

ORDINANCE NO. (O)22-07

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING THE TOWN OF ORO VALLEY TO EXCHANGE APPROXIMATELY 1.0376 ACRES OF TOWN OWNED PROPERTY, LOCATED AT OR ABOUT 2291 E. RANCHO VISTOSO BOULEVARD, ORO VALLEY, ARIZONA, FOR APPROXIMATELY .92 ACRES OF PROPERTY HELD BY D C LA CANADA, LLC, LOCATED AT OR ABOUT 10555 N. LA CANADA DRIVE, ORO VALLEY, ARIZONA, TO ALLOW EACH PARTY TO MAKE FULL AND EFFECTIVE USE OF THE RESPECTIVE PROPERTIES; AND AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE ALL DOCUMENTS NECESSARY TO COMPLETE THE PROPERTY EXCHANGE

WHEREAS, the Town of Oro Valley is a political subdivision of the State of Arizona, and is vested with all the rights, privileges, and benefits, which entitles the Town to immunities and exemptions granted to a political subdivision under the Constitution as well as the laws of the State of Arizona and the United States; and

WHEREAS, pursuant to A.R.S. § 9-407, the Town may exchange properties of “substantially equal value”; and

WHEREAS, the approximately 1.0376 acres of Town owned property located at or about 2291 E. Rancho Vistoso Boulevard, Oro Valley, Arizona (See Exhibit “A” attached hereto), is valued at \$133,333.33 based on the Pima County Assessor’s Full Cash Value of the property; and

WHEREAS, the approximately .92 acres of Property held by D C La Canada, LLC, located at or about 10555 N. La Canada Drive, Oro Valley, Arizona (See Exhibit “B” attached hereto), is valued at \$130,000.00 based on the Pima County Assessor’s Full Cash Value of the property; and

WHEREAS, notice of intent to exchange property was published in accordance with A.R.S. § 39-204; and

WHEREAS, The Town of Oro Valley requires the .92 acres of Property held by D C La Canada, LLC, located at or about 10555 N. La Canada Drive, Oro Valley, Arizona, in order to complete renovations of the Community Center parking lot; and

WHEREAS, The Town of Oro Valley does not require the 1.0376 held by the Town located at or about 2291 E. Rancho Vistoso Boulevard, Oro Valley, Arizona; and

WHEREAS, it is in the best interest of the Town to approve the exchange of approximately 1.0376 acres of Town owned property located at or about 2291 E. Rancho Vistoso Boulevard, Oro Valley, Arizona, for approximately .92 acres of Property held by D C La Canada, LLC,

located at or about 10555 N. La Canada Drive, Oro Valley, Arizona, to allow each party to make full and effective use of the respective properties; and

WHEREAS, it is in the best interest of the Town to authorize the Town Manager to Negotiate and Execute a Transfer Agreement, as well as any other documents required by a title company of the Town's choosing in order to complete the exchange of property.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Oro Valley, Arizona that:

SECTION 1. The exchanging of approximately 1.0376 acres of Town owned property located at or about 2291 E. Rancho Vistoso Boulevard, Oro Valley, Arizona, for approximately .92 acres of Property held by D C La Canada, LLC, located at or about 10555 N. La Canada Drive, Oro Valley, Arizona, to allow each party to make full and effective use of the respective properties is hereby approved.

SECTION 2. The exchange of approximately 1.0376 acres of Town owned property located at or about 2291 E. Rancho Vistoso Boulevard, Oro Valley, Arizona, for approximately .92 acres of Property held by D C La Canada, LLC, located at or about 10555 N. La Canada Drive, Oro Valley, Arizona, shall be placed in escrow with a title company of the Town's choosing with all escrow costs and fees to be paid by the Town.

SECTION 3. The Town Manager is hereby authorized to Negotiate and Execute a Transfer Agreement, as well as any other documents required by a title company of the Town's choosing in order to complete the exchange of property.

SECTION 4. All Oro Valley Ordinances, Resolutions, or Motions and parts of Ordinances, Resolutions or Motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by Mayor and Town Council of the Town of Oro Valley, Arizona, this 6th day of July 2022.

