

RESOLUTION NO. 2012-04

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA (“CITY”) APPROVING AND ADOPTING CONTRACT # 9-AZ-2313 AND ACCEPTING THE QUIT CLAIM DEED FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (“GRANTOR”) FOR THE FORMER BORDER PATROL STATION LOCATED AT 200 W. DOWNEN STREET WITHIN THE CITY LIMITS OF WILLCOX AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the City of Willcox received notice that the U.S. General Services Administration (“GSA”) issued a NOTICE OF SURPLUS PROPERTY DETERMINATION for the formal disposition of the former Border Patrol Station which required formal application by interested parties; and

WHEREAS, CITY is authorized and empowered to have control of the finances and property of the corporation and to lease and convey property, real or personal, necessary or proper to carry out the purposes of the corporation, within and without its limits pursuant to A.R.S. §§ 9-240 (A) and 9-241 (A); and

WHEREAS, CITY is authorized and empowered to acquire, purchase, lease or rent land, whether contiguous or noncontiguous, lying within and outside its corporate limits, for its purposes and uses pursuant to A.R.S. § 9-401 (A); and

WHEREAS, the GRANTOR is authorized and empowered pursuant to certain provisions of the Property Act (40 U.S.C. 101, et seq.) and other provisions to dispose of U.S. Government Property determined to be surplus property; and

WHEREAS, GRANTOR received the written notice of such interest with the Sponsoring Federal Agency by or before March 31, 2011; and

WHEREAS, the GRANTOR has issued its Notice of Determination granting the CITY its request to acquire Title to the subject property known as the former Willcox Border Patrol Station situated on an irregular-shaped 0.25-acre parcel at 200 W. Downen Street; and

WHEREAS, City Staff seeks direction and/or approval for the acceptance of the Quitclaim Deed for the acquisition of the subject property as presented; and

WHEREAS, the Mayor and Council have determined that formal action on this Resolution is in the best interest of the CITY and its citizens and desires to have the matter presented at its January 17th, 2012 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, adoption and acceptance of contract and deed 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 CITY formally approves and adopts **Contract # 9-AZ-2313** and formally adopts the Quitclaim Deed to acquire the federal surplus property.

Section 2: 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 3: The Mayor is authorized and empowered to execute this Resolution and City Staff are authorized to execute and file Quitclaim Deed.

PASSED AND ADOPTED BY MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA this 17th day of January 2012.

APPROVED/EXECUTED:

/S/ MONIKA S. CRONBERG
~~MAYOR, GERALD W. LINDSEY~~
Vice Mayor Monika S. Cronberg

ATTEST:

APPROVED AS TO FORM:

/s/ Cristina Garcia Whelan, CMC
City Clerk, Cristina Garcia Whelan, CMC

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

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