

ORDINANCE NO. 22-1149

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE SALE OF A SEMI-IMPROVED PARCEL OF LAND LOCATED ON THE SOUTHWEST CORNER OF 15TH STREET AND VAN BUREN AVENUE, FOOTHILLS LOTS 22 THRU 26 INCLUDING BLK 30, WITH ASSESSOR'S PARCEL NUMBER 410-32-121 TO BYRD'S SHEET METAL AND CONSTRUCTION, INC, 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 a semi-improved parcel of land located on the southwest corner of 15th Street and Van Buren Avenue, Foothill Lots 22 Thru 26, Including Blk 30 with Assessor's Parcel Number 410-32-121 in Douglas, Cochise County Arizona to Byrd's Sheet Metal and Construction, Inc., for a total purchase price of \$56,500 per the terms of the accepted offer in the Purchase and Sale Agreement, which is attached and incorporated herein by reference; and

WHEREAS, the Mayor and Council find that the sale of the semi-improved real property is in the best interest of the City pursuant to the terms and conditions of the terms described in 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 Byrd's Sheet Metal and Construction, Inc.:

Foothills Lots 22 Thru 26, Including Blk 30 Identified as Assessor's Parcel Number 410-32-121 in Douglas, Cochise County, Arizona, for a total purchase price of \$56,500 per the terms of the accepted offer in the Purchase and Sale Agreement, plus any related costs associated with closing.

Section 2. Approving the terms of the accepted offer in the Purchase and Sale Agreement, attached hereto and incorporated herein by reference.

Section 3. The Mayor, the City Manager, and City Clerk are 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.

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

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PASSED AND ADOPTED by the Mayor and Council of the City of Douglas, Arizona, this 10th day of August, 2022.

Donald C. Huish, Mayor

Attest:

Approved as to form:

Alma Andrade, City Clerk

Denis Fitzgibbons, City Attorney

Prepared by:
Luis Pedroza, Deputy City Manager