



**Chandler • Arizona**  
*Where Values Make The Difference*

# 19  
DEC 13 2007

**MEMORANDUM                      Real Estate - Council Memo No. DRE08-019**

DATE:            DECEMBER 13, 2007

TO:              MAYOR AND COUNCIL

THRU:          W. MARK PENTZ, CITY MANAGER  
R.J. ZEDER, PUBLIC WORKS DIRECTOR  
DANIEL W. COOK, DEPUTY PUBLIC WORKS DIRECTOR  
MICHAEL NORMAND, ACTING ASSISTANT PUBLIC WORKS  
DIRECTOR/TRANSPORTATION & OPERATIONS

FROM:          SHARON A. JOYCE, REAL ESTATE MANAGER

SUBJECT:      RESOLUTION NO. 4146 AUTHORIZING AND APPROVING THE PURCHASE OF THE PROPERTY LOCATED AT 98 E. KESLER LANE FOR THE SOUTH ARIZONA AVENUE CORRIDOR PROJECT AT A COST, INCLUDING SURVEY, CLOSING AND ASSOCIATED COSTS, NOT TO EXCEED \$591,250; AND AUTHORIZING RELOCATION ASSISTANCE AS MAY BE REQUIRED BY LAW.

RECOMMENDATION: Staff recommends that the City Council pass and adopt Resolution No. 4146 authorizing and approving the purchase of the property located at 98 E. Kesler Lane for the South Arizona Avenue Corridor Project at a cost, including survey, closing and associated costs, not to exceed \$591,250; and authorizing relocation assistance as may be required by law.

BACKGROUND/DISCUSSION: City staff has determined that the property located at 98 E. Kesler Lane, will be significantly impacted by the Washington Street re-alignment and connection to Pecos Road that is being proposed for construction in the initial stages of the South Arizona Avenue Road Improvement Project. City staff presented the owner of the property, Chandler Worship Center, with a purchase offer for the appraised value of \$550,000. The owner of the property is willing to move forward immediately with the sale of its property to the City for the amount of \$580,000 or approximately 5.5 percent above the appraised value. City staff recommends moving forward with the acquisition of this property at the amount of \$580,000 due to its location relative to the proposed project improvements and project phasing, and because the acquisition represents a voluntary transaction between City and the owner. Further, the owner is willing to vacate the premises at closing, which will allow the City immediate access, allowing the first phase of the project to proceed on schedule. Additional costs will include the survey, title and associated costs in the approximate amount of \$11,250.

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FINANCIAL IMPLICATIONS:

Costs: \$591,250  
Savings: None  
Long Term Costs: Demolition  
Fund Source: N/A

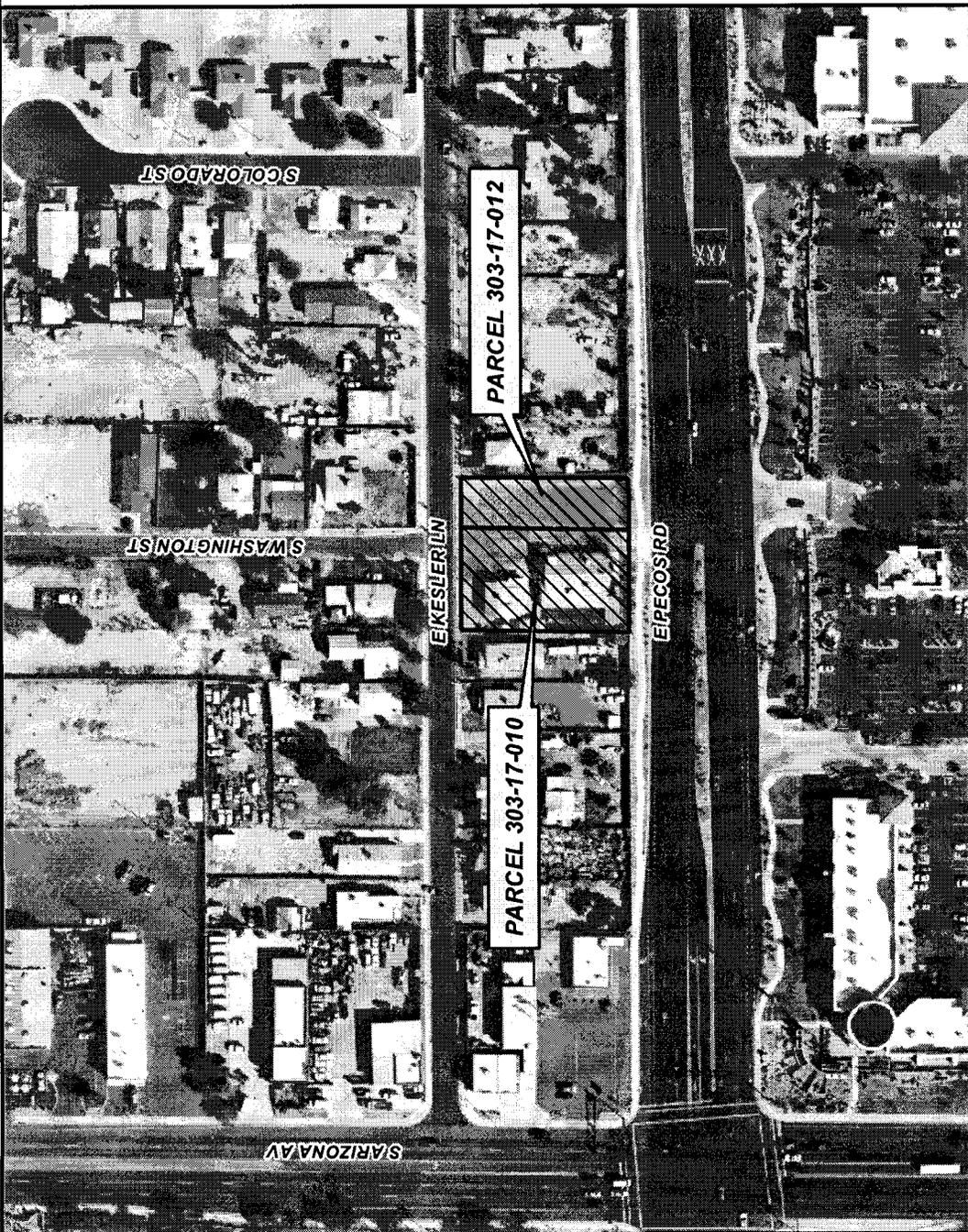
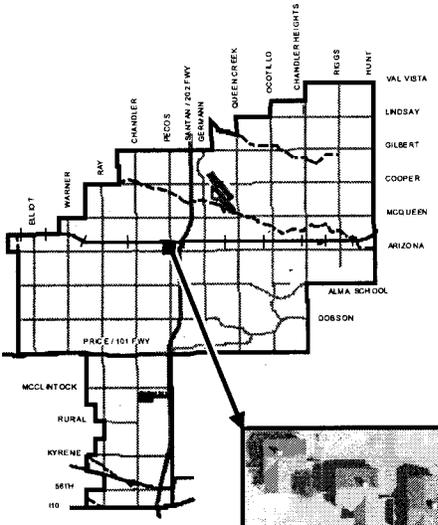
<u>Acct. No: CIP</u>	<u>Fund</u>	<u>Program Name</u>	<u>Funds:</u>
411.3310.0000.6517.8GG613	GO Bonds-Streets	South Arizona Avenue	CIP Funded \$591,250 07/08

