

SAHUARITA ORDINANCE NO. 2025-183

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF SAHUARITA, ARIZONA, CLOSING AND ABANDONING A CERTAIN ROADWAY AND RAILROAD CROSSING IN THE TOWN OF SAHUARITA AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, A.R.S. § 9-240(B)(3)(a) and (e)3 gives the Town Council the exclusive control over the streets, alleys, avenues and sidewalks of the Town and the power to vacate or abandon any street, avenue, alley, park, public place or sidewalk in Town or to abolish them, provided that rights-of-way or easements of existing sewer, gas, water or similar pipelines and appurtenances and for canals, laterals or ditches and appurtenances, and for electric, telephone, and similar lines and appurtenances shall continue as they existed prior to the vacating, abandonment, or abolishment thereof; and

WHEREAS, the Town and Union Pacific Railroad entered into that certain Public Highway At-Grade Crossing Agreement dated July 10, 2024, wherein the Town agreed, among other things, to close at-grade crossings located at DOT# 742155R and 742154J at Union Pacific's Milepost 1.782 at its Anamax Mine Spur, as more particularly shown and depicted on Exhibit A attached hereto.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sahuarita, Arizona, as follows:

Section 1. That the at-grade crossings located at DOT#742155R and 742154J at Union Pacific's Milepost 1.782 on its Anamax Mine Spur, as more particularly shown and depicted on Exhibit A attached hereto, are hereby closed and abandoned upon the effective date of this Ordinance.

Section 2. Pursuant to A.R.S. § 19-142, this Ordinance shall become operative 30 days after its passage.

[SIGNATURES ON FOLLOWING PAGE.]

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

PASSED AND ADOPTED by the Mayor and Council of the Town of Sahuarita, Arizona, this 12th day of May, 2025.

Tom Murphy

Mayor Tom Murphy

CERTIFICATION OF RECORDING OFFICER

State of Arizona)
County of Pima) ss.

I, the undersigned, Lisa Cole, MMC, being the duly appointed, qualified Town Clerk of the Town of Sahuarita, Pima County, Arizona, certify that the foregoing Ordinance is a true, correct, and accurate copy of Ordinance No. 2025-183, passed and adopted at a Voting Meeting of the Council of the Town of Sahuarita, Pima County, Arizona, held on the 12th day of May, 2025, at which a quorum was present and by 6-0 vote, 6 voted in favor of the said ordinance.

Given under my hand and sealed this 12th day of May, 2025.

SEAL:



Lisa Cole

for Lisa Cole, MMC
Town Clerk

APPROVED AS TO FORM:

Jon M. Paladini

Jon Paladini, Town Attorney

EXHIBITS A ARE AVAILABLE IN THE TOWN CLERK'S DEPARTMENT
375 W SAHUARITA CENTER WAY, SAHUARITA, AZ 85629
townclerk@sahuaritaaz.go