

RESOLUTION NO. 2010.18

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AUTHORIZING THE EXECUTION OF A RENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) FOR PROPERTY LOCATED UNDER THE LOOP 202 FREEWAY AT MILL AVENUE.

WHEREAS, the Arizona Department of Transportation (ADOT) owns the land at 620 N. Mill Avenue delineated on the attached Exhibit "A" (the "ADOT Land"); and

WHEREAS, the City of Tempe leased the ADOT Land from ADOT pursuant to a Lease Agreement for Limited Access Right of Way (c99-107), which Lease Agreement expired; and

WHEREAS, City and ADOT desire to extend City's ability to use the ADOT Land for parking and storage; and

WHEREAS, City and ADOT desire to enter a Rental Agreement for Unimproved or Vacant Properties to set forth their agreements regarding City's use of the ADOT Land, and such other related matters as they deem appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS

That the Mayor or his designee is authorized to execute the Rental Agreement for Unimproved or Vacant Properties, in substantially the form on file with the City Clerk's office and to take such further actions and execute such additional documents, as are necessary to implement its terms and this Resolution.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA this _____ day of February, 2010.

Mayor

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ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Exhibit A