

RESOLUTION NO. 17-1776

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ESTABLISHMENT OF A PUBLIC STREET FOR A SECTION OF 173RD AVENUE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant the power vested in the city of Goodyear (“city”) by its Charter and pursuant to A.R.S. § 9-276, the Mayor and Council of the city of Goodyear have the power to establish, construct, improve, regulate vacate, modify roadways open to the public; and

WHEREAS, the city owns a certain parcel of real property consisting of approximately 5.2 acres, located at the southwest corner of Lower Buckeye Road and Cotton Lane (“Property”); and

WHEREAS, El Cidro Ranch, LLC, an Arizona limited liability company (“Developer”) owns and is in the process of developing Phase 1A of the El Cidro Development, which is generally located southwesterly of the Property (“Phase 1A”); and

WHEREAS, in order to develop Phase 1A, Developer has been required by the city to dedicate and construct a portion of 173rd Avenue; and

WHEREAS, an approximate 2,904 square foot portion of the 173rd Avenue alignment lies within the Property which is owned by the city; and

WHEREAS, the Mayor and Council of the city of Goodyear find and determine that the public health, safety, and welfare require the establishment of a public street in the alignment more particularly described in the legal description, attached hereto as Exhibit A, to be opened to the public and maintained by the city;

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

SECTION 1. The Mayor and Council of the city of Goodyear find and determine that it is in the interest of the public health, safety and welfare of the city to designate and hereby declare as a city Right-of-Way that portion of the Property, more particularly described and depicted in the Exhibit A attached hereto, and by reference, made a part hereof.

SECTION 2. The City Clerk shall cause a certified copy of this Resolution, including Exhibit A, attested by the City Clerk, to be recorded in the official records of the Maricopa County Recorder.

SECTION 3. That this Resolution shall become effective upon its adoption.

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

Date: _____

APPROVED AS TO FORM:

Roric Massey, City Attorney

STATE OF ARIZONA)
) ss.
County of Maricopa)

Given under my hand and sealed this _____ day of _____, 20____.

City Clerk