

**NOTICE OF INTENT
TO ADOPT AN ORDINANCE PERMITTING THE TRANSFER OF OWNERSHIP OF
TOWN-OWNED PROPERTY IN EXCHANGE FOR PRIVATELY-OWNED
PROPERTY COMMONLY KNOWN AS THE “HEARST MILLSITE” LOCATED
WITHIN THE TOWN OF SILVER CITY, ALL PURSUANT TO CHAPTER 48,
SECTION 48-21 ET SEQ., OF THE TOWN OF SILVER CITY MUNICIPAL CODE.**

The Council of the Town of Silver City, Grant County, New Mexico hereby gives notice of its intention to adopt an Ordinance to under the provisions of the Town of Silver City Code of Ordinances. This notice is given the title as follows:

ORDINANCE NO. 1295

**AN ORDINANCE PERMITTING THE TRANSFER OF OWNERSHIP OF TOWN-
OWNED PROPERTY IN EXCHANGE FOR PRIVATELY-OWNED PROPERTY
COMMONLY KNOWN AS THE “HEARST MILLSITE” LOCATED WITHIN THE
TOWN OF SILVER CITY, ALL PURSUANT TO CHAPTER 48, SECTION 48-21 ET
SEQ., OF THE TOWN OF SILVER CITY MUNICIPAL CODE.**

Sponsor: Mayor Ken Ladner

WHEREAS, the Town is the owner of a certain parcel of unimproved property located outside the Town’s boundaries, more particularly described in the appended Contract, described as Appendix “A”; and

WHEREAS, Chapter 48, Section 48-23 presumes Town-owned property outside of municipal boundaries to be non-essential to municipal purpose except under specific circumstances; and

WHEREAS, based upon the recommendation of Town staff, the Town Council further finds no present or anticipated future municipal purpose for the subject property, nor any specific circumstances excepting the subject property from its characterization as “non-essential”; and

WHEREAS, the subject property is thus available for exchange pursuant to Chapter 48, Section 48-23; and

WHEREAS, ROBERT D. and REBECCA RYDESKI are the owners of a certain parcel of unimproved property located within the Town’s boundaries, commonly known as the “Hearst Millsite”, more particularly described in the appended Contract found in Appendix “A”; and

WHEREAS, the Town Council of the Town of Silver City has been advised that the two properties are of equivalent monetary value, but that gaining ownership of the subject property would be beneficial to the Town and its inhabitants as open-space or park land; and

WHEREAS, Chapter 48, Section 48-23 et seq. permits the Town to exchange real property under such terms and conditions that the Town Council deems appropriate; and

WHEREAS, because of the unique nature of the property being acquired by the Town through the mentioned exchange, the Town finds that competitive bidding is inappropriate; and

WHEREAS, the Town Council finds that such exchange of real property will be of benefit to and is necessary for the health, safety and welfare of the Town;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO, that:

1. The exchange of the subject properties is approved, and the Town Manager is hereby directed and authorized to execute all necessary documents to affect the mentioned transaction.
2. The Contract appended to this Ordinance noted as Appendix “A” has been executed by the Parties and is hereby ratified.
3. All public notices shall be published as required by Chapter 48 of the Town’s Municipal Code.

PASSED, ADOPTED AND APPROVED by vote of the Town Council of the Town of Silver City, Grant County, New Mexico, this _____ day of _____, 2020.

(Seal)

TOWN OF SILVER CITY

Ken Ladner, Mayor

Attest:

Ann L. Mackie, Town Clerk

Consideration of the final adoption of such proposed ordinance will not take place until at least two (2) weeks subsequent to the date of this notice and only at a public meeting called and held in accordance with Section 3-17-3, N.M.S.A. 1978. Consideration of adoption of said ordinance is currently scheduled for and will not take place prior to _____, 2020.

Ann L. Mackie, Town Clerk

Date

Consideration of the final adoption of such proposed ordinance will not take place until at least two (2) weeks subsequent to the date of this notice and only at a public meeting called and held in accordance with Section 3-17-3, N.M.S.A. 1978. Consideration of adoption of said ordinance is currently scheduled for and will not take place prior to _____, 2020.

Ann L. Mackie, Town Clerk

Date