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**CITY OF TEMPE  
REQUEST FOR COUNCIL ACTION****Council Meeting Date: 5/9/2013  
Agenda Item: 5D5**

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**ACTION:** Second and final public hearing to adopt an ordinance authorizing the granting of a building overhang easement to the Arizona Board of Regents for a new building, College Avenue Commons, in Block 12 at 660 South College Avenue. (Ordinance No. 2013.23)

**FISCAL IMPACT:** No impact on City funds.

**RECOMMENDATION:** Adopt Ordinance No. 2013.23.

**BACKGROUND INFORMATION:** ASU is constructing the new College Avenue Commons building directly adjacent to College Avenue and Seventh Street. The easement grants ASU the right to construct a balcony that overhangs the City right of way on the south and east sides of the new building. This orientation will maximize the use of the site in an urban oriented fashion.

**ATTACHMENTS:** Ordinance, Easement and Exhibits A, B and C.

**STAFF CONTACT(S):** Andy Goh , Deputy Public Works Director, (480) 350-8896

Department Director: Don Bessler, Public Works Department Director  
Legal review by: Cynthia McCoy, Assistant City Attorney  
Prepared by: Gregg Kent, Principal Civil Engineer - Land Services