

RESOLUTION NO. 25-46

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA AUTHORIZING AND DIRECTING THE ACQUISITION OF ALL PROPERTY NECESSARY FOR PURPOSES OF CONTROL, MAINTENANCE AND POTENTIAL ENHANCEMENT OF THE DRAINAGE CHANNEL GENERALLY LOCATED ALONG THE N ROOSEVELT AVENUE ALIGNMENT BETWEEN W EDISON ROAD AND W LEXINGTON AVENUE WITHIN THE CITY LIMIT OF MARICOPA BY DEDICATION, DONATION, PURCHASE, EXCHANGE OR UNDER THE POWER OF EMINENT DOMAIN AS A MATTER OF PUBLIC NECESSITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL AGREEMENTS RELATED TO SUCH ACQUISITIONS.

WHEREAS, the developer of what is now known as Hampton Edison constructed a drainage channel for the benefit of this property; and

WHEREAS, the City of Maricopa plans to control and maintain this drainage channel for the benefit of other properties in the area including to carry flow for the improvements to be done on N. Roosevelt Avenue; and

WHEREAS, the City anticipates the future need to expend public funds to control, maintain and potentially enhance the drainage channel in a way that will result in a regional benefit to multiple properties in the area; and

WHEREAS, the City Council believes it is in the best interest of the City to authorize the acquisition of certain real property within the City of Maricopa necessary and convenient to control, maintain and potentially enhance the existing drainage channel generally located along the N. Roosevelt Avenue alignment between W. Edison Road and W. Lexington Avenue; and

WHEREAS, the Mayor and City Council of the City of Maricopa, Arizona have determined and does hereby find that the property to be taken is necessary for these and other public purposes.

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and City Council of the City of Maricopa, Arizona as follows:

Section 1. That it is deemed necessary and essential as a matter of public use and necessity that the drainage channel generally located along the N. Roosevelt Avenue alignment between W. Edison Road and W. Lexington Avenue be controlled and maintained by the City (the "Project"). That it is deemed essential as a matter of public use and necessity that the necessary property be acquired, including by eminent domain, for control and maintenance of the Project identified in the legal description on Exhibit "A" and in the design plans on Exhibit "B" attached hereto, including all related facilities, within the corporate limits of the City of Maricopa. Notwithstanding anything to the contrary set forth herein, the Project will not include the property located on the north side of W. Lexington Avenue.

Section 2. That staff is directed to proceed with the acquisition of real and/or personal property and associated rights of way, including by eminent domain, for construction, maintenance and completion of the Project, as indicated in Exhibit “A” and Exhibit “B” attached hereto and the City Manager is authorized to execute all agreements related to such acquisitions.

Section 3. That property affected by this Resolution is necessary for the development, design and construction of the Project.

Section 4. Shall the need arise the Mayor or the City Manager is hereby authorized to execute any documents that may be necessary to carry out the purpose of this resolution.

PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa Arizona, this 4th day of November, 2025.

APPROVED:

Nancy Smith
Mayor

ATTEST:

Vanessa Bueras, MMC
City Clerk

APPROVED AS TO FORM:

Denis M. Fitzgibbons
City Attorney

EXHIBIT A

PROJECT