

RESOLUTION NO. (R)15-58

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING THE LICENSE AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND LENNAR ARIZONA, INC., RELATING TO THE INSTALLATION AND MAINTENANCE OF RIP-RAP BANK STABILIZATION WITHIN PUBLIC RIGHTS-OF-WAY ALONG MOORE ROAD BETWEEN LA CANADA DRIVE AND RANCHO VISTOSO BOULEVARD

WHEREAS, the Town is the owner of Moore Road between La Canada Drive and Rancho Vistoso Boulevard in front of the Eagles Rest Subdivision, which has been dedicated as a right-of-way; and

WHEREAS, The Town desires to enter into a License Agreement, attached hereto as Exhibit "A" and incorporated herein by this reference, with the Lennar Arizona, Inc., at Eagles Rest subdivision for the installation and maintenance of rip-rap bank stabilization within that public right-of-way along Moore Road between La Canada Drive and Rancho Vistoso Boulevard; and

WHEREAS, As part of the development of Eagles Rest subdivision, Lennar Arizona, Inc., will be constructing offsite improvements on Moore Road to provide a 4 lane street section and Lennar Arizona, Inc., requests authorization for the encroachment into the Town's public right of way; and

WHEREAS, the rip-rap slope stabilization is necessary to provide a slope transition from the Moore Road widening improvements to the existing slope east of the project; and

WHEREAS, Lennar Arizona, Inc., at Eagles Rest subdivision will perform the maintenance of rip-rap slopes in said right-of-way at their sole cost and expense; and

WHEREAS, it is in the best interest of the Town to authorize and execute the License Agreement with the Lennar Arizona, Inc., for the installation and maintenance of rip-rap bank stabilization within public rights of way along Moore Road between La Canada Drive and Rancho Vistoso Boulevard.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley, Arizona, that the License Agreement between the Town of Oro Valley and Lennar Arizona, Inc., attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby approved.

BE IT FURTHER RESOLVED that the that the Mayor and any other administrative officials of the Town of Oro Valley are hereby authorized to take such steps as are necessary to execute and implement the terms of the Agreement.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona this 2nd day of September, 2015.

TOWN OF ORO VALLEY

ATTEST:

Dr. Satish I. Hiremath, Mayor

Julie K. Bower, Town Clerk

APPROVED AS TO FORM:

Tobin Sidles, Legal Services Director

Date: _____