**RESOLUTION NO. 3610**

**A RESOLUTION APPROVING A REAL PROPERTY LEASE AGREEMENT BETWEEEN THE CITY OF MILES CITY AND KEN AND ALANE STABLER, LOCATED WITHIN THE INDUSTRIAL SITE OWNED BY MILES CITY, MONTANA.**

 ***WHEREAS,*** the City of Miles City is presently leasing to Kenneth R. and Alane L. Stabler, hereinafter “Tenant,” certain real property located in Custer County, Montanan, to wit:

Lots 25 and 26 of Tract “E” of the Industrial Site west of Miles City, Montana, containing 50,004.40 square feet, more or less.

 ***AND WHEREAS,*** said lease expires and renews on an annual basis, and Tenant has requested that the term change annual basis to a longer term of ten years;

 ***AND WHEREAS,*** Lessee has two additional leaseholds with the City of Miles City that will be renewing for ten year terms beginning on July 1, 2013, and would prefer that the renewal terms of all of Tenant’s leases with the City of Miles City be consistent;

 ***AND WHEREAS,*** Lessee has agreed to pay a price of $0.01815 per square foot per annum for the first five years and $0.019965 per square foot per annum for the second five years consistent with the terms of the other two leaseholds;

 ***AND WHEREAS,*** the City Council finds Tenant’s request to be reasonable, and that it is in the best interest of the City to create efficiency by not requiring annual approval of the renewals of this particular leasehold;

 ***NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANAN AS FOLLOWS:***

 The City Council hereby authorizes and approves the terms and condition of the Lease Agreement between the City of Miles City, and Ken and Alane Stabler, attached hereto as Exhibit “A”, and made a part hereof, and hereby authorizes the Mayor of the City of Miles City to execute such lease and bind the City of Miles City thereto and to perform the terms and conditions of such lease. Upon execution of the Lease Agreement attached hereto, the previous lease between the City of Miles City and Tenant shall be revoked and of no further force of effect, as evidenced by the execution of the new Lease Agreement by the parties.

 **SAID RESOLUTION FINALLY PASSED AND ADOPTED BY AN AFFIRMATIVE VOTE OF 2/3 OF THE MEMBERSHIP OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 25TH DAY OF JUNE, 2013.**

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C.A.Grenz, Mayor

ATTEST:

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Lorrie Pearce, City Clerk