

**AGREEMENT AND RELEASE BY GLO ABANDONMENT PARCEL
LENDER, TENANT OR OTHER INTEREST HOLDER**

As an inducement to the City of Scottsdale ("City") to approve abandonment resolution No. _____, the undersigned lender, tenant, or holder of another interest in the land across which the general land office (GLO) easement passes ("Interest Holder") hereby makes certain acknowledgements, warranties and agreements (collectively the "Assurances") in favor of City as follows:

1. Interest Holder acknowledges that:

1.1 Some or all of the right-of-way covered by the resolution is an easement created by a federal General Land Office (GLO) patent reservation.

1.2 City's intent by the resolution is to abandon only City's specified interests in the land.

1.3 Other persons or entities may claim that the resolution does not completely extinguish the General Land Office (GLO) easement or may claim rights for themselves or others to use the land for various purposes and/or to prevent any improvement or use of the land that is affected by the resolution.

2. Interest Holder agrees that:

2.1 Interest Holder shall be entirely at Interest Holder's own risk as to any damages, delays, loss, difficulties, injury or other harm of any nature that Interest Holder or any third party may now or hereafter suffer due to the existence or abandonment of the easement or due to the resolution or the issues recited above. Interest Holder completely, unconditionally and irrevocably releases City from any and all legal or other responsibility for any such harm.

2.2 All of the Assurances run with the land in favor of City upon the right-of-way covered by the resolution and upon the land adjoining such right-of-way in which Interest Holder holds its interest.

2.3 City would not have approved the resolution without the Assurances.

3. Interest Holder makes the Assurances on behalf of Interest Holder and Interest Holder's heirs, successors and assigns, and the Assurances are binding upon all of them.

4. Interest Holder warrants and represents that Interest Holder has not previously conveyed any part of Interest Holder's interest.

Interest Holder: _____

by _____

Its _____

STATE OF ARIZONA)
) ss.
County of Maricopa)

Subscribed, sworn to and acknowledged before me this ____ day of _____ 20____ by

Notary Public

My Commission Expires:
