

**RESOLUTION NO. 2010-06**

**A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA (“CITY”), APPROVING THE USE OF CITY PROPERTY AT 151 WEST MALEY FOR A SKATE PARK PURSUANT TO A REQUEST BY THE SKATE PARK COMMITTEE WITH THE CONCURRENCE OF THE PUBLIC WORKS DEPARTMENT AND THE PARKS AND RECREATION COMMITTEE AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.**

**WHEREAS**, the CITY is authorized pursuant to A.R.S. ' 9-240, et seq. to exercise control of the property of the corporation and to permit use of municipal property for the purposes of the corporation; and

**WHEREAS**, the CITY is vested with all powers of incorporated towns as set forth in Title 9 or other provisions of law relating to cities and towns pursuant to A.R.S. ' 9-499.01, et seq.; and

**WHEREAS**, the CITY and the SKATE PARK COMMITTEE (“SPC”) have had an ongoing working relationship for the development of a Community Skate Park to serve the Youth of the Willcox Community; and

**WHEREAS**, the SPC had proposed the development of Keiller Park as a site for the Skate Park and raised approximately \$8,000.00 through various fund raising activities; and

**WHEREAS**, the CITY had proposed the development of Keiller Park as a site for the Skate Park and had agreed to match funds raised by SPC which would result in approximately \$16,000.00 to be used for such a project; and

**WHEREAS**, the municipal property at 151 West Maley formerly housed the Willcox Department of Public Safety, has since been demolished and is currently vacant and available for other uses; and

**WHEREAS**, the SPC seeks approval from the CITY for the use of that property for a Community Skate Park with the concurrence of the Public Works Department and the Parks & Recreation Committee to be operated as a City Park; and

**WHEREAS**, the City of Willcox, Cochise County, Arizona desires to have this Resolution presented at its January 19<sup>th</sup>, 2010 Council meeting and has determined that approval of the use of the municipal property at 151 West Maley is in the best interest of the CITY and its residents; and

**WHEREAS**, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist, and that this Resolution shall be effective immediately upon its passage and adoption.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, as follows:**

Section 1: The approval of the use of the property at 151 West Maley as described above is in the best interests of the Youth and the residents of the City of Willcox.

Section 2: That the CITY formally approves the use of said municipal property as outlined in Resolution No. 2010-06.

Section 3: That the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the City of Willcox, Cochise County, Arizona.

Section 4: The Mayor is authorized and empowered to execute this Resolution for the purpose of granting approval for the use of said property for a Community Skate Park.

**PASSED AND ADOPTED** by the Council of the City of Willcox, Cochise County, Arizona, this 19<sup>th</sup> day of January, 2010.

APPROVED/EXECUTED:

/S/ GERALD W. LINDSEY  
Mayor, Gerald W. Lindsey  
Signed: January 20, 2010

ATTEST:

/s/ Cristina G. Whelan, CMC  
City Clerk, Cristina G. Whelan, CMC

APPROVED AS TO FORM:

/s/ Hector M. Figueroa  
City Attorney, Hector M. Figueroa

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