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OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
Dana Lewis

DATE/TIME: 05/25/2023 1415
FEE: $0.00
PAGES: 2
FEE NUMBER: 2023-038462

When recorded return to:
Clerk of the Board
Pinal County Board of Supervisors
PO Box 827
Florence, AZ 85132

RESOLUTION NO. 052423-GA22-070

A RESOLUTION TO AUTHORIZE ACQUISITION OF PROPERTY FOR PINAL AIRPARK RUNWAY PROTECTION ZONE INCLUDING USE OF EMINENT DOMAIN

WHEREAS, pursuant to A.R.S. § 28-8411, Pinal County (The County) through its Board of Supervisors, is empowered to acquire and own land within or outside of its jurisdictional boundaries for the operation of an airport, and

WHEREAS, pursuant to A.R.S. § 28-8416 the County is authorized to acquire land necessary to operate an airport through eminent domain and A.R.S. § 12-1111 further authorizes the County to use eminent domain to acquire real property for aviation fields; and

WHEREAS, pursuant to A.R.S. § 11-951 et seq. the County is authorized to enter into intergovernmental agreements for the provision of services or the joint or cooperative action; and

WHEREAS, the County is the Sponsor of the Pinal County Airpark; and

WHEREAS, Federal Aviation Administration (FAA) Grant Assurance Number 19 requires an airport to be operated in a safe and serviceable condition and in accordance with appropriate minimum standards required by applicable agencies; and

WHEREAS, FAA Grant Assurance Number 20 requires an airport sponsor to take appropriate action to ensure that terminal airspace will be adequately protected by removing, lowering, lighting or otherwise mitigating existing airport hazards and by preventing the establishment of future hazards; and

WHEREAS, Federal Aviation Administration Grant Assurance Number 21 requires the County as the sponsor of the Pinal Airpark to take appropriate action to the extent practicable to restrict the use of the land adjacent to the airport to uses compatible with normal airport operations; and

WHEREAS, FAA Grant Assurance Number 29 requires the airport sponsor to keep an up-to-date Airport Layout Plan (ALP). Pinal's current ALP depicts a Runway protection zone extending past Runway 30 and over the adjacent parcels south of the Airpark.

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NOW, THEREFORE, BE IT RESOLVED that the Airport Economic Development Director is authorized and directed to negotiate with landowners and / or appropriate agencies to obtain the necessary Rights-of-Way, Property and/or Easements and all other necessary land rights, subject to ratification and approval by the Board;

BE IT FURTHER RESOLVED that the County Attorney for Pinal County is directed and authorized to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for the Runway Protection Zone which cannot be obtained by donation or purchase;.

BE IT FURTHER RESOLVED the Pinal County Attorney is authorized to develop an Intergovernmental Agreement with Pima County to assist with the acquisition of property within the territorial boundaries of Pima County for the Runway Protection Zone subject to ratification and approval by the Board;

PASSED AND ADOPTED this 24th day of May 2023, by the PINAL COUNTY BOARD OF SUPERVISORS

ATTEST:

THE SEAL OF PINAL COUNTY ARIZONA 1875

Chairman of the Board

Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM:

Deputy County Attorney