

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIRST AMENDMENT TO A PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH EMPIRE SOUTHWEST, LLC AND MESA CAMPUS, LLC TO EXTEND THE TERM OF THE DEVELOPMENT AGREEMENT AND TO MAINTAIN EMPIRE SOUTHWEST, LLC'S PRINCIPAL CORPORATE OFFICE IN MESA WITH JOB RETENTION REQUIREMENTS.

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 the First Amendment to the Pre-annexation and Development Agreement with Empire Southwest, LLC and Mesa Campus, LLC, which amendment includes extending the term of the Development Agreement and requiring Empire Southwest, LLC to maintain its principal corporate office in the City of Mesa.

Section 2: That the City Manager, Christopher J. Brady, or his designated representative, is authorized and directed to enter into this First Amendment on behalf of the City of Mesa, together with all other documents necessary to carry out the provisions of the 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 typographical and minor modifications to the First Amendment and all of its exhibits.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 3rd day of October, 2016.

APPROVED:

John Giles, Mayor

ATTEST:

DeeAnn Mickelsen, City Clerk