

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE SALE OF CERTAIN CITY-OWNED REAL PROPERTY WITHIN THE SPRING TRAINING FACILITIES SITE TO MC HOTEL-RIVER VIEW, LLC UNDER A REAL ESTATE PURCHASE AGREEMENT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MC HOTEL-RIVER VIEW, LLC FOR THE DEVELOPMENT OF SUCH PROPERTY.

WHEREAS, the City of Mesa (“City”) and Chicago Cubs Baseball Club, LLC, entered into a development agreement recorded with the Maricopa County Recorder’s Office on December 6, 2011 as Document Number 2011-1004059 to construct new Spring Training Facilities in Mesa;

WHEREAS, the City is the owner of approximately 12,000 square feet (0.275 acres) of developable land on the northeast corner of Paseo Lago Vista and Sheffield Avenue at the Spring Training Facilities (APN 135-37-904) described in the attached Exhibit A (the “Property”);

WHEREAS, MC Hotel-River View, LLC, an Arizona limited liability company (“MC Hotel”), submitted proposed plans to use the City-owned Property in the development of a four-story Marriot Courtyard Hotel, of not fewer than one hundred twenty-five (125) rooms, with amenities such as a restaurant, bar, pool, and fitness center, as well as a 16,000 square foot retail/restaurant component (“Marriott Development”);

WHEREAS, it is in the best interest of the City to encourage and promote development, which in turn stimulates economic activity throughout the City, improves and enhances the economic welfare of the City’s citizens, generates taxes and provides other benefits for the City;

WHEREAS, the City Council hereby determines that the sale to MC Hotel, or its permitted assignees, of the City-owned land (Property) described in Exhibit A, is in the best interest of the City and that it is appropriate for the City to enter into an Agreement to Purchase Real Property and Escrow Instructions with MC Hotel to sell the Property for the Marriott Development with a sale price of \$300,000;

WHEREAS, the City Council finds and determines that it is appropriate to enter into a Development Agreement with MC Hotel for the Marriott Development (“Development Agreement”);

WHEREAS, the Development Agreement is a “Development Agreement” within the meaning of, and entered into pursuant to the terms of, A.R.S. § 9-500.05, and that the terms of the Development Agreement will constitute covenants running with the Property as more fully described in the Development Agreement; and

WHEREAS, the City Council hereby determines and finds that the sale of the City-owned land described in Exhibit A and the development of such Property as set forth in the Development Agreement will assist in the creation of jobs and will otherwise improve and enhance the economic welfare of the inhabitants of the City of Mesa in accordance with A.R.S. § 9-500.11.

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

Section 1: The City Council approves the Agreement to Purchase Real Property and Escrow Instructions and the Development Agreement.

Section 2: The City Manager, or his designee, is hereby authorized and directed on behalf of the City of Mesa to execute the necessary documents to sell the City-owned property described in the attached Exhibit A, including the Agreement to Purchase Real Property and Escrow Instructions, and further is authorized to execute such documents and amendments necessary to transfer title for the sale of this property.

Section 3: The City Manager, or his designee, is authorized and directed to execute the Development Agreement, with terms substantially consistent with the terms presented to City Council and such other terms as agreed upon by the City Manager, on behalf of the City of Mesa, together with all other documents and amendments necessary to carry out the provisions of such agreement. The City Manager may make 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 City Council.

Section 4: The City Clerk is authorized and directed to attest to the signature of the City Manager, or his designee, on all documents described above.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona this 7th day of January, 2019.

APPROVED:

Mayor

ATTEST:

City Clerk

EXHIBIT A

LEGAL DESCRIPTION

A portion of land located in the Northeast Quarter of Section 18, Township 1 North, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

Commencing for reference from the East Quarter corner of said section 18:

Thence S 89 ° 27' 10" W, 1035.04 feet along the east-west midsection line (basis of bearing)

Thence N 0 ° 16' 58" E, 554.01 feet:

Thence N 89 ° 43' 02" W, 62.00 feet:

Thence 89 ° 27' 12" W, 565.23 feet to the Point of Beginning;

Thence S 89 ° 27' 12" W, 121.46 feet:

Thence N 0 ° 16' 58" E, 99.39 feet:

Thence N 89 ° 27' 12" E, 120.02 feet:

Thence S 0 ° 32' 48" E, 99.38 feet back to the Point of Beginning.

Containing 12,000 Square Feet or 0.28 acres, more or less.