

RESOLUTION NO. 2025-2448

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, FINDING THAT ACQUISITION OF REAL AND PERSONAL PROPERTY INTERESTS NEEDED FOR THE COMPLETION OF IMPROVEMENTS AT THE INTERSECTION OF ESTRELLA PARKWAY AND BALLPARK VILLAGE BOULEVARD IS A MATTER OF PUBLIC NECESSITY; AUTHORIZING AND DIRECTING CITY STAFF TO ACQUIRE SUCH INTERESTS BY DEDICATION, DONATION, PURCHASE OR THE EXERCISE OF THE POWER OF EMINENT DOMAIN; PROVIDING AUTHORIZATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mayor and Council of the city of Goodyear previously approved Capital Improvement Project Number 42077 Estrella Parkway and Ballpark Village Boulevard Traffic Signal Improvements project for the installation of a traffic signals and appurtenances and certain sidewalk improvements, (the "Project Improvements"; and

WHEREAS, the completion of the Project Improvements will improve traffic flow, safety, capacity at the intersection of Estrella Parkway and Ballpark Village Boulevard; and

WHEREAS, the city has acquired the property interests needed for the construction of the Project Improvements except for the Project Improvements that will be located on the property at the northeast corner of Estrella Parkway and Ballpark Village Boulevard; and

WHEREAS, the completion of the Project Improvements requires the acquisition of an easement over a portion of real property located at the northeast corner of Estrella Parkway and Ballpark Village Boulevard that allows for the installation, operation, maintenance, repair, and replacement of the Project Improvements and for use by the public of any sidewalk improvements located within the easement area ("Traffic Signal Installation and Maintenance Easement"), and the acquisition of any personal property located within such easement that may have to be removed to accommodate the Project Improvements; and

WHEREAS, the design plans for the Project Improvements are 95% complete and the city's design consultants have identified and prepared a legal description of the portion of real property located at the northeast corner of Estrella Parkway and Ballpark Village Boulevard over which a Traffic Signal Installation and Maintenance Easement is required; and

WHEREAS, the city of Goodyear has considered alternatives available to it, has balanced the greater public good and the least private injury that will result from the city's acquisition of the real property interests necessary for the completion of the Project Improvements and, the removal of any the personal property thereon if required to accommodate the Project Improvements, and has determined that locating the Project Improvements within the property legally described in Exhibit "A" attached hereto results in the greater public good and the least private injury.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. The Council of the city of Goodyear finds the acquisition of real property interests in the property legally described in Exhibit "A" attached hereto, and any personal property located thereon that may need to be removed to accommodate the

Project Improvements, is needed for the construction of the Project Improvements to install traffic signals at the intersection of Estrella Parkway and Ballpark Village Boulevard, and securing of immediate possession of such real property interests and personal property interests, if any, is for a public and necessary purpose and is in the best interest of the citizens of the city of Goodyear.

SECTION 2. Subject to the terms set forth herein, city staff is hereby authorized and directed to acquire, by dedication, donation, purchase, or the exercise of the power of eminent domain: an easement in the property legally described in Exhibit "A" attached hereto (the "Easement Area"), that will allow the installation, operation, maintenance, repair, and replacement of the Project Improvements and for use by the public of any sidewalk improvements installed thereon; and any personal property located within the Easement Area that may have to be removed to accommodate the Project Improvements. Written offers, purchase agreements, and the documents conveying the real and personal property interests being acquired shall be in a form approved by the City Attorney or his designee.

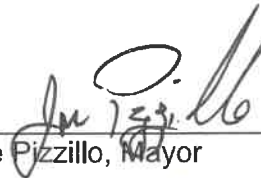
SECTION 3. If, during construction of the Project Improvements, city staff discovers that modifications to the Easement Area are required to accommodate the Project Improvements, city staff is hereby authorized and directed to acquire, by dedication, donation, purchase, or the exercise of the power of eminent domain any additional real or personal property interests needed to accommodate the Project Improvements.

SECTION 4. If city staff is not able to acquire the real and personal property interests needed for the completion of the Project Improvements by dedication donation, or purchase within a reasonable period of time, the City Attorney is hereby authorized and directed to commence or cause the commencement of condemnation proceedings, through the exercise of the power of eminent domain, to acquire, in the name of the city of Goodyear, the real and personal property interests needed for the construction of the Project Improvements and to secure immediate possession of such real and personal property interests. The City Attorney is further authorized and directed to undertake all actions and to perform all acts necessary in furtherance of the acquisition of such real and personal property interests.

