

**AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF BISBEE AND STEP UP BISBEE/NACO, INC.**

This AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING (“Amendment”) is entered into this 6th day of August, 2024, between the City of Bisbee, an Arizona municipal corporation (the “City”) and Step Up Bisbee/Naco, Inc., an Arizona nonprofit corporation (“Step Up”). The City and Step Up may hereinafter be referred to individually as a “Party” or collectively as the “Parties.”

RECITALS

WHEREAS, the City and Step Up entered into that certain Memorandum of Understanding to collaborate with each other for the development of the City’s Workforce Housing Initiative and Program (the “Workforce Housing Initiative”); and,

WHEREAS, Southeast Arizona Renovations, LLC (“SAR”), a company affiliated with Step Up, acquired and donated certain real property to the City, which property is commonly known as Sierra Cobre Estates, as recorded in Maps and Plats, Book 15, Page 72&72A, located in Bisbee, Arizona (the “Property”), more particularly described in the attached Exhibit A, and consisting of approximately 16.78 acres of a platted subdivision with 56 home sites; and,

WHEREAS, the transfer of the Property from SAR to the City was done for the benefit of the City’s Workforce Housing Initiative; and,

WHEREAS, pursuant to the terms of this Amendment, the City and Step Up desire to extend the Term of the MOU and to set forth the terms and conditions for the sale of the Property.

NOW, THEREFORE, for and in consideration of these premises and the mutual covenants herein contained, it is agreed by and between the Parties hereto to amend the terms of the MOU as follows:

AGREEMENT

1. *Incorporation of Recitals.* The Parties acknowledge that the foregoing Recitals are a material part of this Amendment and are incorporated herein.
2. *Purpose.* The purpose of this Amendment is to extend the terms of the MOU and to establish each Party’s obligations in connection with the sale of the Property. The goals of the Parties are to address the effects of declining neighborhoods created by foreclosures, blight, and abandonment and their negative impact on the stability of the respective communities, as well as establishing a sustainable program to provide workforce housing to eligible individuals within the community, as provided for in the City’s Workforce Housing Initiative.
3. *Sierra Cobre Estates.* The Property is subdivided and platted for the development and construction of 56 single family homesites. The City and Step Up do not have the resources to

develop the Property and it was acquired with the intent that the City will market and sell the Property to a developer with the goal of developing the Property for future housing. The proceeds of the sale of the Property will be provided to Step Up for its future use in the Workforce Housing Initiative.

4. Term of the Agreement. The MOU shall be extended for a period of three (3) years from the date first set forth above. The MOU will be automatically extended for three (3) additional one-year terms on the anniversary date of the prior expiration date if neither Party provides written notice of their intention to terminate the MOU. Upon expiration or termination of the MOU, the Parties' obligations will continue and be extended until such time as any work commenced under the term of the MOU is completed.

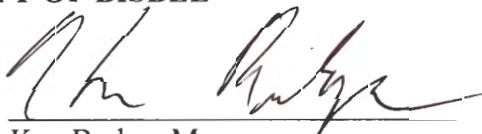
5. A.R.S. § 38-511. The Parties acknowledge that the MOU is subject to cancellation pursuant to A.R.S. § 38-511.

6. Counterparts. This Amendment may be executed in any number of counterparts, and when each Party has executed a copy thereof, such copies, taken together, shall be deemed to be a full and complete original agreement between the Parties. An electronic transmission or other facsimile of this Amendment shall be effective and binding upon the Parties as if such signatures were originals and shall be admissible as evidence of the document.

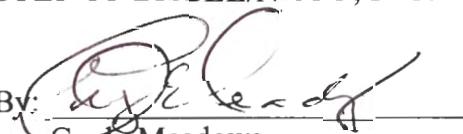
7. Amendment. Except as otherwise amended hereby, all of the terms and provisions of the MOU shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have entered into this Amendment to the Memorandum of Understanding on the date first written above.

CITY OF BISBEE

By: 
Ken Budge, Mayor

STEP UP BISBEE/NACO, INC.

By: 
Grady Meadows,
Chairman of the Board

ATTEST:

By: 
Ashlee Coronado, City Clerk

APPROVED AS TO FORM:

By: 
Joseph D. Estes, City Attorney

EXHIBIT A

PROPERTY DESCRIPTION

Lots 1 through 56 of Sierra Cobre Estates and Tract "A" a subdivision within the City of Bisbee, Cochise County, Arizona located in a portion of Section 32, Township 23 South, Range 24 East of the Gila and Salt River Meridian, according to the plat of record recorded in the office of the County Recorder in Cochise County, Arizona

APN: 102-30-120 thru 102-30-176