



MAYOR & COUNCIL COMMUNICATION

October 6, 2009

Subject: Authority to acquire property located at the Northeast corner of Broadway Boulevard and Campbell Avenue under the Advanced Acquisition Program (Ward 6) Page: 1 of 1

Issue – Mayor and Council authorization is requested authorizing the acquisition of the Northeast corner of Broadway Boulevard and Campbell Avenue from the Mildred Gyuro Trust.

Recommendation – It is recommended that Mayor and Council adopt the attached Resolution authorizing the acquisition and direct the City Manager to execute all documents needed to complete the transaction.

Background – The City of Tucson has previously acquired property along Broadway Boulevard for the widening of East Broadway Boulevard from Euclid Avenue to Campbell Avenue through the City's Advanced Acquisition Program. On January 23, 2007, Mayor and Council approved an Intergovernmental Agreement (IGA) with the Regional Transportation Authority (RTA) for the widening of East Broadway from Euclid to Country Club Road within the next decade. That IGA allocates funding for the design, right-of-way acquisition, and construction. The project is currently in the planning stages.

Present Consideration – The owner of the property has utilized the site as Albert's Autocare Center for the last 60 years. As a result of the owner's interest in rezoning the property to build a new building, it was determined by staff that the entire site would be needed to accommodate future roadway improvements. Accordingly, the property owner has requested an advanced acquisition of their property so they can relocate their business to a site that would allow their business to expand. The subject property, consisting of 25,259 square feet has been appraised and the final purchase price will reflect the market value of the property. The property is currently improved with a building utilized as an office and garage and is anticipated to be demolished following relocation of the business.

Financial Considerations – Budget capacity for this acquisition has been established in the Department of Transportations current Capital Improvement Program and the agreement with the RTA.

Legal Considerations – The attached Resolution, prepared by the City Attorney's Office, authorizes and directs City staff to facilitate and complete the acquisition with the property owners.

Respectfully submitted,


Mike Letcher
City Manager

Attachment:

Resolution

ML:L.Ginsberg/tm

OCT6-09-510

ADOPTED BY THE
MAYOR AND COUNCIL

October 6, 2009

RESOLUTION NO. 21405

RELATING TO REAL PROPERTY; AUTHORIZING THE CITY MANAGER TO ACQUIRE BY NEGOTIATION CERTAIN REAL PROPERTY LOCATED AT THE NORTHEAST CORNER OF BROADWAY BOULEVARD AND CAMPBELL AVENUE UNDER THE ADVANCED ACQUISITION PROGRAM; AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

SECTION 1. The City Manager hereby is authorized and directed to negotiate for and acquire in lieu of eminent domain the parcel of real property located at the Northeast corner of Broadway Boulevard and Campbell Avenue under the Advanced Acquisition Program from the Mildred Gyuro Trust, as shown on the map attached hereto as Attachment 1 (the "Property"), which is necessary for the widening of East Broadway Boulevard. The negotiated purchase price for the Property shall not exceed the appraised value by the greater of five percent (5%) thereof, or Five Hundred Dollars (\$500).

SECTION 2. The City Manager, or his designee, is hereby authorized and directed to execute, and the City Clerk is hereby authorized and directed to attest to any and all documents necessary to effectuate the above-contemplated transaction for and on behalf of the City of Tucson.

SECTION 3. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this resolution.

SECTION 4. WHEREAS, it is necessary for the preservation of the peace, health and safety of the City of Tucson that this resolution become immediately effective, an emergency is hereby declared to exist, and this resolution shall be effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, October 6, 2009.



