

## **RESOLUTION NO. 16-1758**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE FLOOD CONTROL DISTRICT OF MARICOPA COUNTY, ACCEPTING CERTAIN EASEMENTS, LEASES, AND OTHER REAL ESTATE CONVEYANCES RELATED TO THE ACQUISITION OF CERTAIN PROPERTY.

WHEREAS, the Flood Control District of Maricopa County (the “District”) is the owner of six parcels of land comprising approximately 129 acres (the “Basins”) generally located north of Interstate 10 between Dysart Road and Bullard Avenue within the incorporated boundaries of the city of Goodyear (“Goodyear”); and

WHEREAS, the District acquired the Basins as part of a larger assemblage of drainage basins from the Arizona Department of Transportation; and

WHEREAS, the District has determined that there is an excess of capacity within its larger assemblage of drainage basins and has declared the Basins to be surplus property; and

WHEREAS, the Board of Directors for the District have determined that the Basins and associated leases, easements and other interests related to the Basins are to be conveyed to Goodyear at fair market value as determined by a real estate appraisal prepared by First Appraisal Services, Inc., dated February 2, 2016; and

WHEREAS, the District and Goodyear have negotiated an Intergovernmental Agreement (the “IGA”) for the real estate transfer of certain property from the District to Goodyear; and

WHEREAS, Goodyear will also accept existing leases, easements, and other real property conveyances necessary to transfer the Basins from the District to Goodyear as a successor in interest; and

WHEREAS, Goodyear will assume the obligations to maintain the flood control features and general maintenance and upkeep of the Basins; and

WHEREAS, excess acreage exists within the Basins beyond that which is needed for storm water retention; and

WHEREAS, that excess acreage will be available to Goodyear to develop as recreation areas to serve the general public; and

WHEREAS, Goodyear anticipates that it will form public-private partnerships to facilitate development of the Basins;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. That the Intergovernmental Agreement between the District and Goodyear with respect to the transfer of ownership of the Basins from the District to Goodyear (the “IGA”) is hereby approved in the form attached hereto as Exhibit A.

SECTION 3. That Goodyear agrees to become a successor in interest to existing easements, leases, and other real property interests held by the District and which shall be conveyed to, and accepted by Goodyear along with the Basin property.

SECTION 4. That the City Manager and the City Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the IGA and other documents associated with the transfer of the Basins, and to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Georgia Lord, Mayor

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

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maureen Scott, City Clerk

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

STATE OF ARIZONA )  
 ) ss.  
County of Maricopa )

I, the undersigned Maureen Scott, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Resolution No. 16-1758 is a true, correct and accurate copy of Resolution No. 16-1758, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, at which a quorum was present and, by a \_\_\_\_\_ vote, \_\_\_\_\_ voted in favor of said resolution.

Given under my hand and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

seal

City Clerk

**EXHIBIT A TO RESOLUTION NO. 16-1758**

AGREEMENT FOR TRANSFER AND SALE OF REAL PROPERTY

BETWEEN

THE FLOOD CONTROL DISTRICT OF MARICOPA COUNTY

AND

THE CITY OF GOODYEAR

IGA FCD2016A012