

ORDINANCE NO. 21-1135

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AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE SALE OF CITY OWNED REAL PROPERTY LOCATED AT 357 E. 10TH STREET KNOWN AS THE RIVERA BUILDING, AS LOTS 31-32, BLOCK 85 OF DOUGLAS TOWNSITE AS PARCEL #409-07-06306 TO HARRELL COOLEY LLC, PURSUANT TO TERMS ENTERED INTO BY THE PARTIES; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, Article I, Section 3 (A) of the City Charter empowers the City to acquire real property for any City purpose and to sell or otherwise dispose of real property in the manner, for such consideration and upon such conditions as may be determined by the City Council; and

WHEREAS, Article VII, Section 5 (12) of the City Charter provides that the acquisition, sale, lease or exchange of real property shall be by ordinance; and

WHEREAS, the Mayor and Council find that it is in the best interest of the City of Douglas to sell real property located at 357 E. 10th Street, as LOTS 31-32, Block 85 of Douglas Townsite and as Parcel (409-07-06306) in Douglas, Cochise County Arizona to Harrell Cooley LLC, for a total purchase price of \$65,000 per the terms of the ~~accepted offer in Exhibit "A"~~[purchase and sale agreement](#), which is attached and incorporated herein by reference; and

WHEREAS, the Mayor and Council find that the sale of the real property is in the best interest of the City pursuant to the terms and conditions of the terms described in ~~Exhibit "A"~~[the purchase and sale agreement](#) as entered into by the parties.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Douglas, Arizona, as follows:

Section 1. The City is authorized to sell to Harrell Cooley LLC:

The improved real estate generally described to be within a Portion of Section 13, Township 24 South, Range 27 East, Gila and Salt River Meridian, Cochise County, Arizona, described as follows:

LOTS 31-32, Block 85 of Douglas Townsite and as Parcel (409-07-06306) in Douglas, Cochise County, Arizona, for a total purchase price of \$65,000 per the terms of the ~~accepted offer in Exhibit "A"~~[purchase and sale agreement](#), plus any related costs associated with closing.

Section 2. Approving the terms of the ~~accepted offer in Exhibit "A"~~[purchase and sale agreement](#), attached hereto and incorporated herein by reference.

Section 3. The ~~Mayor-Interim City Manager and the City Clerk are is~~ authorized and directed to sign and execute all documents necessary to consummate the sale of the subject property.

Section 4. This ordinance shall be effective thirty (30) days after final approval and adoption by the Mayor and Council.

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Section 5. Severability. If any chapter, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance

PASSED AND ADOPTED by the Mayor and Council of the City of Douglas, Arizona, this 11th day of August 2021.

Donald C. Huish, Mayor

Attest:

Approved as to form:

Alma Andrade, City Clerk

Denis Fitzgibbons, City Attorney