**AGREEMENT AND RELEASE BY GLO ABANDONMENT PARCEL OWNER**

As an inducement to the City of Scottsdale to approve abandonment resolution No. _____, the undersigned ("Owner") hereby warrants and represents to be the owner of the fee title to the land across which the General Land Office (GLO) easement passes. Owner also makes certain acknowledgements, warranties and agreements (collectively, the "Assurances") in favor of City as follows:

1. Owner acknowledges that:
    a. 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.
    b. The City of Scottsdale's intent by the resolution is to abandon only the City of Scottsdale's specified interests in the land.
    c. 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. Owner agrees that:
    a. Owner shall proceed entirely at Owner's own risk as to any damages, delays, loss, difficulties, injury or other harm of any nature that Owner 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. Owner completely, unconditionally and irrevocably releases the City of Scottsdale from any and all legal or other responsibility for any such harm.
    b. All of the Assurances run with the land in favor of the City of Scottsdale upon the right-of-way covered by the resolution and upon Owner's land adjoining such right-of-way.
    c. The City of Scottsdale would not have approved the resolution without the Assurances.
3. Owner makes the Assurances on behalf of Owner and Owner's heirs, successors and assigns, and the Assurances are binding upon all of them.

4. Owner warrants and represents that Owner has delivered to City of Scottsdale an "Agreement and Release by GLO Abandonment Parcel Lender, Tenant or Other Interest Holder" from each lender, tenant and holder of other interests in the land.

Owner:_____

STATE OF ARIZONA )
) ss.
County of Maricopa )

Subscribed, sworn to and acknowledged before me by _____

this____day of _____ 20_____.

_____
Notary Public

My Commission Expires:

_____