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MAR 08 2012

ORDINANCE NO. 4356

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING AND APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF CHANDLER AND ARIZONA STATE UNIVERSITY FOR THE FORMER PUBLIC WORKS YARD AT 249 EAST CHICAGO STREET FOR PUBLIC EDUCATION PURPOSES.

WHEREAS, the City of Chandler owns improved real property located at 249 East Chicago Street, which is the City's former Public Works' yard; and

WHEREAS, said property is currently unoccupied and in need of renovation to allow for its continued use as a public facility; and

WHEREAS, Arizona State University desires to lease the real property and improvements located thereon (the "Leased Premises") for the operation of certain public education programs that complement the manufacturing and technology businesses located within Chandler, Arizona; and

WHEREAS, the City of Chandler desires to enter into such a lease with Arizona State University and finds that such lease arrangement will be of general benefit to the citizens of the municipality and of specific benefit to the further development of Downtown Chandler.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. The City Council of the City of Chandler, Arizona does hereby authorize and approve the lease to Arizona State University of the Leased Premises for public education purposes substantially in accordance with the significant deal terms and conditions set out in Exhibit A, attached hereto and incorporated herein by reference.

Section 2. Notwithstanding the terms set out in Exhibit A, the City Council does hereby authorize the extension or amendment of the lease to allow for a total lease term of up to fifty (50) years provided that authority for Arizona State University to enter into a lease of such duration is formally granted by its governing body, the Arizona Board of Regents.

Section 3. The Mayor of the City of Chandler, Arizona is hereby authorized to execute the lease referred to in Section 1 above, the amendment or extension of the lease referred to in Section 2 above and any related documents upon their approval as to form by the Chandler City Attorney.

INTRODUCED AND TENTATIVELY APPROVED by the City of Chandler, Arizona, this _____ day of _____, 2012.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this _____ day of _____, 2012.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4356 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on _____ day of _____, 2012, and that a quorum was present thereat.

CITY CLERK

PUBLISHED:

APPROVED AS TO FORM:

CITY ATTORNEY