

**ORDINANCE O-15-03**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, AUTHORIZING THE SALE AND TRANSFER OF CERTAIN SURPLUS CITY PROPERTY, BEING A PORTION OF PUBLIC RIGHT OF WAY IN BLOCK 26 OF BISBEE TOWNSITE.**

**WHEREAS**, pursuant to section 1.03 of the Charter of the City of Bisbee, the City has the authority to sell such City property as its interests may require; and

**WHEREAS**, pursuant to Article 2.6.9 of the City Code, the transfer and conveyance of the subject property has been properly noticed, has been the subject of two public hearings, and was not objected to by the Planning and Zoning Commission for transfer; and

**WHEREAS**, the Council, by majority vote, determined that it would be in the best interest of the City of Bisbee to sell the City's interests in parcel "B", which is in the vicinity of Adams Avenue and 5B Moon Canyon, and is more particularly described in the attached Exhibit "A"; and

**WHEREAS**, the City, on February 3, 2015, publicly offered this property for sale to the highest bidder, and received an offer that equals the minimum bid amount established for this property and has approved the sale of this property; and

**WHEREAS**, pursuant to Section 7.05(h) of the City Charter, the sale or transfer of City property must be done by ordinance, and this action is in the best interests of the citizens of the City of Bisbee,

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, AS FOLLOWS:**

The sale of that certain property more particularly described in the attached Exhibit A, to Ms. Tonya Borgeson, or her designee, for the sum of TEN THOUSAND AND TWO HUNDRED DOLLARS (\$10,200.00), plus what is necessary to reimburse the City for any outstanding full notice, publication and other costs incurred by the City, and (if this is not the original applicant) including reimbursable costs paid by the original applicant, to be paid in cash prior to the closing of this transaction, is hereby authorized and approved. The Mayor is further authorized to execute a Quit Claim Deed on behalf of the City for the transfer of this property, and to execute any and all additional documents that may be necessary for the completion of this transaction.

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**PASSED, APPROVED AND ADOPTED** by the Mayor and Council of the City of Bisbee on this 2nd day of June, 2015.

**APPROVED:**

  
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Ron Oertle, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Ashlee Coronado, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Britt Hanson, City Attorney

## EXHIBIT A

### LEGAL DESCRIPTION

The subject property consists of one (1) parcel of land located within the City of Bisbee, Cochise County, Arizona, as more particularly described below.

#### PARCEL

A PORTION OF LOTS 233, 234, 235 AND 236 AND A PORTION OF PUBLIC RIGHT OF WAY IN BLOCK 26 OF BISBEE TOWNSITE, ACCORDING TO BOOK 1 OF MAPS, PAGES 25 TO 63, AS SHOWN ON RECORD OF SURVEY IN BOOK 38 OF MAPES OF SURVEYS AT PAGE 48 IN THE RECORDS OF THE COCHISE COUNTY RECORDER, COCHISE COUNTY, ARIZONA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT ½" CAPPED REBAR STAMPED "RLS 43604" AT THE NORTHERLY MOST CORNER OF LOT 236 IN BLOCK 26 FROM WHICH A ½" CAPPED REBAR STAMED "RLS 43601" AT THE SOUTHEAST CORNER OF "PARCEL 2" ACCORDING TO BOOK 38 OF MAPS OF SURVEYS AT PAGE 48 BEARS SOUTH 09 01 00 WEST (BASIS OF BEARINGS FOR THIS DESCRIPTION). A DISTANCE OF 133.65 FEET (133.49 FEET RECORD):

THENCE SOUTH 09° 01' 00" WEST UPON THE EAST LINE OF SAID "PARCEL 2". A DISTANCE OF 51,400 FEET TO THE POINT OF BEGINNING:

THENCE SOUTH 80° 59' 00" EAST, 20.75 FEET:

THENCE SOUTH 18° 27' 39" WEST, 16.02 FEET:

THENCE SOUTH 15° 08' 35" WEST, 34.56 FEET:

THENCE NORTH 74° 43' 34" WEST 14.52 FEET:

THENCE NORTH 09° 01' 00" EAST 48.58 FEET TO THE POINT OF BEGINNING SAID PARCEL CONTAINS 855 SQUARE FEET OR 0.020 ACRES, MORE OR LESS