

ORDINANCE NO. 2024-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AUTHORIZING THE EXCHANGE OF REAL PROPERTY OF SUBSTANTIALLY EQUAL VALUE, WITH PROPERTY OWNER GARY S. CHRISTENSEN M.D. FOR THE SCHULTZ CREEK TRAILHEAD; PROVIDING FOR DELEGATION OF AUTHORITY, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the City acquisition, sale, or exchange of public real property shall be approved by ordinance, pursuant to the Flagstaff City Charter, Article 7, § 5; and

WHEREAS, the City may trade real property pursuant to the Flagstaff City Charter, Article 8, § 10 to and, may exchange real property of substantially equal value pursuant to A.R.S. § 9-407; and

WHEREAS, the City has published notice of the proposed property exchange pursuant to A.R.S. § 9-407; and

WHEREAS, the public has been using certain private property for parking to access U.S. Forest Services trails in the Schultz Creek area, and the City desires to acquire such property for a trailhead.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. In General

The City Council hereby authorizes an exchange of real property of substantially equal value with Gary S. Christensen M.D. in general area of the Schultz Creek Trailhead in unincorporated Coconino County at Schultz Pass Road and Mt. Elden Lookout Road.

City will receive fee simple title to that certain real property legally described in Exhibit 1 consisting of approximately 1.85 acres of land for a new Schultz Creek Trailhead.

Gary S. Christensen M.D. will receive fee simple title to that certain real property legally described in Exhibit 2 consisting of approximately 1.34 acres of land.

A map depicting the exchange is attached hereto as Exhibit 3.

The property exchange shall be completed in the manner as mutually agreed upon by the City and Gary S. Christensen M.D., and as set forth in an exchange agreement.

SECTION 2. Delegation of Authority

The Mayor and City Manager are hereby authorized to execute all documents relevant to the property exchange. The City Real Estate Manager is directed to take all necessary steps to effectuate this ordinance. The City Clerk is directed to record a copy of this ordinance.

SECTION 3. Repeal of Conflicting Ordinances

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4: Effective Date.

Pursuant to A.R.S. § 28-7213 this ordinance shall become effective when recorded in the office of the Coconino County Recorder, which shall be at least thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff, this 3rd day of December, 2024.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Attachments:

- Exhibit 1 Trade Parcel to City
- Exhibit 2 Trade Parcel to Gary S. Christensen M.D.
- Exhibit 3 Map showing property exchange