

**CITY / SUBDIVIDER AGREEMENT  
CITY OF FLAGSTAFF, ARIZONA**

This Agreement is entered into by and between the CITY OF FLAGSTAFF, a municipal corporation duly created and existing under the laws of the State Arizona, hereinafter referred to as CITY; and 66<sup>th</sup> and Fourth, LLC Subdivider, hereinafter referred to as SUBDIVIDER.

**WITNESSETH**

WHEREAS, 66<sup>th</sup> and Fourth, LLC (Subdivider) desires to subdivide property within the City of Flagstaff, Arizona known as TRAX – PHASE 2; and

WHEREAS, CITY is agreeable to accepting said subdivision as proposed; providing that the subdivider constructs the subdivision in accordance with City standards and as set forth in the approved preliminary plat, and while fulfilling the obligations set forth below, which the subdivider hereby assumes; and

WHEREAS, building permit(s) is (are) required and will be issued following execution of this agreement;

NOW, THEREFORE, in consideration of the subdivision and the mutual covenants of the parties hereinafter expressed, the parties hereto agree as follows:

1. SUBDIVIDER agrees to construct all improvements in conformance with the CITY'S Subdivision Regulations and the "General Construction, Standards and Specifications" of the CITY, and to employ a responsible supervisor.
2. SUBDIVIDER further agrees to dedicate all streets and rights-of-way to the CITY for public use and to offer all public improvements to the CITY for acceptance into the CITY system.
3. The CITY agrees to accept the Subdivision as platted and to accept ownership of public improvements upon their completion and approval by the CITY.
4. In the event that the CITY should be required to institute any action for the enforcement of this agreement, SUBDIVIDER, shall be required to pay a reasonable attorney's fee in addition to all other costs assessed in any such action.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on their own behalf and by the duly authorized officials and officers on the day and year herein written.

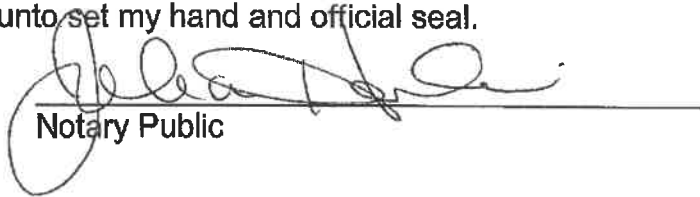
(Signed)   
Brad Christensen, Manager – 66<sup>th</sup> and Fourth LLC



STATE OF ARIZONA        )  
  )  
County of Yavapai        )        SS

SUBSCRIBED AND SWORN to before me this 9<sup>th</sup> day of July, 2019 by \_\_\_\_\_

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

  
Notary Public

My Commission expires:

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ in Flagstaff,  
Coconino County, Arizona.

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk