

**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 PHX-MESA GATEWAY AIRPORT 193, LLC, AN ARIZONA LIMITED LIABILITY COMPANY ("OWNER") TO SET FORTH CERTAIN OBLIGATIONS RELATING TO THE CONSTRUCTION OF THE RAY ROAD IMPROVEMENTS BETWEEN SOUTH POWER ROAD AND SOUTH ELLSWORTH 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 a development agreement with PHX-Mesa Gateway Airport 193 LLC, an Arizona limited liability company ("Owner").

Section 2: That the City Manager, Christopher J. Brady, or his designated representative, is authorized and directed to enter into this 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 City Council of the City of Mesa, Maricopa County, Arizona, this 6th day of March, 2017.

APPROVED:

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John Giles, Mayor

ATTEST:

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DeeAnn Mickelsen, City Clerk