

WHEN RECORDED MAIL TO:
CITY OF SAN LUIS
P.O. BOX 1170
SAN LUIS, AZ 85349
ATTN: CITY CLERK

OFFICIAL RECORDS OF
YUMA COUNTY RECORDER
SUSAN MARLER



FEE #: 2005 - 19814

05/09/2005 12:58 PAGES: 0004
FEES: 3.00 8.00 1.00 .00 .00
REQ BY: CITY OF SAN LUIS
REC BY: PATTY MAGANA

The above area is to be reserved for recording information

C A P T I O N H E A D I N G :

Ordinance No. 217



Ordinance

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

ORDINANCE NO. 217

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, APPROVING AN AGREEMENT FOR EXCHANGE OF ROADWAY AND/OR PROPERTY AND DEVELOPMENT AGREEMENT WITH SUNSET COMMUNITY HEALTH CENTER, PROVIDING AN EFFECTIVE DATE FOR SAID AGREEMENT, PROVIDING FOR SEVERABILITY, AND DECLARING AN EMERGENCY

WHEREAS, A.R.S. §9-407 provides for an exchange of real property of substantially equal value;

WHEREAS, A.R.S. §28-7203 provides for an exchange of roadway with an abutting owner for new roadway;

WHEREAS, A.R.S. §9-500.5 provides authority for development agreements relating to the development of public infrastructure;

WHEREAS, that Sunset Community Health Center, an Arizona non-profit corporation, ("Developer"), is developing a parcel of land located in Yuma County, Arizona (herein "Property") known as Yuma County Assessors Parcel No. 102-61-139, which is more full described in the agreement attached hereto;

WHEREAS, Developer proposes to develop a health care clinic and requests the City of San Luis, ("City"), convey a parcel of property extending from the southwest corner of Tract 19 as it borders F Street to First Avenue, in the amount of 9,205 square feet and an easement for 4,000 square feet (20 parking spaces) from the city-owned parking lot north of Texaco as it extends from Tract 20 east to First Avenue for exclusive use of Developer's employee's, and City, under certain conditions and stipulations, is agreeable thereto;

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WHEREAS, it is understood that future development beyond the development of this Property may require the realignment of First Avenue; and

WHEREAS, the City and Developer desire to enter into an agreement for the exchange of property and/or right of way and development agreement to accomplish the foregoing objectives,

BE IT ORDAINED by the Mayor and Council of the City of San Luis, Arizona as follows:

Section 1: The Agreement for Exchange of Roadway and/or Real Property and Development Agreement with Sunset Community Health Center, an Arizona non-profit corporation, ("Agreement"), attached hereto and by this reference incorporated herein, is hereby approved and the Mayor and/or City Administrator are hereby authorized to execute said agreement and any and all documents necessary to carry said agreement into effect.

Section 2: The Agreement shall take effect on December 6, 2004.

Section 3: If any section, subsection, sentence, clause, phrase, or portion of this resolution is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this resolution.

Section 4: Whereas, it is immediately necessary for the preservation of the peace, health, safety and welfare of the City of San Luis, Arizona, and that the best interest of the City require the agreement to go into effect on December 6, 2004, an emergency is declared to exist, and this ordinance shall become immediately operative and in force and effect from and after its passage and adoption and posting thereof.

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PASSED AND ADOPTED by the Mayor and Council of the
City of San Luis, Arizona, this 24th day of
November, 2004.



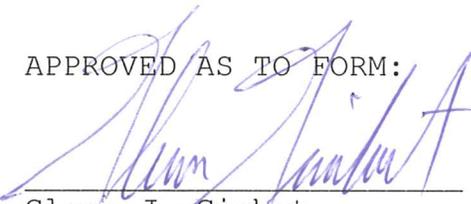
Guillermina Fuentes, Mayor

ATTEST:



Rosalicia Cordova, City Clerk

APPROVED AS TO FORM:



Glenn J. Gimbut
City Attorney

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