| 1 | RESOLUTION NO. | | |
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| 3 | A RESOLUTION TO AMEND LITTLE ROCK, ARK., RESOLUTION NO. | | |
| 4 | 15,083 (OCTOBER 15, 2019), TO ESTABLISH THAT THE DEMISE OF | | |
| 5 | IMPROVEMENTS FOR THE WOMEN AND CHILDREN FIRST: THE | | |
| 6 | CENTER AGAINST FAMILY VIOLENCE SHALL BE WITH LESSEE AS | | |
| 7 | LONG AS THE LEASE IS IN PLACE; AND FOR OTHER PURPOSES. | | |
| 8 | | | |
| 9 | WHEREAS, pursuant to a competitive process Women and Children First: The Center Against | | |
| 10 | Family Violence ("the Center") was selected to lease property for a period of ninety-nine (99) years, which | | |
| 11 | absent default can be amended to include any extension that accords with Arkansas State Law ("the Lease"), | | |
| 12 | within City of Little Rock, Arkansas ("the City"), park property, and this selection was formalized in Little | | |
| 13 | Rock, Ark., Resolution No. 15,083 (October 15, 2019); and, | | |
| 14 | WHEREAS, as the City has commonly done with land leases of this type, the personal property and | | |
| 15 | improvements are clearly purchased by, and belong to, the Center, and certain freedoms on the use of the | | |
| 16 | property are included in the Lease, but the title to the actual building improvements will rest with the City | | |
| 17 | upon the termination of the Lease; and, | | |
| 18 | WHEREAS, the Center has the opportunity to seek a Nine Million, Five Hundred Ninety-Seven | | |
| 19 | Thousand Dollars (\$ 9,597,000.00) grant at this time, and possible future grants, for the construction, | | |
| 20 | operation, rehabilitation or maintenance, of the Center, and there is concern that the current Lease language | | |
| 21 | does not make clear the extent of such demise; and, | | |
| 22 | WHEREAS, the City wishes to clarify this issue so the Center can receive such funds to fulfill the | | |
| 23 | laudable public purposes which it has been selected to accomplish. | | |
| 24 | NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY | | |
| 25 | OF LITTLE ROCK, ARKANSAS: | | |
| 26 | Section 1. Section 4.5 of the Lease is hereby amended to read as follows: | | |
| 27 | 4.5 Title to Improvements. "Improvements" means any buildings, structures, and | | |
| 28 | fixtures, and any renewals and replacements thereof, erected, built, installed, or constructed | | |
| 29 | upon the Premises during the Term of this Lease. Subject to the Demise, which is intended | | |
| 30 | to provide the Center with the full enjoyment of property rights in these Improvements | | |
| 31 | save the right to alienate the Demise, Premises or Improvements without any property | | |
| 32 | interest accruing to the City, so long as the conditions included within this Lease are | | |
| 33 | fulfilled by the Center, including during the period of any extension or modification of | | |
| | | | |

| 1 | such Term, the acceptance of such provisions by the Center and, for and in consideration | | |
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| 2 | of the consideration set forth within this Lease, the City does Demise, let, rent, and lease | | |
| 3 | to the Center, and the Center does accept, rent, and lease from the City, the Premises, and | | |
| 4 | Improvements for the Term, and any extension, of the Term, of the Lease. | | |
| 5 | Section 2. The provisions of this resolution shall be memorialized in an appropriate addendum to the | | |
| 6 | Lease and executed by the City and the Center; further, the Mayor and City Clerk are hereby authorized to | | |
| 7 | execute such addendum in a form acceptable to the City Attorney. | | |
| 8 | Section 3. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or | | |
| 9 | word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or | | |
| 10 | adjudication shall not affect the remaining portions of the resolution which shall remain in full force and | | |
| 11 | effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the | | |
| 12 | resolution. | | |
| 13 | Section 8. Repealer. All laws, ordinances, resolutions, or parts of the same that are inconsistent with | | |
| 14 | the provisions of this resolution are hereby repealed to the extent of such inconsistency including, but not | | |
| 15 | limited to, Little Rock, Ark., Resolution No. 15,083 (October 15, 2019). | | |
| 16 | ADOPTED: September 12, 2022 | | |
| 17 | ATTEST: | APPROVED: | |
| 18 | | | |
| 19 | | | |
| 20 | Allison Segars, Deputy City Clerk | Frank Scott, Jr., Mayor | |
| 21 | APPROVED AS TO LEGAL FORM: | | |
| 22 | | | |
| 23 | Thomas M. Carpenter, City Attorney | - | |
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