RESOLUTION

WHEREAS, Candlelighters of El Paso has approached the El Paso County, Texas Commissioners Court with the desire to create a Cancer Survivors Park on the site of the former Landmark Building, which is currently owned by the County of El Paso; and

WHEREAS, the El Paso County Commissioners Court has expressed a desire to participate in the creation of such a park on the identified site; and

WHEREAS, pursuant to a September 20, 2004 County Commissioners' Order, it is the intent of the El Paso County Commissioners Court to contribute the property for the park conditioned upon:

1) The City of El Paso's written agreement to accept title to the property for use as a public park, or

2) The City of El Paso's execution of an interlocal agreement to operate and maintain the property as a public park, with a provision for acceptance of liability for the park and its operation, for a period of 20 years, and written agreement with the Candlelighters of El Paso or the City of El Paso to build the park and construct park improvements without capital contribution from the County of El Paso, Texas, other than the real property within an identified period of time. And, that Candlelighters of El Paso or the City of El Paso, with the County of El Paso's permission, may seek grant funding for this purpose, and

WHEREAS, Candlelighters of El Paso desires the City of El Paso's consideration and commitment to the creation of a Cancer Survivors Park,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

That the City Manager, subject to the appropriate land acquisition procedures, be authorized to enter negotiations with the County of El Paso for the conveyance or lease of the site of the former Landmark Building as a Cancer Survivors Park, subject to Candlelighters of El Paso securing adequate funding to construct a park facility at the identified site, and that the City Manager to enter into negotiations and an agreement with Candlelighters of El Paso that Candlelighters of El Paso will apply and secure sufficient funds to construct a Cancer Survivors Park, the construction plans of the proposed park to be subject to the City's approval and the City's election to maintain the park facility, if the City accepts the real property from the County of El Paso.

(Signatures on next page)

ADOPTED and EFFECTIVE this _____ day of November, 2004

THE CITY OF EL PASO:

_____
Joe Wardy, Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Theresa Cullen-Garney
Theresa Cullen-Garney
Deputy City Attorney

APPROVED AS TO CONTENT:

Norman C. Merrifield, Ed.D.
Director, Parks and Recreation

APPROVED AS TO CONTENT:

Deborah Hamlyn,
Deputy City Manager, Quality of Life Departments

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Document Author: TCUL