

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH PECOS MERRILL 20 LLC LOCATED AT THE SOUTHWEST CORNER OF PECOS AND MERRILL ROADS TO FACILITATE A FUTURE GROUNDWATER FACILITY BY ALLOWING THE CONTINUED FARMING OF THE PROPERTY AND SET UP THE RIGHTS AND RESPONSIBILITIES FOR THE FUTURE DEVELOPMENT OF MERRILL ROAD.

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 Development Agreement with Pecos Merrill 20 LLC for property located at the southwest corner of Pecos and Merrill Roads as part of the acquisition of the property for a future groundwater facility by allowing for the continued farming of the property until future development of the property and to set up the rights and responsibilities for the future development of Merrill Road.

Section 2: That the City Manager, Christopher J. Brady, or his designated representative, is authorized to enter into the Development Agreement and to enter into amendments, renewals, and new leases for the farming of the property on behalf of the City of Mesa, together with all other documents necessary to carry out the provisions of such agreements, and the City Clerk is authorized 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 City Council of the City of Mesa, Maricopa County, Arizona, this 9th day of January, 2017.

APPROVED:

John Giles, Mayor

ATTEST:

DeeAnn Mickelsen, City Clerk