PROPOSED MOTION: Move that the City Council pass and adopt Resolution No. 4146 authorizing and approving the purchase of the property located at 98 E. Kesler Lane for the South Arizona Avenue Corridor Project at a cost, including survey, closing and associated costs, not to exceed \$591,250; and authorizing relocation assistance as may be required by law.

Attachments: Location/Site Map  
Resolution No. 4146



# ACQUISITION OF 98 E KESLER LANE APN 303-17-010 AND 303-17-012



**MEMO NO. DRE08-019**  
**RESOLUTION NO. 4146**

 98 E KESLER LANE



**RESOLUTION NO. 4146**

A RESOLUTION OF THE COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING AND APPROVING THE PURCHASE OF THE PROPERTY LOCATED AT 98 E. KESLER LANE FOR THE SOUTH ARIZONA AVENUE CORRIDOR PROJECT AT A COST, INCLUDING SURVEY, CLOSING AND ASSOCIATED COSTS, NOT TO EXCEED \$591,250; AND AUTHORIZING RELOCATION ASSISTANCE AS MAY BE REQUIRED BY LAW.

WHEREAS, the acquisition of the property located at 98 E. Kesler Lane (the "Property"), is necessary in order to construct the road improvements for the proposed Washington Street re-alignment and connection to Pecos Road as part the South Arizona Avenue Road Improvement Project (the "Project"); and

WHEREAS, Chandler Worship Center, Inc., an Arizona corporation, the owner of the Property, has agreed to sell its Property to the City of Chandler; and

WHEREAS, the Purchase Agreement provides that the purchase price will be \$580,000 plus survey, closing and associated costs estimated to be approximately \$11,250; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. That the City of Chandler is authorized to enter into an agreement with the Chandler Worship Center Inc., an Arizona Corporation for the purchase of real property located at 98 E. Kesler Lane Street as more fully described in Exhibit "A" attached hereto at a price of \$580,000, plus survey, closing and associated costs of approximately \$11,250.

Section 2. That the Real Estate Manager is authorized to execute, deliver, and deposit into escrow the approved purchase agreement, along with all other documents and instructions necessary to consummate the purchase of said Property.

Section 3. That the purchase agreement and all other documents to be executed on behalf of the City for this transaction shall be in such form as approved by the City Attorney.

Section 4. That the City is authorized to provide such relocation assistance, including benefits, as may be required by law. The City's Real Estate Manager shall make the initial determination of any claim received for relocation benefits; and administrative appeal from such decision shall be considered and acted upon by the Chandler City Manager or the City Manager's designee for such purpose, whose decision shall be final in accordance with applicable law.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4146 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_ day of \_\_\_\_\_, 2007, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY *WAB*

**EXHIBIT "A"**

THE WEST 50 FEET OF LOT 6, KESLER ADDITION TO CHANDLER, A SUBDIVISION,  
RECORDED IN BOOK 27 OF MAPS, PAGE 24, RECORDS OF MARICOPA COUNTY,  
ARIZONA

AND

LOT FIVE (5), KESLER ADDITION, ACCORDING TO THE PLAT OF RECORD IN THE  
OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK  
27 OF MAPS, PAGE 24