SECTION 5. The City Manager or designee is expressly authorized to take all actions and execute all documents necessary to acquire the real and personal property interests needed for the completion of the Project Improvements to install traffic signals at the intersection of Estrella Parkway and Ballpark Village Boulevard, and to carry out the intent of this Resolution.

SECTION 6. Resolution 2025-2448 shall be effective upon the date of its adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a 7-0 vote, this 24th day of February, 2025.



Joe Pizzillo, Mayor

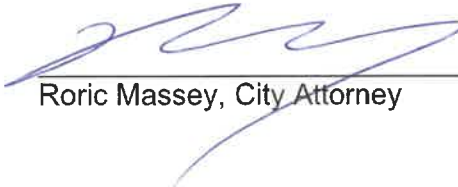
Date: 02/24/2025

ATTEST:



Jasmine Pernicano, Acting City Clerk

APPROVED AS TO FORM:



Roric Massey, City Attorney



EXHIBIT A

LEGAL DESCRIPTION
TRAFFIC SIGNAL INSTALLATION & MAINTENANCE EASEMENT
APN 500-08-985

That portion of the parcel of land described in Maricopa County Recorder (MCR) Document # 2021-1266605 being located in the Southwest Quarter of Section 17 and the Northwest Quarter of Section 20, Township 1 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and more particularly described as follows:

COMMENCING at the City of Mesa brass cap in hand hole found at the Southwest Corner of said Section 17, also being the Northwest Corner of said Section 20, from which the City of Goodyear brass cap in hand hole found at the West Quarter Corner of said Section 17 bears North 00 degrees 49 minutes 43 seconds West a distance of 2,651.24 feet, said line being the West line of the Southwest Quarter of said Section 17, and said line also being the basis of bearing for this description;

Thence along said West line, North 00 degrees 49 minutes 43 seconds West a distance of 38.85 feet to a point;

Thence North 89 degrees 10 minutes 17 seconds East a distance of 85.00 feet to a point at the intersection of the existing east right-of-way line of South Estrella Parkway as described on the "Replat of Ballpark Village Lot 32B" found recorded in MCR Book 1581 of Maps, Page 23 and the east line of an existing 10.00-foot Public Utility and Access Easement as described in MCR Document # 2007-1303925, said point also being the POINT OF BEGINNING;

Thence along said existing east right of way line, North 89 degrees 56 minutes 47 seconds East a distance of 10.00 feet to a point on a line parallel with and 95.00 feet distant from said West line;

Thence along said parallel line, South 00 degrees 49 minutes 43 seconds East a distance of 39.50 feet to a point on a line parallel with and 95.00 feet distant from the West line of said Northwest Quarter;

Thence along last-mentioned parallel line, South 00 degrees 07 minutes 07 seconds West a distance of 40.51 feet to a point;

