

RESOLUTION NO. 2012.98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA TO AUTHORIZE THE MAYOR TO EXECUTE AN AMENDMENT TO AN EXISTING AGREEMENT BETWEEN THE CITY OF TEMPE AND SALT RIVER PROJECT AGRICULTURAL AND IMPROVEMENT DISTRICT RELATING TO TRANSMISSION LINES ALONG TEMPE TOWN LAKE.

WHEREAS, City and Salt River Project Agricultural and Improvement District (“SRP”) are parties to an Agreement dated July 30, 1997 [C97-163] (the “Agreement”), pursuant to which City and SRP agreed to follow certain protocols to enable City to complete construction of Tempe Town Lake and various infrastructure improvements while preserving SRP’s ability to use its easement rights for various transmission lines; and

WHEREAS, the State of Arizona is in the process of widening State Route 202, which widening will require relocation of certain Improvements constructed by City along Tempe Town Lake and covered by the Agreement; and

WHEREAS, the City and SRP are required to coordinate with one another when making any changes to the Improvements covered by the Agreement; and

WHEREAS, City and SRP desire to amend the Agreement in certain respects to enable the City to complete relocation of its Improvements to facilitate the widening of State Route 202.

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

The Amendment to the Agreement is hereby approved and the Mayor is authorized to execute the Amendment in substantially the form on file with the Clerk and to take such other actions and execute such additional documents as may be necessary to implement this Resolution.

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PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA this _____ day of _____, 2012.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney