

ORDINANCE 22__

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF COCHISE COUNTY, ARIZONA AUTHORIZING STAFF TO ENTER INTO A PURCHASE, SALE, AND DEVELOPMENT AGREEMENT, AS WELL AS OTHER AGREEMENTS AS NECESSARY, WITH SUNNY TEMPE INVESTMENTS, LLC DBA OLD BISBEE HIGH SCHOOL, LLC (OBHS) FOR THE SALE, PURCHASE, AND DEVELOPMENT OF COUNTY-OWNED PROPERTY LOCATED AT 100 CLAWSON AVENUE IN BISBEE, ARIZONA

WHEREAS, Arizona Revised Statutes (“A.R.S.”) § 11-251, *et seq.* gives the Cochise County Board of Supervisors (the “Board”) the authority to sell real property owned by the County; and

WHEREAS, On November 2, 2021, the County accepted a property appraisal by an appraiser who is licensed or certified pursuant to title 32, chapter 36 and this appraisal established the minimum acceptable bid for the purchase of the County-owned property; and

WHEREAS, On December 16, 2021, the County issued Request for Proposal No. 22-08-DEV-01 (the “RFP”) for the purchase, renovation, and redevelopment of Old Bisbee High School; and

WHEREAS, On April 1, 2022, Old Bisbee High School, LLC (“Buyer”) and another bidder responded to the RFP with responsive proposals; and

WHEREAS, On April 19, 2022, Buyer was notified that, based on an evaluation by an internal selection committee, their proposal was the winning bid; and

NOW, THEREFORE, BE IT RESOLVED THAT by the Board of Supervisors of Cochise County, Arizona that the County Administrator, or his designee, is authorized to enter into a purchase, sale, and development agreement, and any and all necessary agreements (collectively, the “Agreements”) with Buyer for the sale and development of County-owned property located at 100 Clawson Avenue Bisbee, Arizona located on three assessor tax parcels (Parcel No. 10362025, 10362025B, and 10362027); and

BE IT FURTHER RESOLVED THAT the agreements will contain the following terms:

1. Buyer will enter into agreements with the County within six weeks of Board of Supervisors Authorization.
2. Buyer will pay a Purchase Price of \$900,000 to the County for the property, which is sold in its "as is," "where is" condition, "with all faults."
3. The Buyer represents and agrees, as of the date of this Agreement, and reaffirms that at Closing, the Site will be used for the purpose of market-rate multifamily residential redevelopment as contemplated under this Agreement and not for speculation in landholding.

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4. Buyer will commence construction within 12-months of the Transfer of Title (“Commence Construction Date”).
5. Buyer will complete construction within 24-months of the Commence Construction Date.

PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF COCHISE COUNTY, ARIZONA, THIS 10th DAY OF MAY 2022.

Ann English, Chair
Cochise County Board of Supervisors

ATTEST:

Tim Mattix
Clerk of the Board

APPROVED AS TO FORM:

Paul Correa

Paul Correa, Esq.
Civil Deputy County Attorney