

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH BOA SORTE LIMITED PARTNERSHIP, VIEL GLUCK LIMITED PARTNERSHIP, AND BEN FATTO LIMITED PARTNERSHIP TO FACILITATE THE DEVELOPMENT OF A SENIOR LIVING FACILITY ON PROPERTY IN THE 9000 BLOCK OF EAST BROWN ROAD, LOCATED ON THE NORTH SIDE OF BROWN ROAD, WEST OF ELLSWORTH ROAD, MESA, AZ.

WHEREAS, the owners of the property have submitted an application to rezone the property from Limited Commercial (LC) and Single Residence (RS-43) to Multiple Residence with a Planned Area Development Overlay (RM-2-PAD) to develop a transitional senior living facility; and

WHEREAS, the parties acknowledge that allowing transitional senior living facilities on the property will have planning and economic benefits to both the City and the owners; and

WHEREAS, the parties have agreed to enter into a Development Agreement for the purpose of limiting the uses permitted on the property to Congregate Independent Living, Assisted Living and Nursing and Convalescent Homes.

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

Section 1: That the City Council hereby approves the Development Agreement with Boa Sorte Limited Partnership, Viel Gluck Limited Partnership, and Ben Fatto Limited Partnership, all three are Arizona limited partnerships.

Section 2: That the City Manager, Christopher J. Brady, or his designated representative, is authorized to enter into the Development Agreement, together with all other documents necessary to carry out the provisions of such agreement, on behalf of the City of Mesa. The City Manager is further authorized to approve minor modifications to the terms set forth in the Development Agreement so long as such modifications do not materially alter the overall agreement, as presented to the City Council.

Section 3: That the City Clerk is authorized and directed to attest to the signature of the City Manager, or his designee, on all such documents.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 11th day of July, 2016.

APPROVED:

John Giles, Mayor

ATTEST:

DeeAnn Mickelsen, City Clerk