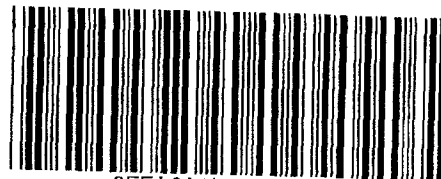


HOLD FOR BASKET PICK-UP
CLERK OF THE BOARD



OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
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3 OF 8

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INTERGOVERNMENTAL AGREEMENT

BETWEEN

MARICOPA COUNTY

AND

THE TOWN OF GILBERT

FOR

**COUNTY JURISDICTION FOR COMPLETION OF INSPECTIONS IN TERRITORY
ANNEXED BY GILBERT**

APPROVED BY

MARICOPA COUNTY BOARD OF SUPERVISORS

ON

OCTOBER 4, 2006

C 44 07 005 0 00

DO NOT REMOVE

This is part of the official document

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE TOWN OF GILBERT, ARIZONA
AND
THE COUNTY OF MARICOPA**

C-44-07 005-0-00

This Intergovernmental Agreement made and entered into this 26th day of September, 2006 by and between the Town of Gilbert, a municipal corporation of the State of Arizona hereinafter referred to as "Gilbert", and the County of Maricopa, hereinafter referred to as "County".

RECITALS

1. Arizona Revised Statutes § 11-321 authorizes the County to issue building permits for the construction of buildings within its jurisdiction.

2. Arizona Revised Statutes § 9-471 authorizes Gilbert to annex territory and thereafter assume jurisdiction over such territory.

3. Gilbert has adopted annexation ordinances pursuant to Arizona Revised Statutes § 9-471 to annex territory located in the Gilbert planning area into its corporate limits which was previously located in County jurisdiction.

4. Applications for building permits and development approvals have been filed with County for improvements or structures to be located on property that is the subject of Annexation Ordinances that have become effective; however, final approvals and acceptance of work for such improvements or structures have not been received from County prior to the effective date of the Annexation Ordinance. Further work may be in process through plan review or construction of the approved improvements and not yet completed by the effective date of the Annexation Ordinance.

5. County is willing to process applications for building permits and development approvals to completion of the improvement and/or structures that is the subject of such application.

1. Definitions.

1.1 "Annexation Ordinance" means an ordinance adopted by Gilbert pursuant to Arizona Revised Statutes § 9-471 to annex territory into Gilbert's corporate limits.

1.2 "Annexation Territory" means real property annexed into Gilbert pursuant to an Annexation Ordinance where such Annexation Ordinance became effective after a County Application was filed with County.

1.3 “County Application” means an application that has been filed with the County for a building permit or other development approval pursuant to codes and ordinances of the County for improvements located in an Annexation Territory prior to the effective date of an Annexation Ordinance.

2. Scope of Service.

2.1 County agrees to process and finalize County Applications pursuant to codes and ordinances of the County for County Applications filed prior to the effective dates of Annexation Ordinances for property included in an Annexation Territory. County shall perform inspections and certify completions of work related to any such County Application. County shall charge and retain its standard fees for building permits and reviews for County Applications.

2.2 Gilbert agrees to permit County to process County Applications, inspections and completions pursuant to its codes and ordinances to completion of any County Application in an Annexation Territory.

3. Term. This Agreement shall be effective as of the date it is filed with the Maricopa County Recorder, pursuant to A.R.S. §11-952, and shall remain in full force and effect until such time as it is terminated by either party giving the other party thirty (30) days’ written notice of termination.

4. General.

4.1 Pursuant to Arizona Revised Statutes §11-952, as amended, attached to this Agreement are copies of appropriate actions by Ordinance, Resolution, or otherwise authorizing the respective parties to enter into this Agreement.

4.2 This Agreement shall be subject to the provisions of Arizona Revised Statutes §38-511.

4.3 All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Gilbert:

Manager
Town of Gilbert
50 East Civic Center Drive
Gilbert, AZ 85296

County:

Assistant County Manager
Regional Development Services
Maricopa County
501 N 44th Street, Suite 200
Phoenix, AZ 85008

4.4 The parties hereby agree that to the extent permitted by law, each party will indemnify and save the other parties harmless, including any of the parties departments, agencies, officers, employees, elected officials or agents, from and against all loss, expense, damage or claim of any nature whatsoever which is caused by any activity, condition or event arising out of the performance or nonperformance by the indemnifying party of any of the provisions of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement the date and year first written above.

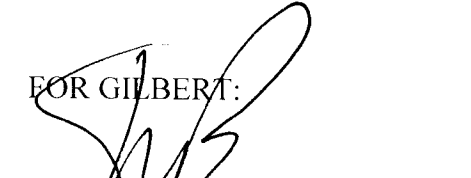
FOR COUNTY:



Title: MEMBER BOARD OF SUPERVISORS

Date: OCT 12, 2006

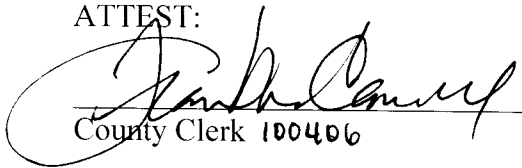
FOR GILBERT:



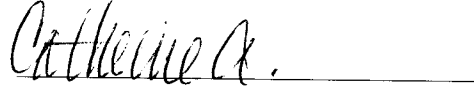
Steven M. Berman
Mayor

Date: 9-26-06

ATTEST:


County Clerk 100406

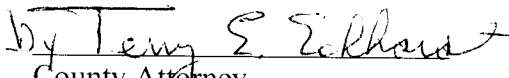
ATTEST:



Catherine A. Templeton, CMC
Town Clerk

ATTORNEY DETERMINATION

The foregoing Intergovernmental Agreement has been reviewed pursuant to A.R.S. § 11-952 by the undersigned counsel who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

by 
County Attorney

Date: 10/11/06


Town Attorney

Date: 9-26-06