ORDINANCE NO. O2016.56

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AUTHORIZING THE MAYOR TO ACCEPT A RECONVEYANCE OF REAL PROPERTY AND EXECUTE AN AMENDMENT TO THE DEVELOPMENT AND DISPOSITION AGREEMENT WITH CHILDSPLAY, INC., AN ARIZONA NON-PROFIT CORPORATION, FOR THE PURCHASE OF IMPROVEMENTS LOCATED AT 900 S. MITCHELL DRIVE, TEMPE, ARIZONA.

WHEREAS, the Tempe City Charter requires an ordinance to convey, lease or authorize the conveyance or lease of any lands of the City of Tempe;

WHEREAS, Childsplay, Inc., an Arizona non-profit corporation, ("Childsplay") owns certain real property located within the city limits of Tempe, Arizona; and,

WHEREAS, the City of Tempe and Childsplay intend to enter into an agreement for the reconveyance of real property to the City of Tempe and the purchase of improvements made to such real property located at 900 S. Mitchell Drive, Tempe, Arizona, ("Third Addendum to Development Agreement") for the purpose of sustaining and promoting the arts, and encouraging the significant benefits of performance-based art for the Tempe community and in particular, for the youth of the community.

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

Section 1: That the reconveyance of real property from Childsplay to the City of Tempe for property located at 900 S. Mitchell Drive, Tempe, Arizona, is hereby authorized, approved and ratified.

Section 2: That the purchase of improvements by the City of Tempe from Childsplay located at 900 S. Mitchell Drive, Tempe, Arizona, is hereby authorized, approved and ratified.

Section 3: That the Mayor is authorized to execute the Third Addendum to the Development Agreement, in substantially the form as is on file with the City Clerk, and to take such further actions, including the execution and approval of any and all other documents reasonably required, as necessary to implement its terms.

Section 4: Pursuant to City Charter, Part 1, Article II, Section 2.12 (c), ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA this _____ day of _____, 2016.

_____
Mark W. Mitchell, Mayor

ATTEST:

_____
Brigitta M. Kuiper, City Clerk

APPROVED AS TO FORM:

_____
Judith R. Baumann, City Attorney