

ORDINANCE NO. 26-1233

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE PURCHASE OF INTERESTS IN SECTIONS OF REAL PROPERTY WITH ASSESSORS PARCEL NUMBERS 408-31-002E AND 408-31-002H; GRANTING OF AN EXCLUSIVE AND PERMANENT EASEMENT AND APPROVING THE AGREEMENT FOR THE PURCHASE OF INTERESTS IN REAL PROPERTY WITH THE UNITED STATES OF AMERICA, AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, the General Services Administration acting through the United States Government desires to acquire and purchase an exclusive and permanent easement for the construction of a new drainage channel to benefit the expansion of the existing Raul H. Castro Port of Entry Expansion Project;

WHEREAS, the GSA will build out the drainage channel over certain sections of underutilized city owned real property with parcel numbers 408-31-002E and 408-31-002H while still providing vehicle access to the city's Wastewater Treatment Plant;

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

WHEREAS, the Mayor and Council find that the granting and sale of this easement of city owned property is in the best interest of the city.

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

Section 1. The purchase of the property for consideration depicted in the agreement for the Purchase of Interests in Real Property is hereby approved.

Section 2. The agreement for the Purchase of Interests in Real Property, in a substantially similar form to that attached is hereby approved, and the City Manager, and the City Clerk are authorized to take all steps necessary to effectuate the terms contained therein.

Section 3. The City Manager, and the City Clerk are authorized and directed to sign and execute all necessary documents to consummate the purchase of the 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.

PASSED AND ADOPTED by the Mayor and Council of the City of Douglas, Arizona, this 27th day of May 2026.

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Attest:

Alma Andrade, City Clerk

Prepared by:
Luis Pedroza, Deputy City Manager

Jose Grijalva, Mayor

Approved as to form:

Denis M. Fitzgibbons, City Attorney