TOWN OF ORO VALLEY

E-SIGNED by Joseph C. Winfield
on 2022-07-07 17:18:18 GMT

Joseph C. Winfield, Mayor

ATTEST:

E-SIGNED by Michael Standish
on 2022-07-07 18:04:46 GMT

Michael Standish, Town Clerk
PUBLISH: DAILY TERRITORIAL
JULY 11, 12, 13, 14, 2022

APPROVED AS TO FORM:

E-SIGNED by Tobin Sidles
on 2022-07-07 17:25:30 GMT

Tobin Sidles, Legal Services Director
POSTED: 7/11/22 - 8/10/22

Exhibit “A”

Oro Valley Rancho Vistoso Parcel

March 21, 2022
WLB No. 122004-A-001
W:\LEGALS\122004\122004_park-ride legal east.docx

LEGAL DESCRIPTION

LOT 2

A portion of that certain parcel of Land described by deed recorded as Docket 13326, Page 103, Pima County records and lying within Section 29, Township 11 South, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona, described as follows:

COMMENCING at the Southwest corner of said Section 29, Township 11 South, Range 14 East from which the West quarter corner of said Section 29 Bears N 00°04'29" E (basis of bearings), a distance of 1267.82 feet;

THENCE N00°04'29" E, along the West line of the Southwest quarter of said Section 29, a distance of 1612.34 feet;

THENCE leaving said West line, S 89°55'31" E, a distance of 1612.34 feet to a found ½" rebar tagged RLS 10046 at the Western most corner of said parcel of land;

THENCE N 45°59'56" E, along the Northwesterly line of said Parcel, a distance of 112.91 feet to the **POINT OF BEGINNING**;

THENCE N 45°59'56" E, along the Northwesterly line of said Parcel, a distance of 112.91 feet;

THENCE continue N 45°59'56" E, continue along said Northwesterly, a distance of 238.63 feet;

THENCE S 50°04'13" E, a distance of 177.99 feet;

THENCE S 37°56'07" W, a distance of 227.88 feet;

THENCE N 52°39'36" W, a distance of 211.37 feet to the **POINT OF BEGINNING**;

CONTAINING: 45,200 square feet or 1.0376 acres of land, more or less.

Prepared By:

THE WLB GROUP, INC.

Peter D. Cote, RLS 44121



Oro Valley Rancho Vistoso Parcel



Exhibit “B”

**D.C La Canada LLC Parcel
LEGAL DESCRIPTION**

That portion of Section 10, Township 12 South, Range 13 East, Gila and Salt River Base and Meridian, Pima County, Arizona, described as follows:

COMMENCING at the East quarter corner of the said Section 10;

THENCE North 00 degrees 01 minutes 41 seconds West along the East line of the said Section 10, 2 distance of 550.54 feet;

THENCE South 89 degrees 58 minutes 19 seconds West, 370.79 feet to the POINT OF BEGINNING at a point on the arc of a non-tangent curve concave to the Northwest, a radial line of said curve through said point having a bearing of South 75 degrees 50 minutes 41 seconds East;

THENCE Southwesterly along the arc of said curve, to the right, having a radius of 900.00 feet and a central angle of 21 degrees 05 minutes 00 seconds for an arc distance of 331.18 feet to a non-tangent line;

THENCE North 53 degrees 15 minutes 55 seconds West, 100.87 feet to a point on the arc of a non-tangent curve concave to the West, a radial line of said curve through said point having a bearing of South 39 degrees 27 minutes 53 seconds East;

THENCE Northerly along the arc of said curve, to the left, having a radius of 180.00 feet and a central angle of 59 degrees 51 minutes 58 seconds for an arc distance of 188.07 feet to a non-tangent line;

THENCE North 02 degrees 30 minutes 43 seconds East, 62.51 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of North 86 degrees 44 minutes 00 seconds West;

THENCE Northeasterly along the arc of said curve, to the right, having a radius of 33.50 feet and a central angle of 50 degrees 13 minutes 37 seconds for an arc distance of 29.37 feet to a non-tangent line;

THENCE North 52 degrees 39 minutes 42 seconds East, 119.94 feet;

THENCE South 25 degrees 56 minutes 48 seconds East, 99.65 feet to the POINT OF BEGINNING;

EXCEPT all coal and other minerals as reserved in the Patent from the United States of America.

