

RESOLUTION NO. 2024-84

A RESOLUTION OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, TO AUTHORIZE THE ACQUISITION OF CERTAIN REAL PROPERTY OWNED BY AMERICAN OUTDOOR ADVERTISING LLC FOR FUTURE DRAINAGE IMPROVEMENTS AT 83RD AVE/PEORIA AVE/GRAND AVE.

BE IT RESOLVED by the Mayor and Council of the City of Peoria, Arizona, as follows:

WHEREAS, the Mayor and Council of the City of Peoria, Arizona, have considered the acquisition of certain real property (the "Property") from the owner of said property, American Outdoor Advertising LLC., and believe the acquisition of the Property is made in the best interest of the City,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Peoria, Arizona, that it is necessary and in the best interest of the City that the real property described in "Exhibit A" (which exhibit is attached hereto and incorporated herein by reference), be acquired for the purpose of future drainage improvements.

BE IT FURTHER RESOLVED that the Mayor and Council direct that the City Manager of the City of Peoria, Arizona, is authorized and directed to acquire the Property for the City at a purchase price of no more than \$700,000, exclusive of title insurance fees, inspection fees, and other reasonable and necessary escrow and closing costs.

SECTION 1. The Mayor and the Council of the City of Peoria, Arizona, find that the acquisition of the Property is in the best interest of the City to allow for future drainage improvements.

SECTION 2. That the Mayor and Council of the City of Peoria, Arizona, confirm and approve the acquisition of the Property described in attached Exhibit A from American Outdoor Advertising LLC in an amount not to exceed the purchase price of \$700,000.

SECTION 3.

- A. All actions and proceedings taken previously relating to the acquisition of the Property in the City of Peoria, Arizona, are hereby approved, confirmed and ratified.

- B. The City Manager and the City Attorney are hereby authorized and directed to execute such documents and take such actions as may be necessary to acquire and close upon the property in order to permit the City's acquisition of the Property.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 19th day of November, 2024.

Jason Beck, Mayor

ATTEST:

Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

Emily Jurmu, City Attorney

ATTACHMENT:

Exhibit A - Legal Description

EXHIBIT "A"
Legal Description

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1: (142-42-032C, 033)

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 22;

THENCE ALONG THE EASTERLY LINE THEREOF NORTH 748.45 FEET;

THENCE LEAVING SAID EASTERLY LINE, SOUTH 89 DEGREES 10 MINUTES 00 SECONDS WEST 33.00 FEET TO THE WESTERLY LINE OF 83RD AVENUE;

THENCE LEAVING SAID WESTERLY LINE, SOUTH 39 DEGREES 10 MINUTES 00 SECONDS WEST 180.00 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE SOUTH 89 DEGREES 10 MINUTES 09 SECONDS WEST 60.00 FEET:

THENCE NORTH 180 FEET TO THE SOUTHERLY LINE OF STONE STREET AS SHOWN ON MAP OF EDWARDS ADDITION TO PEORIA, ARIZONA RECORDED IN BOOK 43 OF MAPS, PAGE 15, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE ALONG SAID SOUTHERLY LINE NORTH 89 DEGREES 10 MINUTES 00 SECONDS EAST 60.00 FEET;

THENCE LEAVING SAID SOUTHERLY LINE SOUTH 180.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL NO. 2: (142-42-032C, 037)

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 22;

THENCE NORTH, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 748.45 FEET;

THENCE SOUTH 89 DEGREES 10 MINUTES 00 SECONDS WEST, 33.00 FEET TO A POINT ON THE WESTERLY LINE OF 83RD AVENUE;

THENCE SOUTH 89 DEGREES 10 MINUTES 00 SECONDS WEST, 120.00 FEET TO THE TRUE POINT OF BEGINNING;

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THENCE SOUTH 89 DEGREES 10 MINUTES 00 SECONDS WEST, 60.00 FEET;

THENCE NORTH 180 FEET TO A POINT ON THE SOUTHERLY LINE OF STONE STREET AS SHOWN ON THE MAP OF EDWARD'S ADDITION TO PEORIA, ARIZONA, RECORDED IN BOOK 43 OF MAPS, PAGE 15, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 10 MINUTES 00 SECONDS EAST, ALONG SAID SOUTHERLY LINE, 60 FEET;

PARCEL NO. 3: (142-42-032E)

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 22;

THENCE NORTH, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 748.45 FEET;

THENCE SOUTH 89 DEGREES 10 MINUTES 00 SECONDS WEST, 33.00 FEET TO A POINT ON THE WESTERLY LINE OF 83RD AVENUE AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 10 MINUTES 00 SECONDS WEST, 120.00 FEET;

THENCE NORTH, 60.00 FEET;

THENCE NORTH 89 DEGREES 10 MINUTES 00 SECONDS EAST, 120.00 FEET TO A POINT ON SAID WESTERLY LINE;

THENCE SOUTH, ALONG SAID WESTERLY LINE, 60.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL NO. 4: (142-42-035)

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 22;

THENCE NORTH, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 808.45 FEET;

THENCE SOUTH 89 DEGREES 10 MINUTES 00 SECONDS WEST, 33.00 FEET TO A POINT ON THE WESTERLY LINE OF 83RD AVENUE AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 10 MINUTES 00 SECONDS WEST, 120.00 FEET;

THENCE NORTH, 60.00 FEET;

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THENCE NORTH 89 DEGREES 10 MINUTES 00 SECONDS EAST, 120.00 FEET TO A POINT ON SAID WESTERLY LINE;

THENCE SOUTH, ALONG SAID WESTERLY LINE, 60.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL NO. 5: (142-42-034)

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 22;

THENCE NORTH, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 868.45 FEET;

THENCE SOUTH 89 DEGREES 10 MINUTES 00 SECONDS WEST, 33.00 FEET TO A POINT ON THE WESTERLY LINE OF 83RD AVENUE AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 10 MINUTES 00 SECONDS WEST, 120.00 FEET;

THENCE NORTH, 60.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STONE STREET;

THENCE NORTH 89 DEGREES 10 MINUTES 00 SECONDS EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF STONE STREET, 120.00 FEET TO A POINT ON SAID WESTERLY LINE OF 83RD AVENUE;

THENCE SOUTH, ALONG SAID WESTERLY LINE, 60.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL NO. 6: (142-42-036C)

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 384.8 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION 22;

THENCE NORTH 423.65 FEET;

THENCE WESTERLY 410 FEET TO EAST LINE OF THE SANTA FE PHOENIX & PRESCOTT RAILROAD RIGHT OF WAY;

THENCE SOUTHEASTERLY ALONG THE RIGHT OF WAY OF THE SANTA FE PHOENIX & PRESCOTT RAILROAD 586 FEET TO THE POINT OF BEGINNING;

EXCEPT THE SOUTH 134 FEET; AND

EXCEPT THE NORTH 60 FEET; AND

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EXCEPT ANY PORTION CONVEYED TO THE STATE OF ARIZONA RECORDED IN DOCKET 14393, PAGE 20 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22;

THENCE NORTH 01 DEGREES 33 MINUTES 39 SECONDS WEST ALONG THE EAST LINE THEREOF A DISTANCE OF 172.28 FEET;

THENCE NORTH 46 DEGREES 07 MINUTES 06 SECONDS WEST 377.72 FEET;

THENCE NORTH 43 DEGREES 52 MINUTES 54 SECONDS EAST 62.64 FEET TO THE EXISTING NORTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 60 (WICKENBURG-PHOENIX HIGHWAY);

THENCE NORTH 50 DEGREES 49 MINUTES 20 SECONDS EAST 87.23 FEET TO THE POINT OF BEGINNING ON THE EXISTING NORTHEASTERLY RIGHT OF WAY LINE OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY'S RAILROAD;

THENCE NORTH 74 DEGREES 50 MINUTES 44 SECONDS EAST 121.52 FEET TO THE EXISTING WEST RIGHT OF WAY LINE OF 83RD AVENUE;

THENCE SOUTH 01 DEGREES 33 MINUTES 39 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE OF 83RD AVENUE, A DISTANCE OF 48.51 FEET;

THENCE SOUTH 88 DEGREES 26 MINUTES 21 SECONDS WEST 98.52 FEET TO THE AFORESAID EXISTING NORTHEASTERLY RAILROAD RIGHT OF WAY LINE;

THENCE NORTH 46 DEGREES 03 MINUTES 39 SECONDS WEST ALONG SAID RAILROAD RIGHT OF WAY LINE A DISTANCE OF 27.96 FEET TO THE POINT OF BEGINNING; AND

EXCEPT ANY PORTION DEEDED TO THE CITY OF PEORIA RECORDED IN DOCUMENT NO. 90-508645, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22;

THENCE 01 DEGREES 33 MINUTES 39 SECONDS WEST ALONG THE EAST LINE OF SAID SECTION 22 A DISTANCE OF 384.79 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF THE ATCHISON, TOPEKA SANTA FE RAILROAD SAID LINE BEING PARALLEL TO AND 50.00 FEET NORTHEASTERLY FROM THE CENTERLINE OF THE MAIN TRACK;

THENCE NORTH 46 DEGREES 03 MINUTES 39 SECONDS WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 215.69 FEET TO A POINT, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THAT PARCEL DESCRIBED IN THE FINAL ORDER OF CONDEMNATION RECORDED IN DOCKET 14393, PAGE 20;

THENCE NORTH 74 DEGREES 50 MINUTES 44 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID PARCEL A DISTANCE OF 29.32 FEET TO THE TRUE POINT OF BEGINNING;