

**RESOLUTION NO. 2019-1693**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, APPROVING THE USE OF EMINENT DOMAIN TO ACQUIRE PROPERTY NECESSARY FOR IMPROVEMENTS TO THE GOVERNMENT CANYON BRIDGE.**

**RECITALS:**

WHEREAS, the City of Prescott ("City") must improve and enlarge the Government Canyon Bridge, a piece of critical City infrastructure; and,

WHEREAS, a parcel of private property must be acquired by the City to complete the project; and,

WHEREAS, despite lengthy negotiations the City and the Owner of the private property required for the project have been unable to reach a mutually acceptable agreement; and

WHEREAS, the City has considered alternatives available to it, have balanced the public good and the private injury resulting from the acquisition of the property and have determined that locating the public improvements on the property results in the greatest public good and the least private injury.

**ENACTMENTS:**

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

Section 1 THAT the City finds the property depicted in Exhibit "A" to be necessary for a public purpose, namely the construction of critical infrastructure.

Section 2 THAT, the City of Prescott Legal Department is authorized to acquire the property required for this project through the eminent domain process.

Section 3 THAT, the Mayor and Staff are hereby authorized to take any and all steps deemed necessary to accomplish the above.

Section 4 THAT by approving this Resolution authorizing the acquisition of the real property described in Exhibit A, the City accepts the dedication of said property as of the date of recordation of the executed deed[s].

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
GREG L. MENGARELLI , Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
MAUREEN SCOTT, City Clerk

\_\_\_\_\_  
JON M. PALADINI, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA )  
County of Yavapai ) ss.

I, the undersigned Maureen Scott, being the duly appointed, qualified City Clerk of the City of Prescott, Yavapai County, Arizona, certify that the foregoing Resolution No. 2019-1693 is a true, correct and accurate copy of Resolution No 2019-1693, passed and adopted at a Voting Meeting of the Council of the City of Prescott, Yavapai County, Arizona, held on the \_\_\_\_\_ day of \_\_\_\_\_ 2019, at which a quorum was present and, by a \_\_\_\_\_ vote, \_\_\_\_\_ voted in favor of said resolution.

Given under my hand and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Seal

\_\_\_\_\_  
City Clerk