS, northbound and southbound traffic loads are increasing, making the development of 21st Avenue between County 24th Street and County 23½ Street necessary for public health and safety; and

WHEREAS, acquiring certain property for right of way purposes is necessary to the design, construction, expansion, widening, maintenance, improvements, and ongoing use of County 24th Street and 21st Avenue within the city limits of the City of San Luis; and

WHEREAS, acquiring certain property for site triangles and a wastewater lift station in the area are needed for the health and safety of the public; 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:

Section 1: It is deemed necessary and essential as a matter of public use and necessity that the lands described in Exhibits A, B, and C be acquired, including by eminent domain, for design, construction, expansion, widening, maintenance, and improvements of:

- County 24th Street to the intersections of Avenue E and 21st Avenue,
- 21st Avenue between County 23½ Street and County 24th Street, and
- to serve, locate, maintain, and improve a wastewater lift station in the area of the northwest corner of 21st Avenue and County 24th Street,

all shown in Exhibits A, B, and C, and together referred to as the "Project."

Section 2: Exhibits A, B, and C (showing the Project) are attached and are incorporated into this order by this reference.

Section 3: City staff are directed to proceed with acquiring the Project land described in Exhibits A, B, and C, including by eminent domain, for construction, maintenance, and completion of the Project.

Section 4: The Mayor or, in the alternative, the City Manager are both 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 _____ day of January 2023.

Nieves Riedel, Mayor

ATTEST:

APPROVED AS TO FORM:

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney

Exhibit A

LEGAL DESCRIPTIONS

APN 227-10-002
The Northeast Quarter of the Southeast Quarter of
Section 10, Township 11 South, Range 24 West, Yuma County, Arizona

Corner Triangle at Avenue E and San Luis Lane

That part of the Northeast Quarter of the Southeast Quarter of Section 10, Township 11 South, Range 24 West, Gila and Salt River Meridian, Yuma County, Arizona, described as follows:

Beginning at the Northeast Corner of said Northeast Quarter of the Southeast Quarter;
Thence S0°25'37"W along the East line of said Northeast Quarter of the Southeast Quarter a distance of 40.00 feet;
Thence N89°30'24"W along a line parallel to and 40.00 feet south of the North line of said Northeast Quarter of the Southeast Quarter a distance of 89.95 feet to the True Point of Beginning;
Thence continuing N89°30'24"W a distance of 35.00 feet;
Thence S44°32'23"E a distance of 70.75 feet;
Thence N0°25'37"E a distance of 35.00 feet;
Thence N44°32'23"W a distance of 21.23 feet to the True Point of Beginning;

Area = 1,138 Square Feet (0.026 Acres)

21st Avenue

That part of the Northeast Quarter of the Southeast Quarter of Section 10, Township 11 South, Range 24 West, Gila and Salt River Meridian, Yuma County, Arizona, described as follows:

Beginning at the Northwest Corner of said Northeast Quarter of the Southeast Quarter;
Thence S0°26'09"W along the West line of said Northeast Quarter of the Southeast Quarter a distance of 40.00 feet to the True Point of Beginning;
Thence continuing S0°26'09"W a distance of 1280.43';
Thence S89°30'28"E along the South line of said Northeast Quarter of the Southeast Quarter a distance of 30.00 feet;
Thence N0°26'09"E a distance of 1240.30 feet;
Thence N45°27'52"E a distance of 56.54 feet to a point on a line 40.00 feet south of and parallel to the North line of the Northeast Quarter of the Southeast Quarter;
Thence N89°30'24"W a distance of 70.00 feet to the True Point of Beginning;

Area = 39238 Square Feet (0.901 Acres)

