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FEE #: 1999 - 10302

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261-010-1212867

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CAPTION HEADING: ORDINANCE No. 156
SAN LUIS-RIEDEL LAND X



Ordinance

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

ORDINANCE NO. 156

ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA AUTHORIZING THE EXCHANGE OF LANDS OF SUBSTANTIALLY EQUAL VALUE BETWEEN THE CITY AND LEONARDO C. RIEDEL, NIEVES RIEDEL AND RIEDEL CONSTRUCTION, INC. AND DECLARING AN EMERGENCY

Be it ordained by the Mayor and Common Council of the City of San Luis, Arizona as follows:

SECTION 1: That the City of San Luis owns seven and one-half (7½) acres of land which it desires to transfer to Leonardo C. Riedel, Nieves Riedel and Riedel Construction, Inc. for private purposes, said land being described in Exhibit "A" attached hereto.

SECTION 2: That Leonardo C. Riedel, Nieves Riedel and Riedel Construction, Inc. own four (4) parcels of land which the City is desirous of acquiring for public purposes, said land being described in Exhibit "B" attached hereto.

SECTION 3: That A.R.S. §9-407(C) authorizes the City by ordinance to exchange land provided the parcels are of substantially equal value and are in compliance with the ordinance authorizing the exchange. That notice of this exchange has been given pursuant to the provisions of A.R.S. §39-204.

SECTION 4: That the parties desire to exchange said lands and agree that the parcels are of substantially equal value and further agree that any expenses incident to title insurance and related costs will be borne equally by the parties and the Mayor and City Manager are authorized to execute any and all documents to implement the exchange, including but not limited to deeds and escrow instructions.

SECTION 5: Whereas, it is necessary for the preservation of the peace, health and safety of the City of San Luis, Arizona, an emergency is declared to exist, and this ordinance shall become

immediately operative and in force from and after the date of posting hereof.

PASSED AND ADOPTED by the Mayor and Common Council of the City of San Luis, Arizona this 7th day of April, 1999.

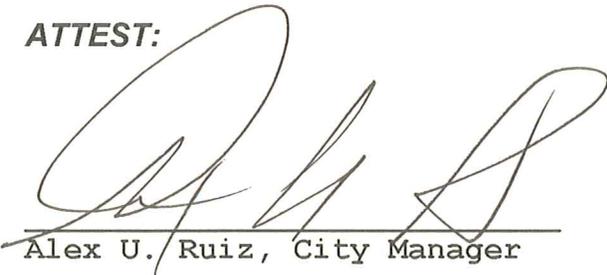
APPROVED this 7th day of April, 1999 by the affirmative vote of three-fourths of the members of the Common Council of San Luis, Arizona.

APPROVED:



Alex J. Harper, Mayor

ATTEST:



Alex U. Ruiz, City Manager

APPROVED AS TO FORM:



Gerald W. Hunt, City Attorney

EXHIBIT "A"

FROM THE CITY OF SAN LUIS TO LEONARDO C. RIEDEL:

PARCEL NO. 1:

The North 330.00 feet of the South 693.00 feet of the West 330.00 feet of the Southeast quarter of Section 9, Township 11 South, Range 24 West, Gila and Salt River Base and Meridian, Yuma County, Arizona.

EXCEPT 1/16th of all oil, gas, other hydrocarbon substances, helium or other substances of a gaseous nature, coal, metals, minerals, fossils, fertilizers of every name and description, together with all uranium, thorium or any other material which is or may be determined by the laws of the United States, or of this State, or decisions of court, to be peculiarly essential to production of fissionable materials, whether or not of commercial value, as reserved to the State of Arizona, pursuant to Arizona Revised Statutes and Patent recorded in Docket 943, Page 806, records of Yuma County, Arizona; and

FROM THE CITY OF SAN LUIS TO NIEVES G. RIEDEL:

PARCEL NO. 2:

The East 330.00 feet of the West 660.00 feet of the North 330.00 feet of the South 693.00 feet of the Southeast quarter of Section 9, Township 11 South, Range 24 West, Gila and Salt River Base and Meridian, Yuma County, Arizona.

EXCEPT 1/16TH of all oil, gas, other hydrocarbon substances, helium or other substances of a gaseous nature, coal, metals, minerals, fossils, fertilizers of every name and description, together with all uranium, thorium or any other material which is or may be determined by the laws of the United States, or of this State, or

decisions of court, to be peculiarly essential to production of fissionable materials, whether or not of commercial value, as reserved to the State of Arizona, pursuant to Arizona Revised Statutes and Patent recorded in Docket 943, Page 806, records of Yuma County, Arizona; and

FROM THE CITY OF SAN LUIS TO RIEDEL CONSTRUCTION, INC.:

PARCEL NO. 3:

The East 330.00 feet of the West 660.00 feet of the North 330.00 feet of the South 363.00 feet of the Southeast quarter of Section 9, Township 11 South, Range 24 West, Gila and Salt River Base and Meridian, Yuma County, Arizona.

EXCEPT 1/16TH of all oil, gas, other hydrocarbon substances, helium or other substances of a gaseous nature, coal, metals, minerals, fossils, fertilizers of every name and description, together with all uranium, thorium or any other material which is or may be determined by the laws of the United States, or of this State, or decisions of court, to be peculiarly essential to production of fissionable materials, whether or not of commercial value, as reserved to the State of Arizona, pursuant to Arizona Revised Statutes and Patent recorded in Docket 943, Page 806, records of Yuma County, Arizona; and

EXHIBIT "B"

TO THE CITY OF SAN LUIS:

Lots 139, 140, 175 and 176, LAS VILLAS DE SAN LUIS PHASE 2, according to the plat of record in the office of the County Recorder of Yuma County, Arizona in Book 15 of Plats, page 98;

EXCEPT all oil, gas, other hydrocarbon substances, helium or other substances of a gaseous nature, coal, metals, minerals, fossils, fertilizers of every name and description, together with all uranium, thorium or any other material which is or may be determined by the laws of the United States, or of this State, or Decisions of Court, to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, as reserved to the State of Arizona, pursuant to Arizona Revised Statutes and Patent recorded in Fee No. 1997-28682, records of Yuma County, Arizona.