

**ORDINANCE NO. 2010.39**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AUTHORIZING THE CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT 5<sup>TH</sup> STREET AND FARMER AVENUE.**

WHEREAS the City and Farmer Arts, LLC (“Developer”), are parties to that certain Development and Disposition Agreement dated May 31, 2007, as amended (the "Development Agreement"), with respect to the development of certain real property owned by the City, and described in the Development Agreement (the "Property");

WHEREAS Developer has requested that City convey a portion of the Property to Developer in accordance with the Development Agreement;

WHEREAS, Developer has represented to City that all conditions required to be satisfied by Developer prior to the conveyance have been or will be satisfied prior to the conveyance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:**

Section 1: That the conveyance of Development Parcels 3 and 4 identified on Exhibit A hereto is hereby approved subject to compliance with the terms and conditions of the Development Agreement, and the Mayor is authorized to execute such documents as are necessary to consummate the conveyance, including without limitation a deed in the form specified in the Development Agreement.

Section 2: Pursuant to City Charter, Section 2.12, this ordinance will be effective thirty (30) days after adoption.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.**

\_\_\_\_\_  
MAYOR

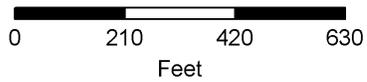
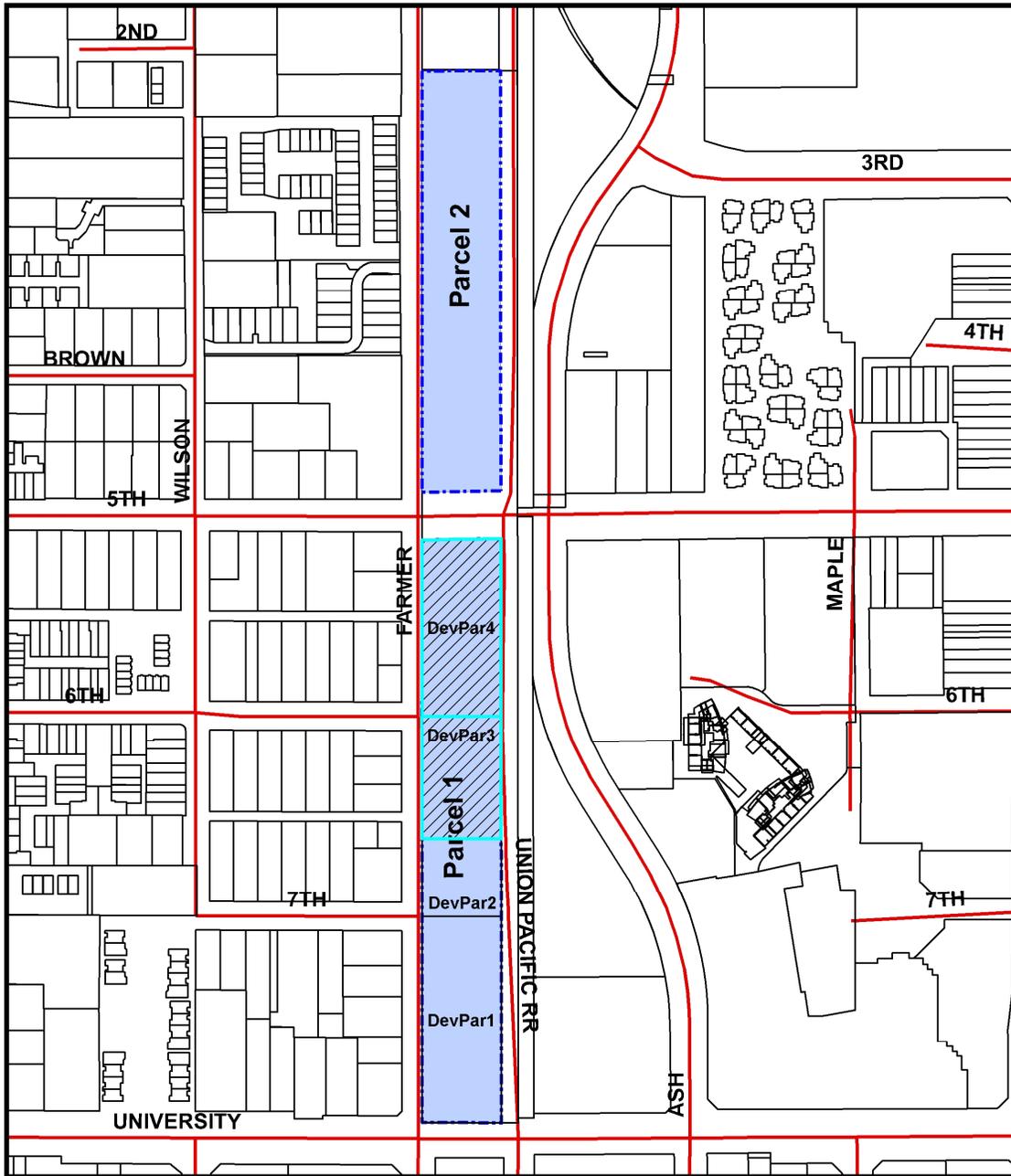
ATTEST:

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

APPROVED AS TO FORM:

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

Exhibit 'A'  
Map of Parcel to be conveyed



 Parcels to be conveyed

