

ORDINANCE NO. 15-08

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF SNOWFLAKE, ARIZONA AUTHORIZING A PROPERTY EXCHANGE BETWEEN RIMROCK VIEW ESTATES, LLC AND THE TOWN OF SNOWFLAKE

WHEREAS, a survey has shown the golf course at a portion of green number six (6) and at tee box number seven (7) as built presently, encroaches on lands owned by Rimrock View Estates, LLC, as set forth in Exhibit "A," attached hereto and hereby incorporated,

WHEREAS, Rimrock View Estates, LLC has proposed and is willing to exchange the encroached property for property owned by the Town of Snowflake, doing business as Snowflake Municipal Property Corporation, as set forth in Exhibit "B," attached hereto and hereby incorporated,

WHEREAS, the values of the properties to be exchanged are substantially equal,

WHEREAS, the exchange of the properties permits the continued operation of the golf course,

WHEREAS, the Town Council determines that under the unusual circumstances of the encroachment, it is determined that it is in the best interest of the Town of Snowflake to exchange the properties in order to maintain the integrity and use of green number six (6) of the golf course,

NOW, THEREFORE, the Town of Snowflake, doing business as Snowflake Municipal Property Corporation, is authorized to exchange the property it now owns described in Exhibit "B," herein above described, for the property now owned by Rimrock View Estates, LLC, herein above described as Exhibit "A," all pursuant to A.R.S. Section 9-407, with the Town Manager acting for and in behalf of the Town and with the parties jointly and equally sharing in the costs of any necessary publishing, title insurance, escrow, surveys, or other transfer and exchange costs.

PASSED AND ADOPTED this ____ day of _____, 2015, by the Mayor and Council of the Town of Snowflake, Arizona.

Tom Poscharsky, Mayor

ATTEST:

APPROVED AS TO FORM:

Barbara Flake, Town Clerk

Robert M. Hall, Town Attorney