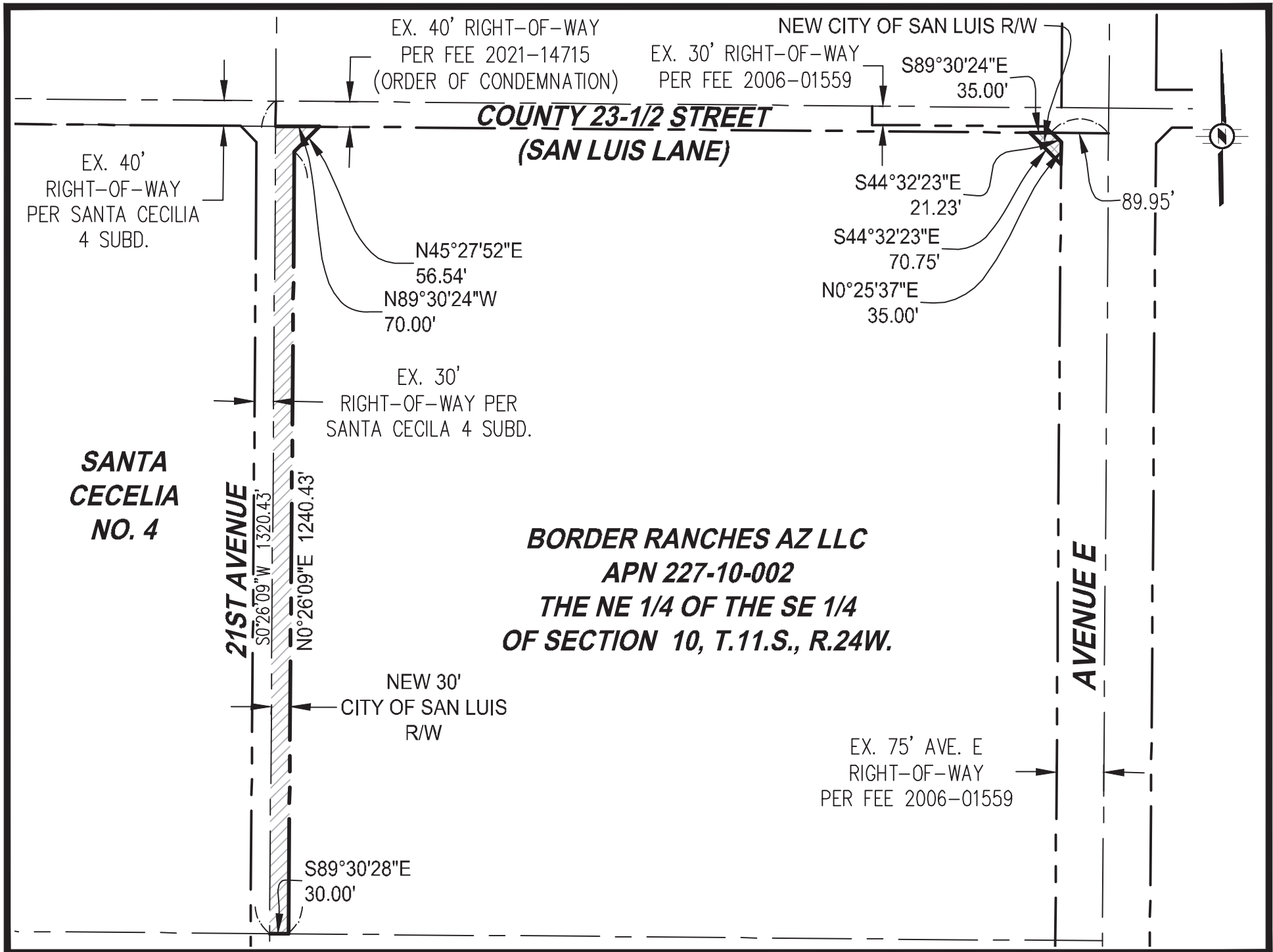


Exhibit B

LEGAL DESCRIPTION

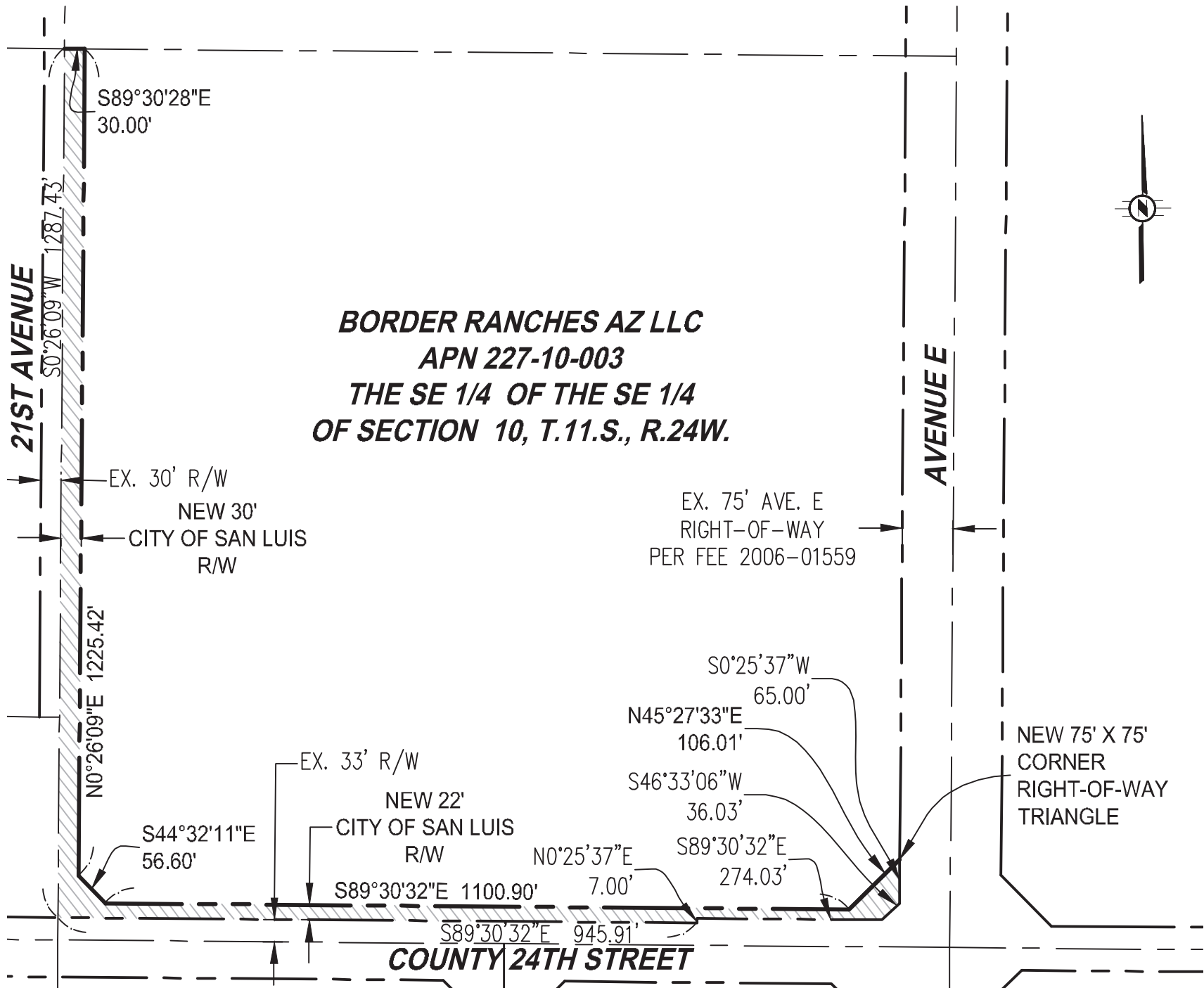
APN 227-10-003

The Southeast Quarter of the Southeast Quarter of
Section 10, Township 11 South, Range 24 West, Yuma County, Arizona

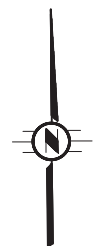
That part of the Southeast Quarter of the Southeast Quarter of Section 10, Township 11 South, Range 24 West, Gila and Salt River Meridian, Yuma County, Arizona, described as follows:

