

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA,
APPROVING AND AUTHORIZING THE CITY MANAGER TO
ENTER INTO A DEVELOPMENT AGREEMENT WITH ROBERT
S. HOLYOAK AND JEAN C. HOLYOAK TO FACILITATE THE
DEVELOPMENT OF A SIX-LOT RESIDENTIAL SUBDIVISION
LOCATED AT 2305 NORTH HARRIS DRIVE, MESA, AZ

WHEREAS, the Owner has submitted an application to rezone the Property from RS-43 to RS-35 with a Planned Area Development Overlay (PAD) and site plan and preliminary plat approval to develop a six-lot residential subdivision called Harris Crossing II;

WHEREAS, the Owner would like to utilize on-lot retention which will require each lot owner to make provisions to retain storm water runoff;

WHEREAS, the City seeks to ensure the Owner will make the improvements described in the Agreement during the timeframes provided in order to guarantee future development on the Property has appropriate storm water retention;

WHEREAS, the City and Owner want to give notice to current and future lot owners of the obligation to provide and maintain an on-lot storm water retention basin which may prohibit or restrict the building of structures or other improvements on the Property;

WHEREAS, the Owner agreed to enter into a Development Agreement for the purpose of placing restrictions on the six-lot subdivision, ensuring temporary and permanent on-lot storm water retention facilities, and establishing a homeowners' association to ensure continual maintenance of the facilities.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESA, COUNTY OF MARICOPA, STATE OF ARIZONA, AS FOLLOWS:

Section 1: That the City Council hereby approves a Development Agreement with Robert S. Holyoak and Jean C. Holyoak to ensure completion of off-site and on-lot

storm water retention and other subdivision improvements for property located at 2305 North Harris Drive in Mesa Arizona.

Section 2: That the City Manager, Christopher J. Brady, or his designated representative, is authorized and directed to enter into the Development Agreement on behalf of the City of Mesa, together with all other documents necessary to carry out the provisions of such agreement, and the City Clerk is authorized and directed to attest to the signature of the City Manager or his authorized designated representative thereon. The City Manager is further authorized to approve minor, administrative, technical, procedural and non-material modifications to the agreement and all of its exhibits, as needed, as permitted by the express terms of the agreement.

PASSED AND ADOPTED by the Council of the City of Mesa, Maricopa County, Arizona, this 8th day of July, 2015.

APPROVED:

John Giles, Mayor

ATTEST:

DeeAnn Mickelsen, City Clerk