

WHEN RECORDED RETURN TO:

City of Douglas
City Clerk

PARTIAL TERMINATION OF LEASE

FOR GOOD CONSIDERATION, the City of Douglas, a municipal corporation (“Lessor”) and the Industrial Development Authority of the City of Douglas, an Arizona nonprofit corporation (“Lessee”), under a certain Lease agreement between the parties dated August 16, 1978, and recorded September 5, 1978 in Docket 1268, page 426 in the records of Cochise County, Arizona, as amended by the Amendment to Lease and Management Agreement dated May 30, 1991 (collectively, the “Lease”) do hereby mutually agree to terminate and cancel said Lease effective _____, 2023 as to that portion of the premises that Lessor is conveying to Cox Communications Arizona, LLC pursuant to that certain Purchase and Sale Agreement dated March 2, 2023, as amended (“Sale Property”) and legally described on Exhibit “A” attached hereto, and all rights and obligations under said Lease as to the Sale Property shall thereupon be cancelled excepting only for any obligations under the Lease accruing prior to the effective termination date.

This Partial Termination of Lease shall be binding upon the parties, their successor and assigns.

LESSOR

City of Douglas, an Arizona
Municipal corporation

By: _____
Ana Urquijo City Manager

Attest:

Approved as to form:

By: _____
Alma Andrade,
City Clerk

By: _____
Denis M. Fitzgibbons
City Attorney

LESSEE

Industrial Development Authority
of the City of Douglas, an Arizona corporation

By: _____

Its:_____

STATE OF ARIZONA)
)ss.
County of Cochise)

SUBSCRIBED AND SWORN TO before me this ____ day of _____, 2023, by
Ana Urquijo, City Manager of the City of Douglas, an Arizona municipal corporation.

Notary Public

Notary Public and Expiration Date:

STATE OF ARIZONA)
)ss.
County of Cochise)

SUBSCRIBED AND SWORN TO before me this ____ day of _____, 2023, by
_____, the _____ of the Industrial Development Authority of the City
of Douglas, an Arizona corporation.

Notary Public

Notary Public and Expiration Date:

EXHIBIT "A"
Sale Property

The surface to a depth of 500.00 feet, measured vertically from the contour of the surface of said land, of that certain parcel of land situated in the Northwest quarter of Section 13, Township 24 South, Range 27 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, more particularly described as follows:

Commencing at the Northwest corner of said Section 13;

Thence along the west line of said Section 13, South 00°36'21" West 453.37 feet (South 00°30' West 453.17 feet record);

Thence departing said west line, South 89°23'39" East 33.00 feet (South 89°30' East 33.00 feet record);

Thence South 73°18'51" East 901.33 feet (South 73°32' East 901.67 feet record) to the POINT OF BEGINNING, said POINT OF BEGINNING also being the Northwest corner of said Parcel 3 as described in Document No. 2013-17479, dated July 29, 2013, records of Cochise County, Arizona;

Thence South 73°21'03" East 238.71 feet (South 73°21'03" East 238.75 feet record);

Thence South 16°40'24" West 364.26 feet (South 16°38'57" West 364.94 feet record) to the north right-of-way line of a 60.00 foot wide street;

Thence along said north right-of-way line, North 73°19'45" West 238.82 feet (North 73°21'03" West 238.75 feet record);

Thence departing said north right-of-way line, North 16°41'26" East 364.17 feet (North 16°38'57" East 364.94 feet record) to the POINT OF BEGINNING.

SUBJECT TO all covenants, rights-of-way and easements of record.