



## Legislation Details (With Text)

**File #:** 18-226      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Agenda Ready  
**File created:** 5/17/2018      **In control:** Town Council  
**On agenda:** 5/24/2018      **Final action:**  
**Title:** Adoption of Ordinance No. 2018-10 authorizing that fee title and a public utility easement in certain real property owned by Lauren Weinstein and Mark D. Clark be acquired by the Town in exchange for an excess Town right-of-way parcel.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibits to Ordinance No. 2018-10.pdf, 2. Ord 2018-10 Weinstein Clark Land Exchange (2).pdf, 3. Sketch of the Weinstein-Clark Land Exchange.pdf, 4. 052418 Weinstein Clark Land Exchange.pdf

| Date      | Ver. | Action By    | Action  | Result |
|-----------|------|--------------|---------|--------|
| 5/24/2018 | 1    | Town Council | Adopted | Pass   |

**TO:** Mayor Collins and Town Council Members

**FROM:** Kevin Burke, Town Manager  
Andrew M. Miller, Town Attorney

**DATE:** May 24, 2018

**DEPARTMENT:** Town Attorney

**AGENDA TITLE:**

Adoption of Ordinance No. 2018-10 authorizing that fee title and a public utility easement in certain real property owned by Lauren Weinstein and Mark D. Clark be acquired by the Town in exchange for an excess Town right-of-way parcel.

**Town Value(s):**

- Primarily one-acre, residential community
- Limited government
- Creating a sense of community
- Partnerships with existing schools and resorts to enhance recreational opportunities
- Improving aesthetics/creating a brand
- Preserving natural open space

The Town of Paradise Valley makes every effort to enhance the community's unique character for its residents and people from around the world.

**Council Goals or Statutory Requirements:**

**RECOMMENDATION:**

Adopt Ordinance No. 2018-10.

**SUMMARY STATEMENT:**

Lauren Weinstein and Mark D. Clark (“Owners”) own a parcel of land that encompasses a 25.75 by 209 foot section of Palo Cristi Drive (the “ROW Parcel”). The Town desires to acquire that ROW Parcel in a land exchange. The Town owns a 7 by 209 foot strip of excess right-of-way (the “Excess Parcel”) that it can offer in exchange. The Owners are willing to exchange the ROW Parcel, as well as granting the Town an additional ten foot wide utility easement, in exchange for the Excess Parcel. This exchange would clean up the ownership of the Palo Cristi Drive right-of-way area that is just south of the roundabout at Palo Cristi and Stanford Drive. Because the Town no longer has a need to retain ownership of the Excess Parcel, Town staff would recommend adopting Ordinance No. 2018-10, which will: 1) approve the land exchange (including the Owners granting a 10 by 209 foot utility easement); and 2) authorize the Town Manager and Town Attorney to complete the land exchange transaction, including obtaining title insurance for the ROW Parcel. Neither the Town nor the Owners will pay anything for the land exchange, except for each parties escrow and title insurance costs. It is respectfully recommended that the Council adopt Ordinance No. 2018-10.

**BUDGETARY IMPACT:**

Costs for Title Insurance (estimated to be less than \$1,000)

**ATTACHMENT(S):**

Ordinance 2018-10

Sketch of Land Exchange Area and Utility Easement