

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 THE SECOND AMENDMENT TO THE CMC STEEL DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MESA AND COMMERCIAL METALS COMPANY FOR THE DEVELOPMENT KNOWN AS CMC STEEL, LOCATED AT 11444 EAST GERMANN ROAD.

WHEREAS, the parties entered into that certain Development Agreement dated July 3, 2008 and recorded in the Office of the Maricopa County Recorders as Instrument No. 2008-0602876, and

WHEREAS, the parties entered into that certain First Amendment to the Development Amendment dated December 28, 2010 and recorded in the Office of the Maricopa County Recorders as Instrument No. 2011-0001561, and

WHEREAS, the parties desire to enter this Second Amendment to the Development Amendment for the purpose of extending the deferment period for certain off-site improvements along Meridian Road for another 10 years and adding another in-lieu alternative for the off-site improvements.

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

Section 1: The City Council approves the Second Amendment to the Development Agreement allowing for the extension of the deferral period for certain off-site improvements and adding an addition alternative to off-site improvements.

Section 2: The City Manager, Christopher J. Brady, or his designated representative, is authorized and directed to enter into the Second Amendment to 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 nonmaterial modifications to the Second Amendment.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona this 9th day of July, 2018.

APPROVED:

Mayor

ATTEST:

City Clerk