

RESOLUTION NO. 10371

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THAT FEE TITLE, EASEMENTS OR OTHER INTERESTS IN AND POSSESSION OF CERTAIN REAL PROPERTY BE ACQUIRED BY THE CITY OF MESA UNDER THE POWER OF EMINENT DOMAIN AS A MATTER OF PUBLIC NECESSITY FOR THE SIGNAL BUTTE AND ELLIOT ROAD INTERSECTION IMPROVEMENT PROJECT.

WHEREAS, the City Council of the City of Mesa finds that certain real property hereinafter described is necessary for improvements constructed along the north side of Elliot Road and west side of Signal Butte.

WHEREAS, the City Council of the City of Mesa finds that it is necessary that fee simple title to certain real property be vested in the City of Mesa, and that the City of Mesa acquire easements in, over, under and across portions of certain real property, and that it is in the public interest to acquire all property rights identified herein.

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

Section 1: That it is deemed necessary and essential for the improvements for the Signal Butte and Elliot Road Intersection Improvement Project that the City of Mesa acquire fee simple title to a portion of the real property depicted on attached Exhibit "A".

Section 2: That it is necessary for the City of Mesa to obtain a Drainage Easement, Temporary Construction Easement, and other easements that may deemed necessary in, over, under and across portions of the real property depicted on the attached Exhibit "A" for the Signal Butte and Elliot Road Improvement Project.

Section 3: That the City Attorney of the City of Mesa is hereby authorized and directed to acquire title in fee simple and any necessary easements to portions of the property depicted in Exhibit "A" in the name of the City of Mesa under the power of Eminent Domain, and the City

Attorney is further authorized and directed to do and perform all acts necessary to acquire title and interests in and to said real property in the name of the City of Mesa for said public purposes. The City Council of the City of Mesa acknowledges a Complaint in Condemnation has been filed in the Maricopa County Superior Court in furtherance of the purposes set forth herein and hereby ratifies said action.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 9th day of December, 2013.



APPROVED:

Mayor

ATTEST:

DeAnn Michalsen
City Clerk

S. SIGNAL BUTTE RD. & E. ELLIOT RD. INTERSECTION IMPROVEMENTS
PROJECT 10-601-002
EXHIBIT A.



30919500

30401009Y

30401009Q

30401989

30401009X

30401990A

E ELLIOT RD

30433005H

30433005F

30433005J
30433005I
30433006E

S SIGNAL BUTTE RD

LEGEND:



DRAINAGE EASEMENT TO BE ACQUIRED



RIGHT OF WAY TO BE ACQUIRED



TEMPORARY CONSTRUCTION EASEMENT