

ORDINANCE O-18-09

**AUTHORIZING THE SALE AND TRANSFER OF CERTAIN SURPLUS
CITY PROPERTY, BEING APPROXIMATELY 330 SQUARE FEET
ADJACENT TO 429D LAUNDRY HILL**

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, Jon Sky, owner of 429D Laundry Hill, Bisbee, Arizona, applied to purchase a parcel owned by the City consisting of approximately 330 square feet adjacent to 429D Laundry Hill (the "Parcel"), and consisting of a portion of parcel APN 103-61-179A, more particularly described on Exhibit A hereto; and

WHEREAS, Jon Sky, owner of 429D Laundry Hill, Bisbee, Arizona, agrees to provide an easement across a portion of the "Parcel" to ensure that the neighboring property, identified as parcel APN 103-61-179B, currently owned by the Humphreys, has adequate access to Laundry Hill Street, more particularly described on Exhibit B hereto; and

WHEREAS, pursuant to Article 2.6.9 of the City Code, the Planning and Zoning Commission considered Mr. Sky's application and recommends approval of the transfer of the Parcel, and further recommends that, because the Parcel has historically been associated with and used in connection with the property at 429D Laundry Hill, that the Parcel be sold to Mr. Jon Sky without public auction or bidding; and

WHEREAS, the Council, upon the recommendation of the Zoning Administrator, has determined that a fair price for the parcel is \$3.00/sf, for a total of \$990.00; and

WHEREAS, the public notice requirements of Article 2.6.9 of the City Code have been complied with; 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,

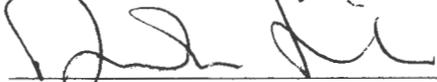
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WHEREAS, the Council conditioned that the residence under construction by Jon Sky at 429D Laundry Hill will not be issued a Certificate of Occupancy until the installation of an additional fire hydrant to be located on Laundry Hill Street is completed.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Bisbee, County of Cochise, State of Arizona, as follows:

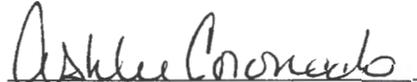
The sale of that certain property more particularly described in the attached Exhibit A to Jon Sky for the sum of nine hundred and ninety dollars (\$990.00) to be paid in cash to the Clerk of the City of Bisbee prior to the closing of this transaction, is hereby authorized and approved. The Mayor is further authorized to execute a Quit Claim Deed on behalf of the City for the transfer of this property and all additional documents that may be necessary for the completion of this transaction.

PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Bisbee on this 30th day of October 2018.



David Smith, Mayor

ATTEST:



Ashlee Coronado,
City Clerk

APPROVED AS TO FORM:

 12.31.18

Elda E. Orduño,
City Attorney

EXHIBIT A
LEGAL DESCRIPTION

A PORTION OF LOT 45, BLOCK 23, BISBEE TOWNSITE, AS RECORDED IN BOOK 1 OF MAPS OF PLATS, PAGES 25-63, RECORDS OF COCHISE COUNTY, ARIZONA, SITUATED IN A PORTION OF SECTION 8, TOWNSHIP 23 SOUTH, RANGE 24 EAST, GILA AND SALT RIVER MERIDIAN, COCHISE COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT; THENCE N 61° 46 00" W 10.00 FT ALONG THE LINE OF SAID LOT TO THE POINT OF BEGINNING;

THENCE N 61° 46 00" W 15.00 FEET ALONG THE LINE OF SAID LOT;
THENCE N 28° 14 00" E 22.00 FEET;
THENCE S 61° 46 00" E 15.00 FEET;
THENCE S 28° 14 00" W 22.00 FEET TO THE **POINT OF BEGINNING**.

THE TOTAL AREA CONTAINS 330 SQUARE FEET OR 0.008 ACRES, MORE OR LESS.

EXHIBIT B
LEGAL DESCRIPTION

A PORTION OF LOT 45, BLOCK 23, BISBEE TOWNSITE, AS RECORDED IN BOOK 1 OF MAPS OF PLATS, PAGES 25-63, RECORDS OF COCHISE COUNTY, ARIZONA, SITUATED IN A PORTION OF SECTION 8, TOWNSHIP 23 SOUTH, RANGE 24 EAST, GILA AND SALT RIVER MERIDIAN, COCHISE COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT; THENCE N 61° 46 00" W 10.00 FT ALONG THE LINE OF SAID LOT THENCE S 28° 14 00" W 10.00 FEET TO THE POINT OF BEGINNING;

THENCE N 61° 46 00" W 4.00 FEET ALONG THE LINE OF SAID LOT;
THENCE S 14° 11 24" W 16.49 FEET
THENCE N 28° 14 00" E 16.00 FEET TO THE **POINT OF BEGINNING.**

THE TOTAL AREA CONTAINS 32 SQUARE FEET OR 0.001 ACRES, MORE OR LESS.