

CITY OF BUCKEYE
Regular Council Meeting
COUNCIL ACTION REPORT

MEETING DATE: 09/02/25	AGENDA ITEM: 4.X. PMO - CIP No. 100630 Durango Street Improvements - Right of Way Acquisition
DATE PREPARED: 08/28/25	DISTRICT NO.: 1
STAFF LIAISON: Rodrigo Nemi, CIP Project Manager, rnemi@buckeyeaz.gov, (623) 204-8442	
DEPARTMENT: Program Management Office	AGENDA ITEM TYPE: Consent Agenda Items / New Business

ACTION/MOTION: (This language identifies the formal motion to be made by the Council)
Council to take action to ratify and approve the City's acceptance of a Real Estate Purchase Contract (Right-of-Way), by and between Seller Donna Lee Osteen, Michael Osteen and Shawna Osteen, and Buyer City of Buckeye, Arizona, in the sum of Three Hundred Thirty Six Thousand Nine Hundred Sixteen and 00/100 (\$336,916.00) and opening of Escrow with Security Title Agency, Escrow #ST15250544M; further, authorizing the City Manager to amend the Real Estate Purchase Contract, Sections 2.1 and 12.1, to allow for the Earnest Money Deposit to occur and to extend the Close of Escrow as reasonably necessary; and further, to authorize and direct the Mayor, City Manager, City Attorney, and City Clerk to carry out the purpose and intent of the Real Estate Purchase Contract.

SUMMARY

PROJECT DESCRIPTION:

Roadway construction to improve and widen Durango Street and the Yuma and Durango intersection. Improvements include utility relocations, curb, gutter, sidewalk and medians.

Wayne Harding & Associates' appraisal report dated June 5, 2024, reflects an appraised value of \$11.50 per square foot (*sq. ft.) for the proposed right of way (ROW) (24,612.47 sq. ft.) and an estimated value of \$9,100.00 for the proposed public utilities easement (2,631.03 sq. ft.). Robert F. Buckley, Cushman & Wakefield, the Agent representing the land-owners, Donna Lee Osteen, Michael Osteen, and Shawna Osteen (Osteens), pointed out that the General Plan Land Use overlay is Business Commerce, which warranted an upward deviation from the Wayne Harding report. Further negotiations between the parties resulted in a reasonable compromise of \$12.367/sq. ft. for the aggregate right of way and public utilities easement (total 27,243.50 sq. ft.). Once the parties arrived at the purchase-price of \$12.367/sq. ft., the Osteens' attorney (Chris Evanoff) and the Legal Department negotiated the remaining terms of the Purchase Agreement, attached.

This council action will facilitate the following acquisition of real property and easements from a portion of undeveloped land on the East side of Yuma Road North of Durango Street from the Osteens:

- Approximately 0.56 acres (24,612 Sq. Ft.) of real property, to be conveyed to the City via special warranty deed; and
- Approximately 0.06 acres (2,631 Sq. Ft.) of temporary construction easement.

BENEFITS:

Approval will authorize the City Manager to execute the contract amendment that will reduce delays, improve safety, provide additional continuity to nearby developments and encourage additional economic growth in the area.

FUTURE ACTION:

Review and formally ratify the Real Estate Purchase Contract and take all necessary actions to complete the transaction.

FINANCIAL IMPACT STATEMENT:

This project is programmed in the CIP for Fiscal Year 26. The total cost of this agreement is not-to-exceed \$336,916.00.

CURRENT FISCAL YEAR TOTAL COST:

This project is programmed in the CIP for FY26. The total land-purchase price, excluding escrow and administrative fees, is not-to-exceed \$336,916.00

BUDGETED:

Yes

FISCAL YEAR:

FY26

FUND/DEPARTMENT:

50213170-543073

Items related to a project or facility location must include an attached vicinity map for Council Review.

ATTACHMENTS:

[20250616_Durango St ROW Strip Map.pdf](#)

[Appraisal -- Osteen Parcel ROW and PUE 6-5-2024.pdf](#)

[Real Estate Purchase Contract- Osteen.pdf](#)