

ORDINANCE NO. 2011-1253

AN ORDINANCE AUTHORIZING AND APPROVING THE SALE OF CITY-OWNED LAND TO FOUR CORNERS FOUNDATION, INC.

WHEREAS, the City of Farmington (hereinafter "City") is the owner of a certain tract of land in San Juan County, New Mexico, located on Hydro Plant Road; and

WHEREAS, the land, totaling 5.27 acres, more or less, is surplus property not needed for any municipal purpose; and

WHEREAS, Four Corners Foundation, Inc., of Farmington, New Mexico, (hereinafter "Purchaser") wishes to purchase the surplus property from the City in order to develop a transitional housing facility and associated uses; and

WHEREAS, the parties have entered into an agreement entitled "Purchase Agreement" between the City and Purchaser, (hereinafter "Agreement") which sets forth the terms and conditions of the land purchase; and

WHEREAS, Section 3-54-1 NMSA sets forth a procedure for approving the sale or exchange of City-owned land having a value of more than \$25,000.00 which requires the adoption and publication of an ordinance approving such transaction.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FARMINGTON:

SECTION ONE. AUTHORIZATION. The sale of land from the City to Purchaser, as set forth in the Agreement, and the Agreement, are hereby approved, and the Mayor is authorized to execute the Agreement for and on behalf of the City.

SECTION TWO. TERMS. The transaction is a sale of real property containing approximately 5.27 acres, more or less, to Four Corners Foundation, Inc., from the City. The terms of the transaction are a conveyance of the property to the Purchaser and a cash payment from Purchaser to the City. The terms of the purchase are more specifically described in the Agreement.

SECTION THREE. PROPERTY DESCRIPTION. The following described tract of land would be conveyed from the City to Purchaser:

Lot 1, Lorene Hicks Subdivision as shown on the plat thereof filed in the office of the San Juan County Clerk, San Juan County, New Mexico.

The subject property is comprised of one tract of 5.27 acres that is presently vacant.

SECTION FOUR. APPRAISED VALUE. The appraised value of the property is \$186,100.00 based on an October 2011 appraisal.

SECTION FIVE. PAYMENTS AND AMOUNT. Purchaser will pay the total purchase price of \$186,100.00 in full to the City at closing.

SECTION SIX. IDENTITY OF PURCHASER. The Purchaser is Four Corners Foundation, Inc., located in Farmington, New Mexico.

SECTION SEVEN. PURPOSE. The purpose of the sale is to allow Purchaser to acquire the land owned by the City to develop a transitional housing facility and associated uses.

SECTION EIGHT. EFFECTIVE DATE. This ordinance will become effective forty-five (45) days from the date of its adoption unless a referendum election is called pursuant to Section 3-54-1 NMSA. If this ordinance becomes the subject of a referendum election, it shall become effective as of the date the results of the election are certified showing that it has been approved. If the election fails to approve this ordinance, it will become void and of no effect.

SECTION NINE. COPIES OF THE AGREEMENT. Copies of the Agreement referred to herein will be available for public inspection in the office of the City Clerk during regular business hours.

SECTION TEN. PUBLICATION. The City Clerk is hereby instructed to see that this ordinance is published within one week of its adoption as provided by Section 3-54-1 NMSA.

PASSED, APPROVED, SIGNED AND ADOPTED this 13th day of December, 2011.

Tommy Roberts, Mayor

SEAL

ATTEST:

Dianne Fuhrman, City Clerk