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JAN 25 2007

MEMO TO: Mayor and City Council

THRU: Michael D. House, City Attorney. *MDH*

FROM: Glenn A. Brockman, Assistant City Attorney *GAB*

SUBJECT: Release and Cancellation of Development Agreement

DATE: January 12, 2007

RECOMMENDATION: Staff recommends that Council authorize the full release and cancellation of a development agreement previously entered into with Southeast Valley Auto Mall, LLC (SEVUM) dated October 13, 1997, and subsequently assigned to Chapman Kyrene, LLC, relating to the Southeast Valley Auto Mall site, which is now part of Chandler Gateway West.

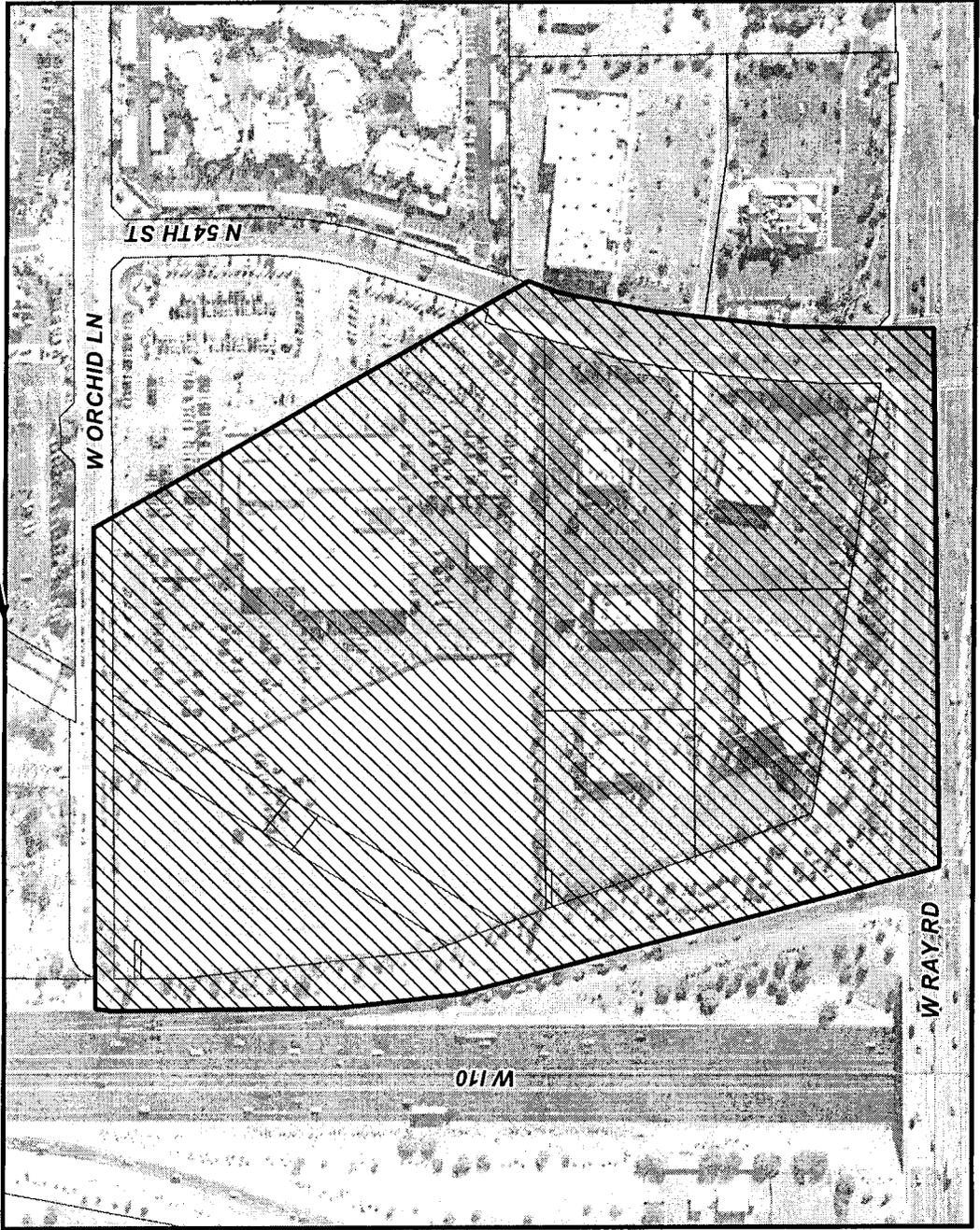
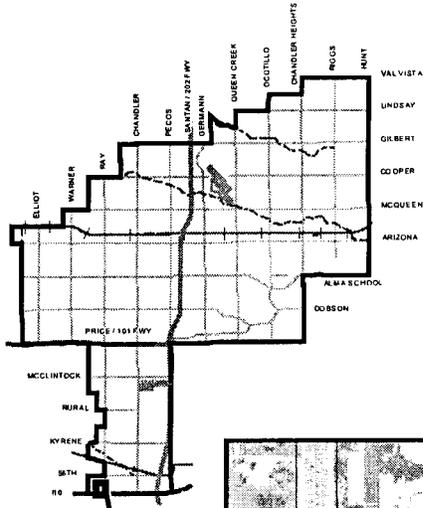
BACKGROUND/DISCUSSION: This development agreement encumbers the title of certain private, commercial property at Chandler Gateway West. Legal staff was contacted by LandAmerica Transnation, which is escrowing the conveyance of a portion of the private property to SRP for the relocation of an existing irrigation lateral. LandAmerica had requested only a partial release of the development agreement as it affected the property being conveyed to SRP.

Public Works has advised that all of the obligations of the parties under the development agreement have been met. Therefore, request is made for Council to authorize a full release and cancellation of the development agreement. Cancellation will be subject to the mutual agreement of Chapman Kyrene, LLC, which may occur at the same time or a later date than the release of the development agreement as an encumbrance against the property.

FINANCIAL IMPLICATIONS: None.

PROPOSED MOTION: Move to authorize the full release and cancellation of a development agreement previously entered into with SEVUM related to the Southeast Valley Auto Mall site, which is now part of Chandler Gateway West.

SOUTHEAST VALLEY AUTO MALL



LEGEND



ORIGINAL SITE AREA