Beginning at the Southwest Quarter of said Southeast Quarter of the Southeast Quarter;
Thence N0°26'09"E along the West line of said Southeast Quarter of the Southeast Quarter a distance of 33.00 feet to the True Point of Beginning;
Thence continuing N0°26'09"E a distance of 1287.43 feet to the Northwest corner of said Southeast Quarter of the Southeast Quarter;
Thence S89°30'28"E along the North line of said Southeast Quarter of the Southeast Quarter a distance of 30.00 feet;
Thence S0°26'09"W a distance of 1225.42 feet;
Thence S44°32'11"E a distance of 56.60 feet;
Thence S89°30'32"E along a line 55 feet north and parallel to the South line of Section 10 a distance of 1100.90 feet;
Thence N45°27'33"E a distance of 106.01 feet to a point on the East Right-of-Way line of Avenue E;
Thence S0°25'37"W along the East Right-of-Way line of Avenue E a distance of 65.00 feet;
Thence S46°33'06"W a distance of 36.03 feet to a point on the existing North Right-of-Way line of County 24th Street;
Thence N89°30'32"W along a line 40 feet north and parallel to the South line of Section 10 a distance of 274.03 feet;
Thence S0°25'37"W a distance of 7.00 feet;
Thence N89°30'32"W along a line 33 feet north and parallel to the South line of Section 10 a distance of 945.91 feet to the True Point of Beginning;

Area = 66,562 Square Feet (1.529 Acres)



BORDER RANCHES AZ LLC
APN 227-10-003
THE SE 1/4 OF THE SE 1/4
OF SECTION 10, T.11.S., R.24W.



S89°30'28"E
30.00'

S0°26'09"W 1287.43'

21ST AVENUE

EX. 30' R/W
NEW 30'
CITY OF SAN LUIS
R/W

N0°26'09"E 1225.42'

S44°32'11"E
56.60'

EX. 33' R/W
NEW 22'
CITY OF SAN LUIS
R/W

S89°30'32"E 1100.90'

S89°30'32"E 945.91'

COUNTY 24TH STREET

EX. 75' AVE. E
RIGHT-OF-WAY
PER FEE 2006-01559

AVENUE E

S0°25'37"W 65.00'
N45°27'33"E 106.01'
S46°33'06"W 36.03'

NEW 75' X 75'
CORNER
RIGHT-OF-WAY
TRIANGLE

N0°25'37"E 7.00'

S89°30'32"E 274.03'

Exhibit C

LEGAL DESCRIPTIONS

APN 227-10-004

The Southeast Quarter of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter and the South Half of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 10, Township 11 South, Range 24 West, Yuma County, Arizona

County 24th Street and 21st Avenue

That part of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter and the South Half of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 10, Township 11 South, Range 24 West, Gila and Salt River Meridian, Yuma County, Arizona, described as follows:

Beginning at the Southeast Corner of said South Half of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter;
Thence N0°26'09"E along the West line of said South Half of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter a distance of 33.00 feet to the True Point of Beginning;
Thence continuing N0°26'09"E a distance of 297.14 feet to the Northeast corner of said South Half of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter;
Thence N89°33'51"W along the North line of said South Half of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter a distance of 30.00 feet;
Thence S0°26'09"W a distance of 280.11 feet;
Thence N89°30'32"W along a line parallel to and 50.00 feet north of the South line of said South Half of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter a distance of 300.00 feet;
Thence S0°26'09"W a distance of 17.00 feet;
Thence S89°30'32"E a distance of 330.00 feet to the True Point of Beginning;

Existing City of San Luis Sewer Lift Station

That part of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter and the South Half of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 10, Township 11 South, Range 24 West, Gila and Salt River Meridian, Yuma County, Arizona, described as follows:

Beginning at the Southeast Corner of said South Half of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter;
Thence N0°26'09"E along the West line of said South Half of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter a distance of 50.00 feet;
Thence N89°30'32"W along a line parallel to and 50.00 feet north of the South line of said South Half of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter a distance of 30.00 feet to the True Point of Beginning;
Thence continuing N89°30'32"W along the existing wall of the Sewer Lift Station a distance of 100.00 feet;

Thence $N0^{\circ}26'09''E$ along the existing wall of the Sewer Lift Station a distance of 70.00 feet;
Thence $S89^{\circ}30'32''E$ along the existing wall of the Sewer Lift Station a distance of 100.00 feet;
Thence $S0^{\circ}26'09''W$ along the existing wall of the Sewer Lift Station a distance of 70.00 feet to the
True Point of Beginning;

Combined Area = 21,018 Square Feet (0.483 Acres)

ROGERS NELS TIMOTHY
APN 227-10-004
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OF THE SE 1/4 AND THE S 1/2 OF THE SE 1/4
OF THE SW 1/4 OF THE SE 1/4
OF SECTION 10, T.11.S., R.24W.

