

**ORDINANCE NO. 2013-25**

**A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF  
AUTHORIZING THE ACQUISITION AND PURCHASE APPROXIMATELY  
2,251 ACRES MOST COMMONLY REFERRED TO AS OBSERVATORY MESA**

WHEREAS, in May 2004, the voters of the City of Flagstaff approved a bond measure for the acquisition of open space on Observatory Mesa; and

WHEREAS, in June 2013, the Flagstaff City Council adopted a Resolution approving of the submission of a grant application to Arizona State Parks for the Growing Smarter State Trust Land Acquisition Program to acquire land on Observatory Mesa; and

WHEREAS, pursuant to Article 1, Section 3 of the Charter of the City of Flagstaff, the City has the power and authority to acquire real property; and

WHEREAS, the Arizona State Land Department is the lawful owner of approximately 2,251 acres identified as Sections 6, 8, 18 and 19, Township 21N, Range 7E, and Section 12, Township 21N, Range 6E, otherwise known as Observatory Mesa; and

WHEREAS, it is necessary to direct and authorize the Assistant to the City Manager – Real Estate to acquire those parcels of open space identified by the City of Flagstaff Open Spaces Commission.

**ENACTMENTS:**

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

Section 1. That the Assistant to the City Manager – Real Estate is hereby authorized to negotiate with the owners of those parcels of real property identified as Observatory Mesa.

Section 2. That the Assistant to the City Manager – Real Estate is hereby authorized to acquire through purchase or exchange from the property owner, with the approval of the terms and conditions of sale or exchange by the City Manager, those parcels of real property identified as Observatory Mesa, and to execute all documents and take all actions necessary to consummate these acquisitions.

Section 3. That the Flagstaff City Council reserves the right of final approval for these acquisitions.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY