

RESOLUTION NO. 26-12

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA AUTHORIZING AND DIRECTING THE ACQUISITION OF ALL PROPERTY NECESSARY FOR THE COMPLETION OF ROADWAY IMPROVEMENTS TO THE SOUTHWEST CORNER OF SMITH ENKE ROAD AND PORTER ROAD 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 City of Maricopa plans to construct or cause to be constructed roadway improvements at the southwest corner of Smith Enke Road and Porter Road; and

WHEREAS, these improvements include, but are not limited to, a right turn lane from eastbound Smith Enke Road to southbound Porter Road to improve traffic circulation and public safety; 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 the design, construction, expansion, maintenance, improvements and use of the intersection; 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 improvements to the southwest corner of Smith Enke Road and Porter Road be constructed (the "Project"). That it is deemed essential as a matter of public use and necessity that the necessary property and associated rights of way be acquired, including by eminent domain, for construction, maintenance and completion of the Project identified in the legal description on Exhibit "A" attached hereto, including all related facilities, within the corporate limits of the City of Maricopa.

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 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 19th day of May, 2026.

APPROVED:

Nancy Smith
Mayor

ATTEST:

APPROVED AS TO FORM:

Vanessa Bueras, MMC
City Clerk

Denis M. Fitzgibbons
City Attorney

EXHIBIT A
PROJECT LEGAL DESCRIPTION