

RESOLUTION NO. R23-05

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF A MAINTENANCE AGREEMENT WITH SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT (SRP) AND SUBSEQUENT ASSIGNMENT AND ASSUMPTION AGREEMENT WITH TTRG GLENDALE 101 NORTHERN AZ, LLC FOR A PIPELINE IN NORTHERN AVENUE EAST OF 99TH AVENUE

WHEREAS, TTRG GLENDALE 101 NORTHERN AZ, LLC is constructing the AZ-101 & Northern Avenue Commercial Center at the southeast corner of 99th Avenue and Northern Avenue; and

WHEREAS, TTRG is required to make improvements to the adjacent portion of Northern Avenue; and

WHEREAS, Salt River Project Agricultural and Improvement District (SRP) is requiring the City to execute a Maintenance Agreement in order to leave the pipeline under the pavement of Northern Avenue; and

WHEREAS, the developer, TTRG, has agreed to assume this responsibility from the City by entering into an Assignment and Assumption Agreement; and

WHEREAS, the City has determined that the Maintenance Agreement and Assignment and Assumption Agreement would benefit the citizens of Glendale and be in the public interest.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the City Manager or his designee is hereby authorized to execute and accept the Maintenance Agreement from Salt River Project Agricultural Improvement and Power District and the Assignment and Assumption Agreement with TTRG GLENDALE 101 NORTHERN AZ, LLC. Said agreements are on file with the City Clerk.

[Signatures on the following page]

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 10th day of January, 2023.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager