

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AND OPTION AGREEMENT, DEVELOPMENT AGREEMENT, AND GROUND AND PARKING GARAGE LEASE WITH UNION MESA HOLDINGS, LLC, FOR THE SALE AND LEASE OF CITY-OWNED LAND AND THE DEVELOPMENT OF COMMERCIAL OFFICE SPACE, PARKING FACILITIES, AND PUBLIC IMPROVEMENTS ON PROPERTY GENERALLY LOCATED NORTH AND NORTHEAST OF THE INTERSECTION OF CUBS WAY AND RIVERVIEW DRIVE.

WHEREAS, Union Mesa Holdings, LLC., an Delaware limited liability company (“Developer”) desires to purchase and the City of Mesa (“City”) is willing to sell approximately 23.6 acres of City-owned property generally located north and northeast of the intersection of Cubs Way and Riverview Drive (the “City Property”), that is legally described in the attached Exhibit A, and to do so in up to four phases; all of which is more fully described in the Purchase and Option Agreement and Development Agreement; and

WHEREAS, Developer and City desire to enter into a long-term Ground and Parking Garage Lease for the additional City-owned property, which is a parking lot immediately west of the City Property and east of the City’s Northwest Water Treatment Plant (the “West Garage Parcel”), and on which Developer will construct a parking structure (the City Property and West Garage Parcel are referred to herein, collectively as, the “Premises”) as more fully described in the Ground and Parking Garage Lease; and

WHEREAS, the Premises consists of approximately 28.2 acres, on which Developer desires to construct certain commercial and public improvements (the “Project”), as set forth in the Development Agreement; and

WHEREAS, the Project will enhance the economic welfare for the inhabitants of the City by, but not limited to: (i) providing for planned and orderly development of the Project and Premises consistent with the City's General Plan and Zoning; (ii) increasing tax revenues to City arising from or relating to the improvements to be constructed on the Premises; (iii) creating new jobs and otherwise enhancing the economic welfare of the residents of City; (iv) providing parking in support of Spring Training games and other events at Sloan Park, Riverview Park, and City-owned trails; (v) providing for the relocation of public infrastructure to facilitate development on the Premises; (vi) providing a beneficial use for City-owned property immediately adjacent to an existing wastewater treatment facility; and (vii) otherwise advancing the redevelopment goals of City; and

WHEREAS, for the Project, City and Developer need to, and desire to, enter into a Purchase and Option Agreement, Development Agreement, Ground and Parking Garage Lease, and other agreements and amendments as contemplated therein; and

WHEREAS, the City Council hereby determines and finds that the Project 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.

WHEREAS, the City Council hereby determines it is appropriate to enter into a Purchase and Option Agreement, Development Agreement, Ground and Parking Garage Lease, and other agreements and amendments as contemplated therein.

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 sale of the City Property; the Purchase and Option Agreement, Development Agreement, the Ground and Parking Garage Lease (collectively, the “Project Documents”), authorizes the other agreements and amendments as contemplated therein, and authorizes the execution of future documents and agreements as necessary to carry out the provisions of the Project Documents. The City Manager, or his designee, is authorized to execute the Project Documents. Additionally, the City Manager may agree to and enter into, and make, amendments and modifications to the Project Documents as necessary to carry out the intent of the Project Documents or that are necessary to facilitate the development of the Project and do not materially alter the terms of the Project Documents.

Section 2: That the City Clerk is authorized and directed to attest to the signature of the City Manager, or his designee, on all such documents.

PASSED AND ADOPTED by the Council of the City of Mesa, Maricopa County, Arizona this 8th day of July, 2019.

APPROVED:

Mayor

ATTEST:

City Clerk

Exhibit A

Legal Description of the City Property

Subject Property consists of Lot 9 and Tract I of the “Cubs Spring Training Facility & Riverview Park” Final Plat, as recorded with the Maricopa County Recorder on January 1st, 2016.

Lot 9 of the Final Plat Cubs Spring Training Facility & Riverview Park, recorded in Book 1257 of maps, Page 29, according to the plat of record on file in the Office of the County Recorder, Maricopa County, Arizona.

Tract I of the Final Plat Cubs Spring Training Facility & Riverview Park, recorded in Book 1257 of maps, Page 29, according to the plat of record on file in the Office of the County Recorder, Maricopa County, Arizona.