

ORDINANCE NO. 2018-1617

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE PURCHASE OF REAL PROPERTY FROM STEVEN WILLIAM MERTZ, AND EASEMENTS FROM GREGORY THENO AND SARAH VAN BOURGONDIE, THE EDWIN AND MAY SMITH SURVIVOR'S TRUST, AND MARTIN F. LENIHAN FOR THE ZONE 24/27 WATER MAIN PROJECT; AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID PURCHASES.

RECITALS:

WHEREAS, the City Council has determined that certain real property and easements are needed by the City for improvements to the City's water infrastructure and the acquisition of these property rights will be in the best interest of the health, safety and welfare of the City of Prescott; and,

WHEREAS, the proposed purchase prices of the following property and easements, along with the terms and conditions in the City of Prescott's ("City") standard Purchase Agreements, are deemed to be fair and equitable.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT the City Council hereby accepts the offer to purchase certain real property referenced in Exhibit "A" and agrees to purchase and accept said real property from Steven William Mertz, pursuant to the terms and conditions as set forth in the City's Standard Purchase Agreement dated April 18, 2018, for the purchase price of \$180,000.00 plus closing costs.

Section 2. THAT the City Council hereby accepts the offer to purchase certain water easement referenced in Exhibit "A" and agrees to purchase and accept said water easement from Gregory Theno and Sarah Van Bourgondien, pursuant to the terms and conditions as set forth in the City's Standard Purchase Agreement dated May 14, 2018, for the purchase price of \$202.00 plus closing costs.

Section 3. THAT the City Council hereby accepts the offer to purchase certain water easements referenced in Exhibit "A" and agrees to purchase and accept said water easements from The Edwin and May Smith Survivor's Trust, pursuant to the terms and conditions as set forth in the City's Standard Purchase Agreement dated April 30, 2018, for the purchase price of \$4,040.00 plus closing costs.

Section 4. THAT the City Council hereby accepts the offer to purchase certain water easement and temporary construction easement referenced in Exhibit "A" and agrees to purchase and accept said water easement and temporary construction

EXHIBIT A