

## **RESOLUTION NO. 21-35**

**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 THE WIDENING OF 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.**

**WHEREAS**, the City of Maricopa owns and maintains Porter Road and desires to protect and provide for the continued and increasing use of Porter Road by the public; and

**WHEREAS**, the City has expended considerable public funds in the construction, maintenance and improvements of Porter Road and in the design of improvements of Porter Road south of and at the intersection of W. Smith Enke Road; and

**WHEREAS**, the City Council believes it is in the best interest of the City to authorize the acquisition of certain real property adjoining Porter Road necessary and convenient to the design, construction, expansion, widening, maintenance, improvements and ongoing use of Porter Road; 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 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 Porter Road be widened south of and at the intersection with W. Smith Enke Road (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 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, as indicated in Exhibit "A" attached hereto.

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 20<sup>th</sup> day of July, 2021.

APPROVED:

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Christian Price  
Mayor

ATTEST:

APPROVED AS TO FORM:

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Vanessa Bueras, MMC  
City Clerk

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Denis M. Fitzgibbons  
City Attorney

# **EXHIBIT A** **PROJECT**