

FOURTH AMENDMENT TO AGREEMENT NO. 47669

THIS FOURTH AMENDMENT to Agreement No. 47699, entered into this 12th day of February, 2012, by and between CITY OF PHOENIX, a municipal corporation, hereinafter referred to as "City", and ROSSON HOUSE-HERITAGE SQUARE FOUNDATION AND GUILD, 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 operation of Agreement No. 47669 to an additional building;

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

1. That paragraph 2, page 2, shall be amended to read as follows:

"BOARD hereby grants to FOUNDATION a Master Use Permit to use the premises individually called:

- (a) Teeter Carriage House
- (b) Stevens House
- (c) Stevens-Haustgen House
- (d) Bouvier-Teeter House
- (e) Burgess Carriage House
- (f) Silva House
- (g) Lath House Pavilion, and
- (h) Rosson House

This agreement shall extend to the Baird Machine Shop (Ponder Sign Shop), the Thomas House, and other structures moved or constructed on the north one-third of Block 15. Any portion of Heritage Square, including common

areas and gardens, not specifically mentioned in this paragraph shall not be subject to this Agreement and shall remain under the "BOARD."

2. A new paragraph 7 is added to the section of the agreement entitled "The Foundation shall:" as follows:
 7. Charge reasonable fees for any programs or services provided by the Foundation at any of the facilities subject to this agreement and shall use such proceeds only for expenses relating to the purposes of this agreement. Foundation need not receive Board approval for such fees and the City has no right or interest in the proceeds.
3. All other terms and conditions of Agreement No. 47669, as amended, shall remain the same.

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

CITY OF PHOENIX PARKS AND RECREATION BOARD

By: Delia Ortega-Nowakowski
Name (printed): Delia Ortega-Nowakowski
Title: Chair

ATTEST:

C. Meyer
City Clerk

APPROVED AS TO FORM:

[Signature]
Acting City Attorney



CITY CLERK DEPT.
2012 MAR 27 PM 4: 07

ROSSON HOUSE-HERITAGE SQUARE
FOUNDATION AND GUILD, INC.

By: Monica Heizenrader

Name (printed): Monica Heizenrader

Title: President - Board of Directors
Rosson House Heritage Square
Foundation's Guild