

RESOLUTION NO. 2010-112

A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING THE PARKING LEASE AGREEMENT BETWEEN THE CITY OF WILLCOX [LESSEE] AND ROBERT BRUCE AND SANDRA KAY YUNGEWAELTER [LESSORS] FOR PARKING LOT KNOWN AS PARCEL NO: 203-28-187 AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY is authorized pursuant to A.R.S. ' 9-240, et seq. to exercise control of the property of the corporation and to erect, purchase or lease property for the purposes of the corporation and is vested with all powers of incorporated towns as set forth in A.R.S Title 9.; and

WHEREAS, the LESSEE and LESSORS have a contractual relationship as parties to Lease Agreements since August 15th, 1989 for a specific amount equal to the annual tax assessment with an option to renew every year and desire to renew the Lease Agreement for the period of December 4, 2010 to December 4, 2011; and

WHEREAS, the LESSEE and the LESSORS executed the Parking Lot Lease Agreement for the period of December 4, 2009 to December 4, 2010; and

WHEREAS, the Original Parking Lease Agreement included one parcel of real property described as follows: **PARCEL NO: 203-28-187** for a parking lot property located in Willcox, Arizona on the East side of Haskell Avenue, between Maley and Grant Streets; and

WHEREAS, the City of Willcox, Cochise County, Arizona desires to have this Resolution presented at its November 1st, 2010 Council Meeting and has determined that approval of another "Lease Agreement Renewal" between the LESSEE and LESSORS is in the best interest of the CITY and its residents; and

WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist to assure continued use of the parking lot, and that this Resolution shall be effective immediately upon its passage and adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, as follows:

Section 1: The approval of the Parking Lot Lease Renewal for **PARCEL NO: 203-28-187** in the amount of \$401.64 is in the best interests of the residents of the City of Willcox.

Section 2: That the CITY formally approves the Parking Lot Lease Renewal for 2010-2011 as outlined in Exhibit "A" attached hereto to Resolution No. 2010-112.

Section 3: That the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the City of Willcox, Cochise County, Arizona.

Section 4: The Mayor is authorized and empowered to execute this Resolution for the purpose of executing the 2010-2011 Parking Lot Lease Renewal thereto.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, this 1st day of November, 2010.

APPROVED/EXECUTED:

/S/ GERALD W. LINDSEY
MAYOR, GERLD W. LINDSEY

ATTEST:

/s/ Cristina G. Whelan, CMC
City Clerk, Cristina G. Whelan, CMC

APPROVED AS TO FORM:

/s/ Hector M. Figueroa
City Attorney, Hector M. Figueroa, Esq.

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