

ORDINANCE NO. 854

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AUTHORIZING THE EXCHANGE PER ARS §9-04-070(A) OF A PARCEL OF REAL PROPERTY OWNED BY THE TOWN FOR A PARCEL OWNED BY ARIZONA ECO DEVELOPMENT LLC, NEEDED FOR THE CONSTRUCTION OF A NEW WATER PRODUCTION WELL; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY MEASURE PURSUANT TO ARS §19-142(B) AND §2-50-060 OF THE PRESCOTT VALLEY TOWN CODE.

WHEREAS, the Town of Prescott Valley (Town) owns parcel 103-01-005J, located in Section 27, consisting of approximately 0.5 acres; and

WHEREAS, Arizona Eco Development, LLC parcel 103-01-005K (the remainder of Section 27); and

WHEREAS, the Town desires to construct a water production well at a location near the existing North Well Field infrastructure, but farther away from the residents of the Viewpoint Subdivision; and

WHEREAS, Arizona Eco Development LLC has agreed to trade the Town's parcel for a similarly sized parcel; and

WHEREAS, given the vacant land status and proximity of these parcels, the parties consider them to be of essentially equivalent value; and

WHEREAS, ARS §9-407(A) empowers Arizona municipalities to authorize by ordinance an exchange of parcels of real property within the municipality provided the parcels are of substantially equal value and a notice of intent to make such an exchange has been published according to ARS §39-204(B)(2) prior to such exchange; and

WHEREAS, such a notice has been published on December 11, 12, 13 and 14, 2018 in the Prescott Courier;

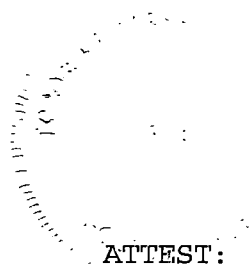
NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, as follows:

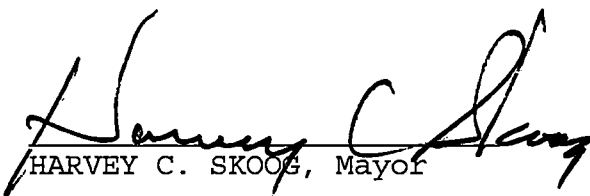
Section 1. Town staff is hereby authorized to prepare instruments necessary to effect an exchange of the Town parcel described in Exhibit "A" for the Arizona Eco Development LLC parcel also described in Exhibit "A".

Section 2. The Mayor (or, in his absence, the Vice Mayor) is hereby authorized to sign any and all documents and instruments necessary to complete said exchange.

Section 3. That, inasmuch as it is necessary for the peace, health and safety of the Town of Prescott Valley that this Ordinance be effective upon its passage and approval according to ARS §19-142(B) and Town Code §2-50-060 (due to the need to expedite construction of new water wells prior to the summertime high demand periods), this Ordinance is hereby declared to be an emergency measure and effective upon its passage and approval.

PASSED AND APPROVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 20th day of December, 2018.




HARVEY C. SKOOG, Mayor

ATTEST:


Diane Russell, Town Clerk

APPROVED AS TO FORM:



Ivan Legler, Town Attorney

EXHIBIT A

DAVA & ASSOCIATES, INC.

PLANNING • ENGINEERING • SURVEYING

310 E. Union Street, Prescott, AZ 86303

(928) 778-7587

Old Little Pete Well Site

A portion of Section 27, Township 15 North, Range 1 West of the Gila and Salt River Meridian, Yavapai County, Arizona described in the Quit Claim Deed filed and recorded in Book 4681 of Official Records, Page 477 on page 12 of 14 identified as the Little Pete Well Site, described as follows:

The northerly 147.60 feet of the easterly 147.60 feet of the northeast quarter of Section 27.

This description yields 21,780 square feet.

I certify that, I, Thomas G. Callahan, am a Registered Land Surveyor in the State of Arizona, that this description was prepared under my direction and contains adequate information to allow retracement thereof.

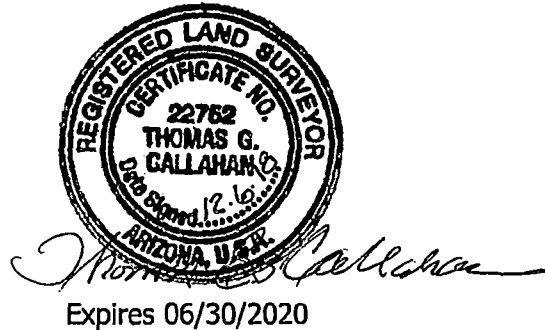


EXHIBIT A, con't.

DAVA & ASSOCIATES, INC. PLANNING • ENGINEERING • SURVEYING

310 E. Union Street, Prescott, AZ 86303

(928) 778-7587

New Little Pete Well Site

A portion of Section 27, Township 15 North, Range 1 West of the Gila and Salt River Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the quarter corner common to Section 27 and Section 22;

thence, westerly along the north line of Section 27, 150.00 feet;

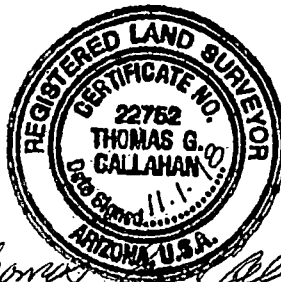
thence, departing said northerly line, southerly along a line parallel with and 150.00 feet westerly of the north-south mid-section line, 150.00 feet;

thence, easterly, along a line 150.00 feet southerly of and parallel with said north line of Section 27, 150.00 feet, to the north-south mid-section line;

thence, along the north-south mid-section line, 150.00 feet to the **POINT OF BEGINNING**.

