



# *Resolution*

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

## **RESOLUTION NO. 815**

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA AUTHORIZING THE PURCHASE OF THE PROPERTY KNOWN AS THE PRICE CENTER BUILDING; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A PURCHASE CONTRACT AND ASSIGNMENT OF LEASE; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTION CONTEMPLATED BY THIS RESOLUTION

WHEREAS, the Industrial Development Authority of the City of San Luis (the "Authority") previously issued its Taxable Excise Tax Revenue Bonds (Advanced Call Center Technologies Project) Series 2007A and Series 2007B and loaned the proceeds thereof to finance or refinance a portion of the cost to acquire, operate, and maintain property known as the Price Center Building (the "Property") for use as a call center to be located at 580 North San Luis Plaza, San Luis, Arizona; and

WHEREAS, the Authority previously entered into a Lease Agreement (the "Lease") with Advanced Call Center Technologies, Inc. (the "Tenant"); and

WHEREAS, the Mayor and City Council of the City of San Luis, Arizona (the "City"), has determined that it will be beneficial to its citizens to finance and/or refinance the costs of the acquisition and renovation of the Property; and

WHEREAS, the City is authorized and empowered, among other things, to purchase property; and

WHEREAS, the City has determined to purchase the Property and assume the Lease; and

WHEREAS, there have been placed on file with the Clerk of the City and presented at the meeting at which this Resolution was adopted: (1) the proposed form of Purchase and Sale Agreement (the "Purchase Contract"); and (2) the proposed form of Assignment of Leases (the "Lease Assignment").

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA THAT:

**Section 1.** The purchase of the property known as the Price Center Building, 580 North San Luis Plaza, San Luis, Arizona on the terms and conditions of the Purchase Agreement is hereby approved. In making this resolution the Mayor and City Council hereby authorize the acceptance of the Purchase Agreement and the execution of the same, and the taking of any and all actions as may be necessary thereto, for selling the property.

**Section 2. Approval of Lease Assignment.** The form of Lease Assignment is hereby authorized and approved. The officers and staff are hereby authorized and directed to take such acts or actions as may be necessary to execute said Lease and effectuate the same.

**Section 3. Execution of Documents; Further Actions.** The City Manager is hereby authorized and directed to execute any document necessary or appropriate in connection with this Resolution.

**Section 4. Open Meeting Laws.** It is found and determined that all formal actions of the Authority and its Board of Directors concerning and relating to the adoption of this Resolution were adopted in an open meeting and that all deliberations that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements of the State and the Authority.

**Section 5. Severability.** If any section, paragraph, clause, or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

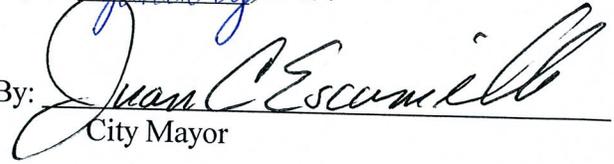
**Section 6. Headings.** Subject headings included in this Resolution are included for purpose of convenience only and shall not affect the construction or interpretation of any of its provisions.

**Section 7. Effectiveness.** This Resolution shall be effective immediately.

**Section 8. Notice of A.R.S. Section 38-511 - Cancellation.** Notice is hereby given of the provisions of Arizona Revised Statutes Section 38-511, as amended. By this reference, the provisions of said statute are incorporated herein to the extent of their applicability to contracts of the nature of this resolution under the law of the State.

ADOPTED AND APPROVED this 14<sup>th</sup> day of January, 2009.

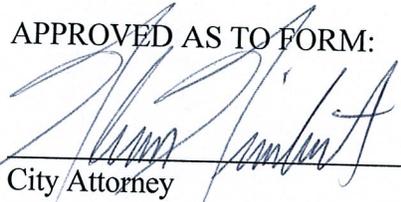
By:

  
City Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney