



# Maricopa County

Clint Hickman, Chairman  
Board of Supervisors, District 4

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March 23, 2016

AZPB Limited Partnership  
Chase Field  
401 East Jefferson  
Phoenix, AZ 85004  
Attention: Derrick M. Hall

RE: Response to your letter dated March 16, 2016

Dear Derrick:

After discussion, the Board of Directors of the Maricopa County Stadium District has chosen to decline the request made in your letter dated March 16, 2016 seeking relief on behalf of AZPB Limited Partnership (the "Team") from section 11.2.1.2 of the Facility Use Agreement ("FUA"). This section prohibits the Team from taking any action prior to the last four years of the current agreement, to possibly relocate the Team. The current term of the FUA expires January 1, 2028; thus, pursuant to FUA section 11.2.1.4 discussions to relocate the Team following the expiration date are permissible starting in 2024.

Section 11.2.1 and its subsections were included in the FUA to ensure that the taxpayers, who had paid \$238 million in sales taxes to build the stadium (in addition to the District's undertaking an additional \$15 million contribution for construction costs), would not be left with an empty stadium in downtown Phoenix prior to the expiration of the thirty year term of the FUA. This was viewed as so important that the Team agreed in FUA section 21.3.3 that specific performance was the appropriate remedy to enforce the Team's obligation to stay and play at the ballpark.

Furthermore, in that section, the Team specifically agreed that all the cities and towns within Maricopa County would be irreparably harmed by any attempted or actual relocation of the Team, and they were all made third party beneficiaries with certain rights to enforce section 11.2.1, including the subsection from which the Team has requested relief.

I welcome any efforts with the aim of making Chase Field an attractive place for the Team to play beyond the current term of the FUA. To that end, the District acknowledges that our agreements allow for discussions with the city and other entities with the goal of keeping the Team at Chase Field. I know that discussions have been held with the Governor's Office as well as with the City of Phoenix in recent months consistent with that goal. I am happy to continue participating in any such discussions.

Sincerely,

A handwritten signature in black ink, appearing to read "Clint L. Hickman", written over a horizontal line.

Clint L. Hickman  
Chairman  
MARICOPA COUNTY STADIUM DISTRICT

cc: Denny Barney, Director, District 1, MCSD  
Steve Chucuri, Director, District 2, MCSD  
Andy Kunasek, Director, District 3, MCSD  
Steve Gallardo, Director, District 5, MCSD