This description yields 22,500 square feet.

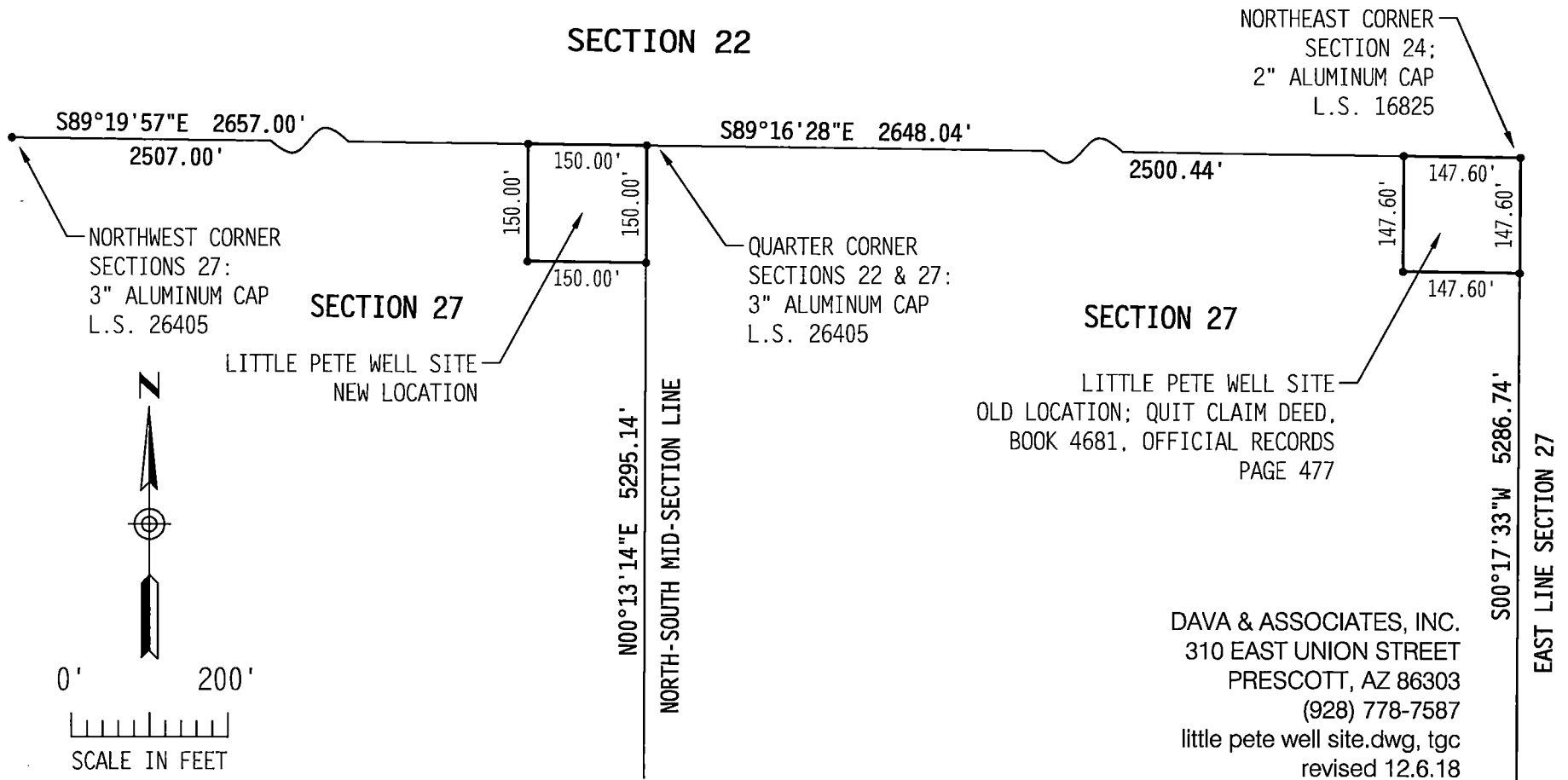
I certify that, I, Thomas G. Callahan, am a Registered Land Surveyor in the State of Arizona, that this description was prepared under my direction and contains adequate information to allow retracement thereof.



Thomas G. Callahan

Expires 06/30/2020

**EXHIBIT
SECTION 27, TOWNSHIP 15 NORTH, RANGE 01 WEST
OF THE
GILA AND SALT RIVER MERIDIAN,
YAVAPAI COUNTY, ARIZONA**



DAVA & ASSOCIATES, INC.
310 EAST UNION STREET
PRESCOTT, AZ 86303
(928) 778-7587
little pete well site.dwg, tgc
revised 12.6.18

EXHIBIT A, cont.