

ORDINANCE NO. 24-1200

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF DONATED REAL PROPERTY FROM JAMES GARY W & SHELLEY JAMES JUDY LIVING FAMILY TRUST CONSISTING OF ASSESSOR'S PARCEL NUMBER (APN) 409-06-018N IN THE CITY OF DOUGLAS, 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 by gift or donation real property within or without its corporate limits for any city purpose; and

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

WHEREAS, James Gary W & Shelly James Judy Living Family Trust, have full ownership interest in the aforementioned semi-improved lots (the "Property"); and

WHEREAS, James Gary W & Shelly James Judy Living Family Trust desire to convey their interest in the Property to the City of Douglas; and

WHEREAS, James Gary W & Shelly James Judy Living Family Trust will assume all assessed real property taxes due and accrued up to the closing date for all parcels; and

WHEREAS, Mayor and Council find that the best interest of the city would be served by accepting the donation of Property.

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

Section 1. The city is authorized to accept the donation of APN #409-06-018N from James Gary W & Shelly James Judy Living Family Trust, in the City of Douglas, Cochise County, Arizona.

Section 2. The city hereby approves the Land Donation Agreement pursuant to the terms, conditions and restrictions as set forth on the Agreement attached hereto.

Section 3. The City Manager and the City Clerk are hereby authorized to execute and deliver the Land Donation Agreement, in substantially final form attached hereto and incorporated herein by reference along with any other related documents necessary to consummate the transaction contemplated by the Land Donation Agreement, for and on behalf of the City of Douglas.

Section 4. The officers of the City Council and the City of Douglas are hereby authorized and directed to fulfill all obligations under the terms of the subject Agreement.

Section 5. Effective date. This ordinance shall be effective thirty (30) days after final approval and adoption by the Mayor and Council.

Section 6. 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.

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PASSED AND ADOPTED by the Mayor and Council of the City of Douglas, Arizona, this 13th day of November 2024.

Attest:

Alma Andrade, City Clerk

Donald C. Huish, Mayor

Approved as to Form:

Denis Fitzgibbons, City Attorney

Prepared by:
Xenia Gonzalez, Neighborhood Resources & Grants Director