MAYOR

ATTEST:



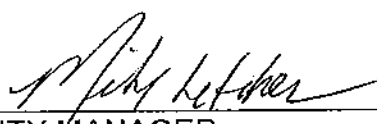
CITY CLERK

APPROVED AS TO FORM:



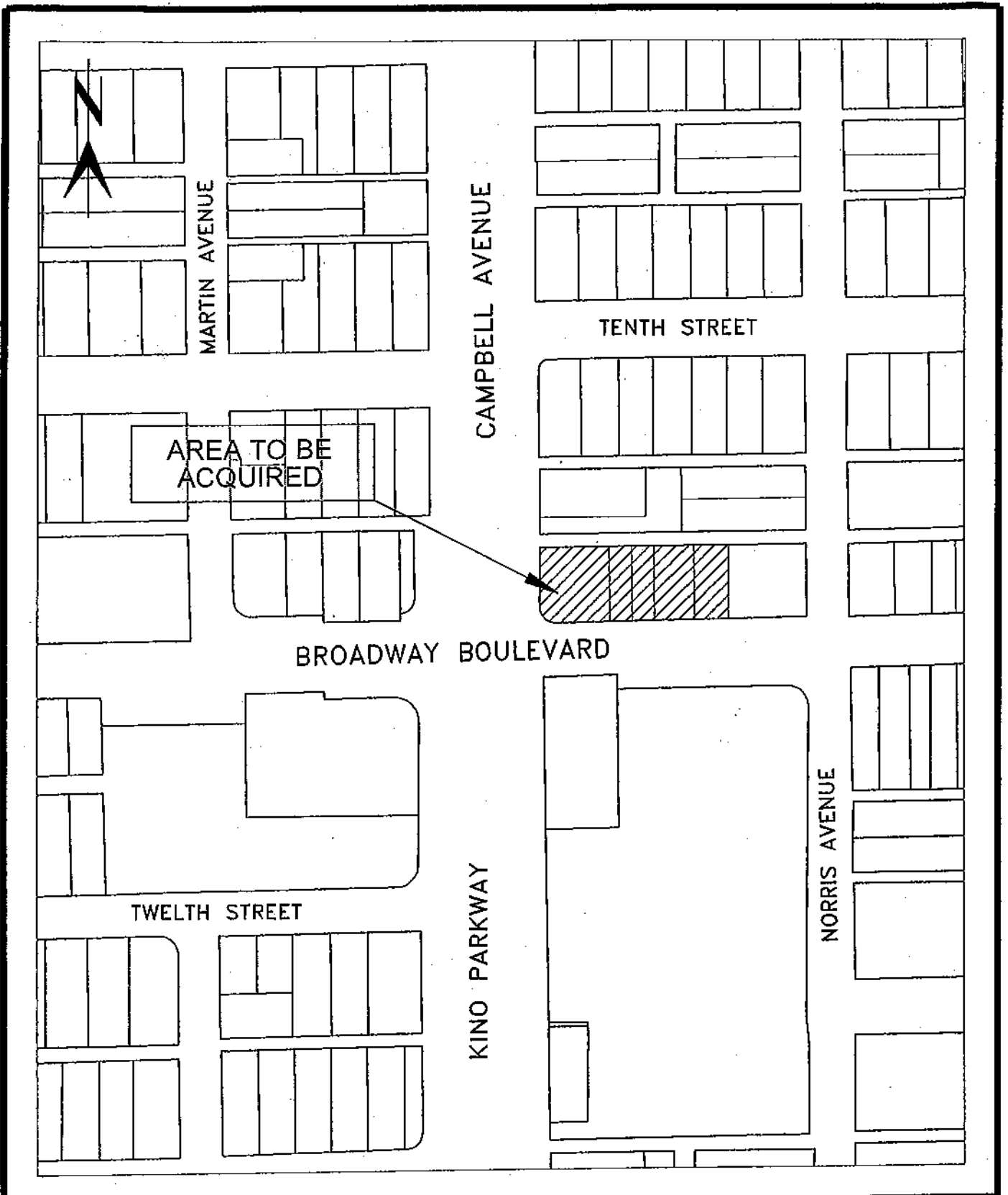
CITY ATTORNEY

REVIEWED BY:



CITY MANAGER

DF:tl
9/23/2009



Drawn: JML SEPT 09 _____
 Scale: NO SCALE _____
 Approved: _____
 City Engineer

ADVANCED ACQUISITION
 BROADWAY BOULEVARD
 & CAMPBELL AVENUE

City of Tucson, Arizona
 ENGINEERING DIVISION 