

ORDINANCE NO. 2015-1279

AN ORDINANCE AUTHORIZING AND APPROVING THE SALE OF CITY-OWNED LAND TO THE CARL RHAMES AND DONNA L. RHAMES REVOCABLE TRUST, CARL RHAMES AND DONNA L. RHAMES, TRUSTEES

WHEREAS, the City of Farmington (hereinafter "City") is the owner of a certain tract of land in San Juan County, New Mexico, located at 2107 Schofield Lane, Farmington, New Mexico; and

WHEREAS, the land, totaling .51 acres, more or less, and residence affixed to the land located in the city of Farmington, is surplus property not needed for any municipal purpose; and

WHEREAS, the Carl Rhames and Donna L. Rhames Revocable Trust, Carl Rhames and Donna L. Rhames, Trustees of Farmington, New Mexico, (hereinafter "Purchaser") wishes to purchase the surplus property from the City in order to renovate the property back to a single family dwelling; 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 purchase; and

WHEREAS, Section 3-54-1 NMSA sets forth a procedure for approving the sale or exchange of City-owned property 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 a tract of land approximately .51 acres with affixed single-family residence to the Carl Rhames and Donna L. Rhames Revocable Trust, Carl Rhames and Donna L. Rhames Trustees 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:

A tract of land in the West One-Half of the Southwest Quarter of the Southwest Quarter (W/2SW/4SW/4) of Section Two(2), in Township Twenty-Nine (29) North of Range Thirteen (13) West, N.M.P.M., in the city of Farmington, San Juan County, New Mexico, described as follows:

BEGINNING at a point which is North 00°07 East 604.6 feet and thence South 80°45' West 25.35 feet from the Southeast Corner of the W/2SW/4SW/4 of said Section 2;

THENCE South 80°45' West 210.3 feet;
THENCE North 01°28' West 123.14 feet;
THENCE South 89°13' East 208.8 feet to a point in the West line of Schofield Lane;
THENCE South 01°28' East 88.8 feet to the point of beginning.

SECTION FOUR. APPRAISED VALUE. The appraised value of the property is \$76,000.00 based on a March 12, 2014 appraisal.

SECTION FIVE. PAYMENTS AND AMOUNT. Purchaser will pay the total purchase price of \$75,000.00 in full to the City at closing.

SECTION SIX. IDENTITY OF PURCHASER. The Purchaser is the Carl Rhames and Donna L. Rhames Revocable Trust, Carl Rhames and Donna L. Rhames, Trustees located at P.O. Box 331, Farmington, New Mexico.

SECTION SEVEN. PURPOSE. The purpose of the sale is to allow Purchaser to acquire the land owned by the City to renovate property back to a single family residence.

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 11th day of August, 2015.

Tommy Roberts, Mayor

SEAL

ATTEST:

Dianne Smylie, City Clerk

