## AMENDMENT 1 TO INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF TUCSON AND TUCSON UNIFIED SCHOOL DISTRICT FOR THE DESIGN, CONSTRUCTION AND JOINT USE OF LIGHTING FACILITIES AT TOWNSEND MIDDLE SCHOOL

This First Amendment to Intergovernmental Agreement ("Amendment") is entered into among Tucson Unified School District of Pima County, a political subdivision of the State of Arizona ("TUSD"), The City of Tucson, a political subdivision of the State of Arizona, on behalf of the City of Tucson Parks and Recreation Department ("CITY") and Ft. Lowell Soccer Club, a non-profit organization ("FT. LOWELL SOCCER CLUB").

## **RECITALS**

- 1. On January 8, 2001 and by City Resolution No. 18821, TUSD and CITY entered into an Intergovernmental Agreement ("IGA") dated as of January 8, 2001, and recorded on January 17, 2001, in Book 11466, pages 1237 through 1249, in the official records of Pima County, Arizona, to permit the public use of certain outdoor recreational facilities ("Soccer Fields") at Townsend Middle School ("Townsend") when those facilities are not in use by the school. Attachment "D" to the IGA is a Financial Participation/Use Agreement ("FPUS") between the CITY and FT. LOWELL SOCCER CLUB.
- 2. On September 15, 2015, TUSD entered into an agreement to sell the property to Pima Medical Institute.
- 3. TUSD owns a school facility known as the Booth-Fickett Math / Science Magnet School ("Booth-Fickett"), a portion of the fields of which are illustrated on Attachment A which is attached to this Amendment and incorporated by reference herein.
- 4. TUSD, CITY and FT. LOWELL SOCCER CLUB have determined that it is in all parties' best interest to amend the IGA and the FPUA to allow the Soccer Fields and Field Lights to be relocated to Booth-Fickett.

## NOW, THEREFORE, THE PARTIES HEREY AMEND THE IGA AND THE FPUA AS FOLLOWS:

- 1. All references to Townsend in the IGA and the FPUA shall be replaced by Booth-Fickett.
- 2. TUSD shall coordinate with the CITY and FT. LOWELL SOCCER CLUB to prepare the Booth-Fickett fields and install lighting and other equipment as shown on Exhibit A attached hereto to replace the Soccer Fields at Townsend.

- 3. The FPUA shall be, and hereby is, amended as stated in Attachment B which is attached to this Amendment and incorporated by reference herein.
- 4. City of Tucson will be allowed a two (2)-year "turf establishment period" consisting of two (2) field growing seasons in order to establish the soccer field turf at BoothFickett K-8 to Current Townsend soccer field conditions.

Dated this	day of	, 2017.			
CITY OF TUCSON			TUCSON UNIFIED SCHOOL DISTRICT		
By:		F	By:		
-	, Director	 	Bryant Nodine, Dire		
Parks and Recr	, Director reation Department	F	Planning Services		
STATE OF AF	RIZONA	)			
COUNTY OF	ΡΙΜΔ	) ss.			
COUNTIO	1 11/17 (	,			
The foregoing	g instrument was , 2017, by	acknowledged b	pefore me this _	, as the Dire	day of ctor of
the City of Tuc	, 2017, by _eson Parks and Recre	eation Department.			
My Commissio	on Expires:	Notary F	Public		
STATE OF AF	RIZONA	)			
COUNTY OF	PIMA	) ss. )			
The foregoing	g instrument was, 2017, of the Tu the State of Arizona	acknowledged by	pefore me this _	, as	day of
subdivision of	the State of Arizona	icson Unified Sci	nool District of P	ima County, a p	olitical
My Commissio	on Evnirae:				

FT. LOWELL SOCCER CLUB		
By:	_	
Its:	_	
STATE OF ARIZONA	) ) ss.	
COUNTY OF PIMA	) 55.	
		<del></del> •
of Ft. Lowel	Il Soccer Club, a non-profit organization.	
My Commission Expires:		
	Notary Public	