

ORDINANCE O-21-16

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE,
COUNTY OF COCHISE, STATE OF ARIZONA, AUTHORIZING AND RATIFYING
THE ACQUISITION OF CERTAIN REAL PROPERTY LOCATED AT 1 HILLCREST
DR., CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA**

WHEREAS, pursuant to section 1.03 of the Charter of the City of Bisbee City, the City of Bisbee (the "City") has the authority to acquire property within or without its corporate limits for any City purpose; and,

WHEREAS, on or about April 20, 2021, the City acquired the deed of trust from Hillcrest Apartments (Bisbee) an Arizona general partnership, for that certain property located at 1 Hillcrest Dr., Bisbee, Arizona (the "Property") and more particularly described in the attached Exhibit "A"; and,

WHEREAS, on or about August 17, 2021, the City entered into a certain Letter Agreement ("Agreement") with Southeast Arizona Renovations, LLC ("SAR") for the purpose of SAR acquiring clean title, cleaning and transferring the Property to the City; and,

WHEREAS, SAR has fulfilled its obligations under the Agreement and has transferred ownership of the Property to the City at no cost to the City as provided for in the Agreement.

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

The Council, by majority vote, has determined that it would be in the best interests of the City of Bisbee to acquire the ownership interest in 1 Hillcrest Dr., City of Bisbee, County of Cochise, State of Arizona and more particularly described in the attached Exhibit A and hereby ratifies any prior action transferring such title to the City.

The City Manager is further authorized on behalf of the City to acquire the Property and to execute any and all necessary documents that may be needed for the completion and ratification of this transaction.

PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Bisbee on this 2nd day of November, 2021.

APPROVED:


Ken Budge, Mayor

ATTEST:


Ashlee Coronado, City Clerk

APPROVED AS TO FORM:

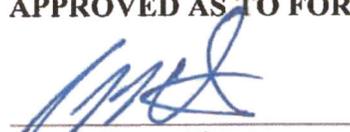

Joseph Estes, City Attorney

EXHIBIT A

PROPERTY DESCRIPTION

The surface to a depth of 40.00 feet immediately beneath the surface of those portions of the Garfield Lode Mining Claim and the Fashion Lode Mining Claim in Warren Mining District, being shown on Mineral Survey No, 1871 on file in the Bureau of Land Managements, as granted by Patent recorded in Book 20 of Deeds of Mines, Page 105, records of Cochise County, Arizona, described as follows:

BEGINNING at a point whence Corner No.1 (PD#1201) of the Garfield Patented Mining Claim, U.S. Mineral Survey No. 1871, bears South 51 degrees 49 minutes West, a distance of 166.70 Feet;

Thence North 40 degrees 39 minutes East a distance of 422.20 feet;
Thence South 33 degrees 04 minutes East, a distance of 225.05 feet;
Thence South 21 degrees 57 minutes West, a distance of 245.70 feet;
Thence South 53 degrees 04 minutes West, a distance of 73.00 feet;
Thence South 88 degrees 36 minutes West, a distance of 107.50 feet;
Thence North 44 degrees 30 minutes West, a distance of 200.00 feet to the POINT OF BEGINNING.