

**RESOLUTION 23-39**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, APPROVING A WAIVER OF THE FOUR-YEAR ADVANCE NOTICE OF ABANDONMENT AND PAVEMENT QUALITY REPORT, IN ACCORDANCE WITH A.R.S. §28-7209, RELATED TO THE STATE OF ARIZONA’S ABANDONMENT OF PROPERTY GENERALLY LOCATED SOUTH OF THE UNION PACIFIC RAILROAD TRACKS BETWEEN STATE ROUTE 347 AND N. MARICOPA ROAD AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE WAIVER AND ANY OTHER DOCUMENTS NECESSARY FOR THE TRANSFER OF THIS PROPERTY.**

**WHEREAS**, pursuant to Resolution 22-46, the Maricopa City Council previously approved an Intergovernmental Agreement with the State of Arizona, through the Department of Transportation, to transfer ownership, jurisdiction and perpetual maintenance of State Route 347 (the “IGA”); and

**WHEREAS**, the IGA did not include approximately .24 acres of property commonly known as Pinal County Assessor Parcel No. 510-26-061, which is generally located south of the Union Pacific Railroad tracks between State Route 347 and N. Maricopa Road (the “Property”); and

**WHEREAS**, after consultation with staff, the City Council has determined that waiving the Four-Year Advance Notice of Abandonment and Pavement Quality Report, in accordance with A.R.S. §28-7209, to obtain this Property is in the best interest of the City of Maricopa.

**NOW, THEREFORE, BE IT RESOLVED** that the Maricopa City Council hereby approves the waiver of the Four-year Advance Notice of Abandonment and Pavement Quality Report, in accordance with A.R.S. §28-7209, for the Property and authorizes the City Manager to execute the waiver, in the form attached to and made a part of this Resolution, and any other documents necessary for the transfer of this Property.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Maricopa, Arizona, this 20<sup>th</sup> day of June, 2023.

---

Nancy Smith  
Mayor

ATTEST:

APPROVED AS TO FORM:

---

Vanessa Bueras, MMC  
City Clerk

---

Denis Fitzgibbons  
City Attorney