

RESOLUTION NO. 2020-47

**A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING
AMENDMENT THREE TO LEASE AGREEMENT BETWEEN THE CITY OF
FLAGSTAFF AND THEATRIKOS, INC.**

RECITALS:

WHEREAS, the City of Flagstaff ("City") entered into a lease agreement with Theatrikos, Inc. ("Theatrikos") on October 17, 2006, for the lease of the building and real property located at 11 West Cherry Avenue in Flagstaff, Arizona ("Premises"); and

WHEREAS, Theatrikos operates the Premises as a community theatre, which has been the Premise's use since 1988; and

WHEREAS, the City and Theatrikos agree that it is beneficial for both parties to amend the lease to add a force majeure clause that will allow the City to relieve Theatrikos of certain obligations under the lease in the case of an uncontrollable event that prevents Theatrikos from operating the Premises as expected under the lease.

ENACTMENTS:

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS
FOLLOWS:**

SECTION 1. The City Council approves Amendment Three to the 2006 lease agreement between the City and Theatrikos regarding property located at 11 West Cherry Avenue in Flagstaff, AZ.

SECTION 2. The Mayor is authorized and directed to execute Amendment Three and take such other actions as are necessary to carry out the purpose of this Resolution.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 7th day of July, 2020.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibits:
Amendment Three to Theatrikos Lease