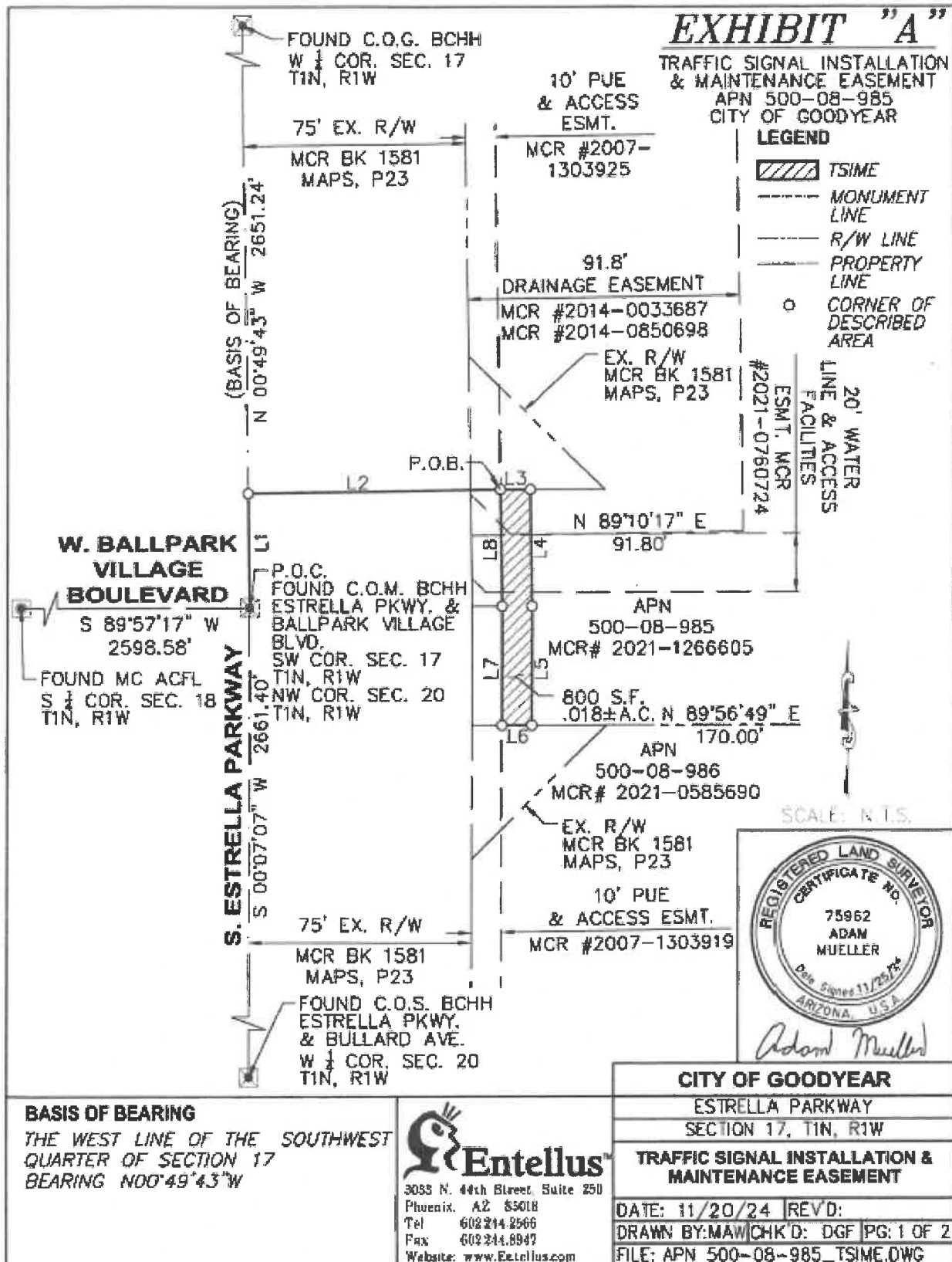
Thence South 89 degrees 56 minutes 49 seconds West a distance of 10.00 feet to a point on the east line of an existing 10.00-foot Public Utility and Access Easement as described in MCR Document # 2007-1303919;

Thence along last-mentioned east easement line, North 00 degrees 07 minutes 07 seconds East a distance of 40.45 feet to a point on said east easement line as described in MCR Document # 2007-1303925;

Thence along last-mentioned east easement line, North 00 degrees 49 minutes 43 seconds West a distance of 39.56 feet to the POINT OF BEGINNING.

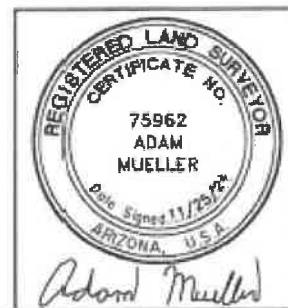
Containing an area of 800 square feet or 0.018 acres, more or less, as shown on the attached exhibit which is by reference made a part hereof.





APN 500-08-985

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N0° 49' 43"W	38.85'
L2	N89° 10' 17"E	85.00'
L3	N89° 56' 47"E	10.00'
L4	S0° 49' 43"E	39.50'
L5	S0° 07' 07"W	40.51'
L6	S89° 56' 49"W	10.00'
L7	N0° 07' 07"E	40.45'
L8	N0° 49' 43"W	39.56'

**CITY OF GOODYEAR**ESTRELLA PARKWAY
SECTION 17, T1N, R1W**TRAFFIC SIGNAL INSTALLATION &
MAINTENANCE EASEMENT**

DATE: 11/20/24 REV'D:
 DRAWN BY: MAW/CHK'D: DGF PG: 2 OF 2
 FILE: APN 500-08-985_TSIME.DWG

 **Entellus™**
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LINE AND DATA TABLE