

RESOLUTION NO: 2010-15

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA (“CITY”), APPROVING AND AUTHORIZING THE SALE AND DISPOSITION OF CITY REAL PROPERTY AND THE PUBLISHING OF AN INVITATION FOR BIDS AS PROVIDED BY A.R.S. §§ 9-402 AND 39-204 AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY is empowered pursuant to A.R.S. § 9-240 (A) and (B) to control the finances and property 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 is authorized pursuant to A.R.S. ' 9-402(A) to sell and convey all or any part of its real or personal property, whether or not the property is devoted exclusively to public use; and

WHEREAS, pursuant to A.R.S. § 9-402(B), the sale shall not be made until an invitation for bids for the purchase of the property has been published as provided by A.R.S. ' 39-204; and

WHEREAS, pursuant to A.R.S. § 9-402(E) and notwithstanding sections A and B, a city may convey to the appropriate property owner without receiving payment an easement that the city no longer needs; and

WHEREAS, the CITY desires to authorize and approve the sale of corporate parcels of real property and the publishing of an invitation for bids as provided by A.R.S. §§ 9-402 and 39-204; and

WHEREAS, the Mayor and Council of the City of Willcox have determined that it is in the best interest of the City and its citizens to approve and authorize the sale of said properties and the publication of an invitation for bids as described herein; and

WHEREAS, the Mayor and Council desire to have this item presented on March 1, 2010 at the Council Meeting; 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 to assure timely approval for the sale and the required publication, and that this Resolution be effective immediately upon its passage and adoption.

BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally approves and authorizes the sale of real property and the publishing of an invitation for bids as presented; and

BE IT FURTHER RESOLVED by the Mayor and Council that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of Willcox, Cochise County, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona this 15th day of March 2010.

APPROVED/EXECUTED:

/S/ GERALD W. LINDSEY
MAYOR, GERALD W. LINDSEY
Signed: March 16, 2010

ATTEST:

APPROVED AS TO FORM:

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

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

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