

ORDINANCE O-14-10

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 PORTIONS OF PROPERTY ADJACENT TO OGWEN AVE THAT ARE IN THE VICINITY OF 22C STAR AVE, THAT WERE ORIGINALLY PART OF LOTS 1-7, AND THAT PROBABLY BECAME ORPHANED AND REVERTED TO CITY OWNERSHIP WHEN TWO SURVEYS WERE RECONCILED.

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 has been recommended by the Planning and Zoning Commission; 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 #103-60-251, which is in the vicinity of 22C Star Ave and Ogwen Ave, and is more particularly described in the attached Exhibit A; and

WHEREAS, the City, on December 2, 2014, 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

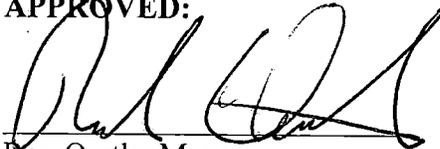
WHEREAS, pursuant to Section 7.05(h) of the City Charter, the sale or transfer of City property must be done by ordinance, and this action is in the best interests of the citizens of the City of Bisbee,

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. Kay W. Carlson, or her designee, for the sum of ONE THOUSAND FIVE HUNDRED AND THIRTY DOLLARS (\$1,530.00), 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.

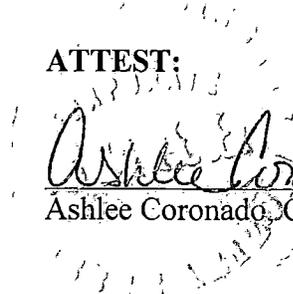
PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Bisbee on this 6th day of January, 2015.

APPROVED:



Ron Oertle, Mayor

ATTEST:




Ashlee Coronado, City Clerk

APPROVED AS TO FORM:



Anne Carl, City Attorney

EXHIBIT A

LEGAL DESCRIPTION

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

PARCEL #103-60-251

FRACTIONAL LOTS 1, 2, 3, 4, 5, 6, 7; BLOCK 12; PRITCHARD WILLIAMS ADDITION.

When recorded return to:

Kay W. Carlson
22 C Star Avenue; P.O. Box 1532
Bisbee, AZ 85603

QUIT CLAIM DEED

[Exemption, A.R.S. § 11-1134.A.3.]

This Quit Claim Deed is made this 6th day of January, 2015, between the City of Bisbee, an Arizona municipal corporation ("Grantor"), and Kay W. Carlson, a single woman ("Grantee").

For good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Grantor hereby quit claims to Grantee, all of the Grantor's right, title and interest, if any, without representation or warranty, of certain real property situated in the City of Bisbee, Cochise County, Arizona, hereinafter "the Property," and legally described as indicated in the attached Exhibit A, incorporated herein by reference.

Grantee acknowledges, by the acceptance of this property, that Grantor is making no representation or warranty with respect to the Property and that Grantee accepts the Property in "AS IS" condition. Grantee further acknowledges and agrees that Grantee is acquiring the Property based on Grantee's own inspection of the Property and Grantee's own inspection regarding title to the Property, and not in reliance on any representation, warranty or agreement of Grantor. Grantee also acknowledges and agrees that Grantee is acquiring the Property subject to all applicable easements, restrictions, and covenants, whether or not the same are of record.

Grantee further acknowledges and agrees, by this acceptance, that any information or materials previously or hereafter given to Grantee, or any other party, by Grantor concerning the Property have been provided solely as a courtesy and without any representation or warranty as to the accuracy or completeness thereof.

GRANTOR
City of Bisbee

By: _____


Ron Oertle, Mayor

State of Arizona)
) SS:
County of Cochise)

The foregoing instrument was acknowledged before me on this 7th day of January, 2015, by Ron Oertle, as Mayor of the City of Bisbee, for and on behalf of the City of Bisbee.



Ashlee Coronado
Notary Public

EXHIBIT A

PROPERTY DESCRIPTION

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

PARCEL #103-60-251

FRACTIONAL LOTS 1, 2, 3, 4, 5, 6, 7; BLOCK 12; PRITCHARD WILLIAMS ADDITION.