## RESOLUTION NO.


#### Abstract

A RESOLUTION TO AGREE TO AMEND THAT CERTAIN LEASE DATED MARCH 1, 2002, BETWEEN THE BILL, HILLARY \& CHELSEA CLINTON FOUNDATION AND THE CITY OF LITTLE ROCK, ARKANSAS, FOR LAND LOCATED IN THE WILLIAM JEFFERSON CLINTON PRESIDENTIAL PARK; AND FOR OTHER PURPOSES.


WHEREAS, as set forth in Little Rock, Ark., Resolution No. __,__ (February 21, 2023), OneHealth East Village Development, LLC, a limited-liability company organized under the laws of the State of Arkansas ("OHEV"), Heifer Project International, a non-profit corporation organized under the laws of the State of Arkansas ("Heifer"), the Bill, Hillary \& Chelsea Clinton Foundation, a non-profit corporation organized under the laws of the State of Arkansas, formerly known as the William J. Clinton Foundation and the William Jefferson Clinton Foundation ("the Clinton Foundation"), the Arkansas Symphony Orchestra Society, Inc., a non-profit corporation organized under the laws of the State of Arkansas ("Symphony"), and the City of Little Rock, Arkansas ("the City"), have reached consensus on how to accomplish an educational opportunity through the creation and operation of the Lyon College of Veterinary Medicine, and the Lyon College of Dentistry and Oral Health, within the City; and,

WHEREAS, the City has entered into a Lease Agreement with the Clinton Foundation, dated March 1, 2002, as amended, under which the Clinton Foundation is leasing certain property from the City ("2002 City Lease"); and,

WHEREAS, Heifer has entered into a Lease Agreement with the Symphony, dated December 1, 2019, as amended, under which the Symphony is leasing certain property from Heifer ("2019 Symphony Lease") for the purpose of building the Stella Boyle Smith Music Center, which will be home for the Symphony and will be used to provide music education to City and State of Arkansas ("the State") residents; and,

WHEREAS, the 2019 Symphony Lease includes property (i) owned by Heifer; (ii) leased by Heifer from the City; and (iii) subleased by Heifer from the Clinton Foundation ("Symphony Property"), and the Symphony Property is being transferred to the City to accommodate the two (2) schools, necessitating the termination of the 2019 Symphony Lease, and the creation of a new sublease between the Symphony and the Clinton Foundation that is similar to the 2019 Symphony Lease ("Future Symphony Lease"); and,

WHEREAS, one step necessary to accomplish the transaction above is for the City to agree to amend the 2002 City Lease.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. As provided in Sections 1 and 2 of Little Rock, Ark., Resolution No. $\qquad$ (February 21, 2023), the City shall execute any necessary documents to amend the 2002 City Lease to reflect (i) the removal of certain property therefrom, including the removal of property from the William Jefferson Clinton Presidential Park ("Clinton Park") (to be deeded to OHEV by the City); and (ii) the inclusion of additional property therein, including the addition of property to the Clinton Park (to be deeded to the City by OHEV), and the addition of property for the Future Symphony Lease, all as shown on Exhibit 1 attached hereto.

Section 2. The description of the property to be added to and removed from the 2002 City Lease is more completely described as:
(a) Removing those certain parcels of land identified as Areas \# 5, 6, and 7 on Exhibit __ attached hereto, such parcels to be identified by legal description prepared by Standard Abstract \& Title Company, Inc., or other suitable title company; and,
(b) Adding that certain parcel of land identified as Area \# 3 on Exhibit __ attached hereto, such parcel to be identified by legal description prepared by Standard Abstract \& Title Company, Inc., or other suitable title company; and,
(c) Adding those certain parcels of land identified as Areas \#10, 12, 14 and 15 on Exhibit _ attached hereto, such parcels to be identified by legal description prepared by Standard Abstract \& Title Company, Inc., or other suitable title company, and consenting to the sublease of such parcels, along with the Areas \# 11 and 13 on Exhibit _ attached hereto, to the Symphony for the purpose of building the Stella Boyle Smith Music Center that will be home for the Symphony and used to provide music education to City and State residents.
Section 3. While this resolution shall take effect upon the date of its adoption, a general resolution shall be filed with the City Clerk that sets forth all public documents required to accomplish the City's portion of the transactions referenced in this resolution.

Section 4. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the resolution which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the resolution.

Section 5. Repealer. All ordinances, resolutions, bylaws, and other matters inconsistent with this resolution are hereby repealed to the extent of such inconsistency.

## ADOPTED: February 21, 2023

## ATTEST:

## APPROVED:

| 1 | APPROVED AS TO LEGAL FORM: |
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| 4 | Thomas M. Carpenter, City Attorney |
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