

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2010-49**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA APPROVING AND ADOPTING THE LEASE AGREEMENT BETWEEN THE CITY OF WILLCOX [“LANDLORD”] AND CLEAR CHANNEL OUTDOOR, INC., A DELAWARE CORPORATION [“TENANT”] FOR THE PURPOSE OF LEASING CITY OWNED PROPERTY FOR A BILLBOARD SPACE, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND THE LEASE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the Mayor and Council of the City of Willcox shall have control of the finances and property of the corporation pursuant to A.R.S. Section 9-240(A) and Section 9-499.01 et seq.; and

WHEREAS, the **LANDLORD** is vested with all powers of incorporated towns as set forth in Title 9 or other provisions of law relating to cities and towns pursuant to A.R.S. ' 9-499.01, et seq.; and

WHEREAS, the **LANDLORD** is authorized pursuant to A.R.S. ' 9-241(A) to lease property necessary or proper to carry out the purposes of the corporation, within or without its limits; and

WHEREAS, the **LANDLORD** and the **TENANT** desire to enter into a Lease Agreement for the use of City owned property for the sole purpose of erecting, maintaining and operating a billboard on **Parcel 202-43-003C** as described in the Lease Agreement; and

WHEREAS, the **LANDLORD** has determined that it is mutually beneficial to enter into the Lease Agreement with **TENANT** in exchange for billboard advertising space as presented; and

WHEREAS, the Mayor and Council has determined that it is in the best interest of the City and its citizens to approve and adopt the Lease Agreement; and

WHEREAS, the **LANDLORD** and the **TENANT** desire to have this item presented to the Willcox City Council at the next Council Meeting on May 17th, 2010; and

WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist to assure timely implementation of the Lease Agreement, and that this Resolution be effective immediately upon its passage and adoption.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally approves and adopts the Lease Agreement, authorizes the Mayor to execute this Resolution and the Lease Document and directs and authorizes City staff to take necessary action to carry out the terms of the Lease Agreement.

BE IT FURTHER RESOLVED by the Mayor and Council that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of Willcox, Cochise County, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona this _____ day of May, 2010

APPROVED/EXECUTED

MAYOR, GERALD W. LINDSEY

ATTEST:

APPROVED AS TO FORM:

City Clerk, Cristina G. Whelan, CMC

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO: 2010-49