

ORDINANCE O-22-01

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, AUTHORIZING THE EXCHANGE AND TRANSFER OF REAL PROPERTY WITH BISBEE VOGUE, INC. LOCATED NEAR 201 TOMBSTONE CANYON STREET, BISBEE, ARIZONA 85603.

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, sell or exchange real property within or without its corporate limits for any City purpose; and,

WHEREAS, the City is working with Arizona Public Service Company ("APS") toward the installation and operation of various electrical vehicle ("EV") charging stations under the APS Take Charge AZ Pilot program, to be located on certain real property adjacent to Bisbee Vogue, Inc.'s ("BVI") property at 201 Tombstone Canyon Street; and

WHEREAS, in order to accommodate the installation of the EV charging stations under the Take Charge AZ Pilot program, the City needs to exchange a small portion of City property for a similarly sized small portion of property owned by BVI; and

WHEREAS, it is in the best interests of the City and its citizens to exchange the real property as provided for herein.

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

Section 1: The City hereby authorizes and accepts the transfer of title by Special Warranty Deed from Bisbee Vogue, Inc. for the property located near 201 Tombstone Canyon Street, Bisbee, Arizona as more particularly described in the attached Exhibit "A." The City further authorizes the transfer of title by Quit Claim Deed to Bisbee Vogue, Inc. that certain real property located near 201 Tombstone Canyon Street, Bisbee, Arizona, as more particularly described in the attached Exhibit "B."

Section 2: The City Manager, City Clerk and City Attorney are further authorized on behalf of the City to execute any and all necessary documents that may be needed to fulfil the intent of this Ordinance.

PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Bisbee on this 18th day of January, 2022.

APPROVED:


Ken Budge, Mayor

ATTEST:

Ashlee Coronado
Ashlee Coronado, City Clerk

APPROVED AS TO FORM:

Joseph Estes
Joseph Estes, City Attorney

I, ASHLEE CORONADO, CITY CLERK, DO HEREBY CERTIFY THAT A TRUE AND
CORRECT COPY OF ORDINANCE NO. O-22-01, ADOPTED BY THE MAYOR AND
COUNCIL OF THE CITY OF BISBEE ON THE 18th DAY OF January 2022,
WAS POSTED IN THREE PLACES ON THE 3rd DAY OF February 2022.

Ashlee Coronado
Ashlee Coronado, City Clerk

RESCINDED

EXHIBIT A

LEGAL DESCRIPTION OF BISBEE VOGUE PROPERTY

A PORTION of Higgins Addition IV to the Townsite of Bisbee, As recorded in Book 14 of Maps and Plats, Page 23A, Records of Cochise County, Arizona, being more particularly described as follows:

COMMENCING at the Southeast corner of Lot 13 of said Higgins Addition IV; thence North 68° 46' West, a distance of 21.33 feet to the POINT OF BEGINNING;

Thence South 21° 14' West a distance of 25.0 feet

Thence North 68° 46' West a distance of 9.0 feet

Thence North 21° 14' East a distance of 25.0 feet

Thence South 68° 46' East a distance of 9.0 feet, to the POINT OF BEGINNING;

The PARCEL as described contains 225 square feet or 0.005 acres, more or less.

RESCINDED

EXHIBIT B

LEGAL DESCRIPTION OF CITY OF BISBEE PROPERTY

A PORTION of Higgins Addition IV to the Townsite of Bisbee, As recorded in Book 14 of Maps and Plats, Page 23A, Records of Cochise County, Arizona, being more particularly described as follows:

COMMENCING at the Southwest corner of Lot 13 of said Higgins Addition IV; thence S 22° 50' 08" W, a distance of 15.23 feet to the POINT OF BEGINNING;

Thence S 22°50'08" W, a distance of 24.55 feet;

Thence S 57°03'05" E, a distance of 11.74 feet;

Thence N 25°15'33" E, a distance of 27.00 feet;

Thence N 68°47'05" W, a distance of 12.70 feet to the POINT OF BEGINNING.

THE PARCEL as described contains 312.82 square feet or 0.007 acres, more or less.

RESCINDED