

Arizona State Parks
 1300 W. Washington, Phoenix Arizona 85007
GRANT PARTICIPANT AGREEMENT

This Agreement for the Arizona State Parks Board (Board) and the City of Flagstaff and becomes effective on the date of signature by the authorized representative of Arizona State Parks.

PROJECT TITLE: City of Flagstaff Observatory Mesa			PROJECT NUMBER: 231303		
THIRD PARTY PARTICIPANT'S NAME:			FY OF REVENUE: 2013		
PROJECT PERIOD: Eighteen (18) months from the date of the last authorized signature					
GRANT PROGRAM: Growing Smarter Land acquisition	GRANT AMOUNT: Up to: \$6,000,000.00 (Amount includes 10% eligible associated costs)	% 50	PARTICIPANT MATCH: \$6,000,000.00	% 50	TOTAL PROJECT COST: \$12,000,000.00
APPROVED SCOPE OF WORK AND SPECIAL CONDITIONS: Acquisition of Attachment A 2,251.20 Acres State Trust Land					
CONSERVATION SPECIAL CONDITIONS: Preservation Agreement X Conservation Easement Deed Attachment C Special Conditions/3 rd Party					
AUTHORITIES TO ENTER INTO THIS AGREEMENT: (statute, resolution, minutes, etc.) STATUTE: A.R.S. § 41-511.23 RESOLUTION: 2012-24					
AWARDING OFFICIAL ON BEHALF OF THE ARIZONA STATE PARKS BOARD: _____ Signature _____ Date _____ Bryan Martyn Executive Director					
ACCEPTANCE OF ALL TERMS OF THIS AGREEMENT AND ITS ATTACHMENTS IS ACKNOWLEDGED BY THE PARTICIPANT'S SIGNATURE BELOW.			PARTICIPANT ATTORNEY APPROVAL AS TO FORM AND AS BEING WITHIN THE AUTHORITY OF THE PARTICIPANT.		
_____ Participant's Signature Kevin Burke, City Manager			_____ Applicant Signature		
_____ Name (Typed)			_____ Name (Typed)		
_____ Preserve Director Title _____ Date _____			_____ Attorney Title _____ Date _____		

Attachment B – General Provisions and Special Conditions are attached and are part of this Participant

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**Attachment A
Approved Project Scope and Special Conditions**

PARTICIPANT: City of Flagstaff
PROJECT TITLE: Observatory Mesa
PROJECT NUMBER: 231303

APPROVED PROJECT SCOPE:

Acquisition of 2,251.20 acres Fee Title Purchase of Observatory Mesa

In addition to the Participant Agreement General Conditions contained in Attachment B, the following special conditions apply to this grant:

Administration of this grant is subject to all conditions regarding the use of the Property for open space conservation, as contained in the Deed of Conservation Easement by Arizona State Parks. These conditions run with the title to the land to ensure the conservation of the land as open space in perpetuity.

The administration of this grant participant agreement is additionally subject to the contents of the “Administrative Guidelines for Awarded Grants” published by Arizona State Parks.

Approved project work shall start no later than the specified project start-up date. Land acquisition, equipment purchase, and studies/reports/assessments must begin within 6 months of the fully executed participant agreement. Participant must provide Arizona State Parks staff access to the acquired lands, as requested and must complete annual self-certification documents in the format specified by Arizona State Parks.

Arizona State Parks and the State of Arizona, its employees, attorneys, advisory board members and contractors shall be indemnified and held harmless from its vicarious liability as a result of work performed in execution of this agreement.

The participant is in default if it fails in the performance of any portion of this agreement or any conditions of the Deed of Conservation Easement conveyed by Arizona State Parks. Notice of and a description of the nature of the default will be mailed to the participant. Failure to commence an Arizona State Parks approved cure for the defaulter to seek amendment to the approved cure, within 60 days of participant’s receipt of the written notice, shall be considered a default.