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OCT 24 2013

Chandler + Arizona
Where Values Make The Difference

DATE: October 24, 2013

TO: MAYOR AND COUNCIL

FROM: KAY BIGELOW, ACTING CITY ATTORNEY (*kb*)

SUBJECT: APPROVAL OF SETTLEMENT IN PIEDMONT OFFICE REALTY TRUST, INC., V. CITY OF CHANDLER

RECOMMENDATION: Council is requested to approve a settlement in Piedmont Office Realty Trust, Inc. v. City of Chandler.

BACKGROUND: This lawsuit stems from a Zoning Administrator's interpretation of the PAD zoning ordinance on real property and a building at 1975 S. Price Road in January, 2013.

PROPOSED MOTION: Move to approve settlement in the matter of, Piedmont Office Realty Trust, Inc. v. City of Chandler, Maricopa County Cause No. LC2013-000269 and a claim for damages filed by the plaintiff on or about March 12, 2013, by payment from the City of Chandler of the sum of $50,000.00 in full and final satisfaction of all claims asserted therein and further authorize the City Attorney to sign any necessary documents in such form as are approved by the City Attorney to effectuate the terms of settlement and this motion.

cc: Rich Dlugas, City Manager
Marsha Reed, Assistant City Manager
RJ Zeder, Transportation & Development Director