

**RESOLUTION OF THE GOVERNING BOARD OF AMPHITHEATER
UNIFIED SCHOOL DISTRICT NO. 10 OF PIMA COUNTY, ARIZONA,
APPROVING AN ACQUISITION AGREEMENT WITH PIMA COUNTY
FOR A FEE TAKE, TEMPORARY CONSTRUCTION EASEMENT, AND
RIGHT OF ENTRY FOR THE WIDENING OF THE GLOVER ROAD AND
LA CHOLLA INTERSECTION, AND AUTHORIZING THE EXECUTION
OF RELATED INSTRUMENTS, AND DETERMINATION OF OTHER
MATTERS IN CONNECTION THEREWITH.**

At a duly called meeting of the governing body of Amphitheater Unified School District No. 10 of Pima County Arizona held on the 3rd day of October, 2017, in accordance with all applicable legal requirements, including the Arizona Open Meeting Law, the following resolution was introduced and adopted:

WHEREAS, the Governing Board of Amphitheater Unified School District No. 10 of Pima County, Arizona (“District”) owns real property adjacent to the Glover Road and La Cholla intersection in Oro Valley, Pima County, Arizona which is more particularly described in the attached legal description (the “Property”); and

WHEREAS, Pima County has approached the District seeking acquisition of 3,375 square feet of the Property together with a temporary construction easement and right of entry on 3,000 square feet for the widening of the La Cholla/Glover Road intersection; and

WHEREAS, this acquisition, construction easement and right of entry on the Property are required as part of an overall joint plan between Pima County and the Town of Oro Valley to improve mobility on La Cholla between Overton Road and Tangerine Road by widening the road from two to four lanes with multi-use paths, sidewalks and multi-use lanes; and

WHEREAS, Pima County has agreed to pay the District for the full appraised value for the Property to be acquired as well as to pay just compensation on a monthly basis for the temporary construction easement; and

WHEREAS, the sale of the Property to Pima County and the transfer of the temporary construction easement and right of way are permitted by Title 15, Arizona Revised Statutes;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10 AS FOLLOWS:

Section 1. The terms of the “Acquisition Agreement for Fee Take; Temporary Construction Easement; Right of Entry” (“Acquisition Agreement”) in the form presented during the October 3, 2017 meeting and incorporated by reference into this Resolution are in the best interests of District and are hereby approved;

Section 2. The fee take, temporary construction easement, and right of way for the Property, as presented in the Acquisition Agreement, are hereby approved;

Section 3. The Associate to the Superintendent and General Counsel, Michelle H. Tong, is authorized to execute, acknowledge and deliver the Acquisition Agreement with any changes, insertions and omissions therein as may be approved by her, such approval to be conclusively evidenced by such execution and delivery of the Acquisition Agreement.

Section 4. The Associate to the Superintendent and General Counsel, Michelle H. Tong, is further authorized and directed to execute and deliver any and all papers, deeds, contracts of sale, easements, instruments, opinions, certificates, affidavits and other documents pertaining to or connected with the transfer of the Property through the Acquisition Agreement as well as to do, or cause to be done, any and all other acts and things necessary or proper for carrying out this Resolution and the Acquisition Agreement.

The undersigned further certifies that the above resolution was approved by the Governing Board of Amphitheater Unified School District No. 10 of Pima County, Arizona on October 3, 2017 and remains in full force and effect.

Date: _____

**Amphitheater Unified School District
No. 10 of Pima County Arizona**

By: _____
Name: Deanna Day
Title: President of the Governing Board

Attested by: _____
Name: Vicki Cox Golder
Title: Vice-President/Clerk of the Governing Board

(DISTRICT SEAL)