

ORDINANCE NO. O2002-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AUTHORIZING AND DIRECTING THAT CERTAIN PARCELS OF REAL PROPERTY, HEREINAFTER DESCRIBED, BE ACQUIRED BY THE CITY OF YUMA, BY GIFT, EASEMENT, PURCHASE, OR UNDER THE POWER OF EMINENT DOMAIN, FOR THE REASON THAT SUCH PROPERTY IS NECESSARY FOR PUBLIC IMPROVEMENTS AND AUTHORIZING PAYMENT THEREFOR, TOGETHER WITH COSTS NECESSARY FOR THE ACQUISITION OF SAID PARCELS OF REAL PROPERTY.

WHEREAS, the City of Yuma is authorized, pursuant to the Yuma City Charter, Article III, Section 2, to acquire real property in easement interest or fee simple; and,

WHEREAS, the property described herein are being acquired for a public use, authorized by law, and are necessary for such public use.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1. That it is deemed necessary and essential as a matter of public necessity and public welfare that certain parcels of real property, shown in Exhibits A and B, attached hereto and by this reference made a part hereof, be acquired by the City for the purpose of public benefit and improvements.

SECTION 2. That the City staff is hereby authorized and directed to acquire said real property by gift, easement, or purchase and, if in the event the City of Yuma, at its sole discretion, is unable to acquire said real property upon satisfactory terms, said staff is hereby authorized and directed to perform all acts necessary to acquire easement interest or title to and possession of said real property under the power of eminent domain, for the City of Yuma.

SECTION 3. That the duly authorized disbursing officers of the City of Yuma are hereby directed to pay all sums necessary to acquire said real property, together with recording fees, escrow, title insurance, closing and other costs necessary in the acquisition of said real property.

Passed and adopted this 3rd day of April, 2002.

APPROVED:

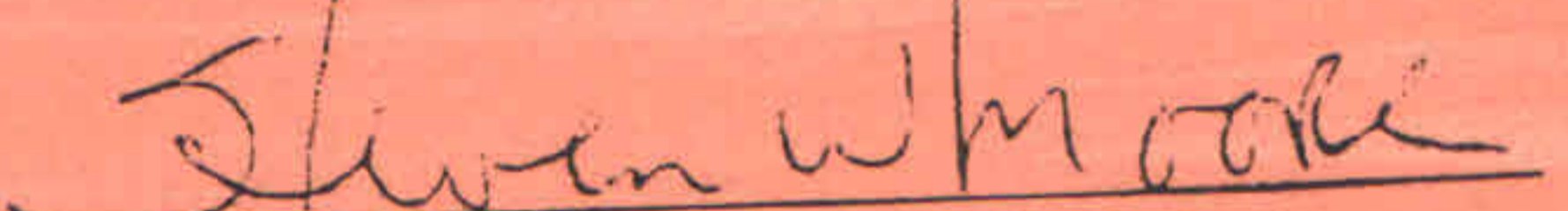


Lawrence K. Nelson, Mayor

ATTESTED:


Brigitta K. Stanz, City Clerk

APPROVED AS TO FORM:


Steven W. Moore, City Attorney