



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

#16  
FEB 28 2008

**MEMORANDUM**                      **Real Estate - Council Memo No. RE08-232**

**DATE:**            FEBRUARY 28, 2008

**TO:**                MAYOR AND COUNCIL

**THRU:**            W. MARK PENTZ, CITY MANAGER  
                         R. J. ZEDER, PUBLIC WORKS DIRECTOR *RJZ*  
                         DANIEL W. COOK, DEPUTY PUBLIC WORKS DIRECTOR *DC*  
                         MIKE NORMAND, TRANSIT SERVICES AND PLANNING MANAGER *MN*

**FROM:**            ERICH KUNTZE, REAL ESTATE OPERATIONS COORDINATOR *EK*

**SUBJECT:**        RESOLUTION NO. 4158 AUTHORIZING AND APPROVING THE  
                         PURCHASE OF A 3,840 SQUARE FOOT PORTION OF PRIVATE PROPERTY  
                         WITHIN THE GILBERT ROAD ALIGNMENT LOCATED SOUTH OF EAST  
                         OAKLAND STREET, AT A COST OF \$20,000, AND HALF THE CLOSING  
                         COSTS

RECOMMENDATION: Staff recommends that the City Council pass and adopt Resolution No. 4158 authorizing and approving the purchase of a 3,840 square foot portion of private property within the Gilbert Road alignment located south of East Oakland Street, at a cost of \$20,000, and half the closing costs.

BACKGROUND/DISCUSSION: This 3,840 square foot portion of the Gilbert Road alignment was never dedicated to the public although it is paved and maintained by the City for these road purposes. The owner of this strip of private property, Salvatore Gatto Partners, L.P., has agreed to sell this property to the City of Chandler for compensation of \$5.20 a square foot which is estimated to be below market value. The acquisition of this parcel is necessary in order for the City of Chandler to de-annex and sever certain property contiguous to the Town of Gilbert and will enable the Town of Gilbert to continue processing and complete an annexation in this area.

FINANCIAL IMPLICATIONS:

Costs: \$20,000 and half the closing costs  
Long Term Costs: Normal maintenance  
Fund Source: 101.3310.0000.6517.2ST086 \$5,091.00  
101.3310.0000.6110.2ST086 \$2,184.00  
411.3310.0000.6517.3ST086 \$9,041.03  
411.3310.0000.6517.7ST303 \$3,683.97

PROPOSED MOTION: Move that the City Council pass and adopt Resolution No. 4158 authorizing and approving the purchase of a 3,840 square foot portion of private property within the Gilbert Road alignment located south of East Oakland Street, at a cost of \$20,000, and half the closing costs.

Attachments: Aerial Location Map  
Resolution No. 4158

**RESOLUTION NO. 4158**

A RESOLUTION OF THE COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING AND APPROVING THE PURCHASE OF A 3,840 SQUARE FOOT PORTION OF PRIVATE PROPERTY WITHIN THE GILBERT ROAD ALIGNMENT LOCATED SOUTH OF EAST OAKLAND STREET, AT A COST OF \$20,000, AND HALF THE CLOSING COSTS

WHEREAS, Salvatore Gatto Partners, L.P., an Arizona Limited Partnership, (the "Owners") have agreed to sell a 3,840 square foot portion of property encroached upon by the Gilbert Road alignment, (the "Property"), located south of East Oakland Street on the west side of Gilbert Road, for the amount of \$20,000 plus half of the closing costs; and

WHEREAS, the Owners have agreed to sell the property to the City at less than the estimated market value, at a total cost of \$20,000 plus half the closing costs; and

WHEREAS, the City of Chandler desires to purchase the Property located within the west half of the Gilbert Road alignment located south of East Oakland Street, Chandler, Arizona; 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 a purchase agreement with Salvatore Gatto Partners, L.P., an Arizona Limited Partnership, for the purchase of real property described in Exhibit "A".

Section 2. That the Real Estate Operations Coordinator or authorized designee, 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 real estate.

Section 3. That all other legal documents required for this transaction shall be in a form approved by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

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

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this  
\_\_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

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

\_\_\_\_\_  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4158 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 17<sup>th</sup> day of January, 2008, and that a quorum was present thereat.

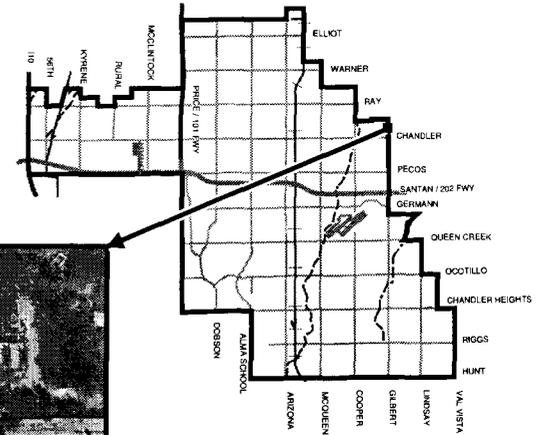
\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY *GAB*



# GILBERT ROAD ENCROACHMENT



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