

47669

AMENDMENT TO AGREEMENT NO. 47669

THIS AMENDMENT to Agreement No. 47699, entered into this 12<sup>th</sup> day of March, 1996, by and between CITY OF PHOENIX, a municipal corporation, hereinafter referred to as "City", and ROSSON HOUSE-HERITAGE SQUARE FOUNDATION, INC., an Arizona non-profit corporation, hereinafter referred to as "Foundation".

WHEREAS, City and Foundation entered into Agreement No. 47669 on November 10, 1987, and

WHEREAS, it is the desire of the parties to extend the term of the agreement;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. That paragraph 1, page 5, shall be amended to read as follows:

"Agree that the term of this Agreement shall be for thirty-five (35) years. At the conclusion of the thirty-five (35) years, the FOUNDATION may request of the BOARD an option to extend the Agreement for an additional five (5) years. An additional five year extension may be granted by mutual consent. The final decision to extend the agreement lies solely with the Board."

2. All other terms and conditions of Agreement No. 47669 shall remain the same.

WHEREFORE, the parties hereto have executed this amendment to Agreement No. 47669 on the day and month hereinabove written.

CITY OF PHOENIX, a municipal corporation  
FRANK FAIRBANKS, City Manager

By *James A. Colley*  
JAMES A. COLLEY  
Director of Parks, Recreation  
and Library Department

ATTEST:

*Vicky Miel*  
City Clerk

APPROVED AS TO FORM:

*Michael D. Hauer*  
ACTING City Attorney *KTR*

ROSSON HOUSE-HERITAGE SQUARE  
FOUNDATION, INC.

By *Jeff Smith*  
Its President

ATTEST:

*Elizabeth L. Gleason*

KTR/bw/::ODMA\SOFTSOL\311\FAPP\3704\0

*12/13/06*  
CITY CLERK DEPT.