

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA,  
MARICOPA COUNTY, ARIZONA, APPROVING AND  
AUTHORIZING THE CITY MANAGER TO ENTER INTO THE  
FIRST AMENDMENT TO THE AMENDED AND RESTATED  
COMMUNITY MAINTENANCE AGREEMENT BETWEEN THE  
CITY OF MESA, DMB MESA PROVING GROUNDS, LLC AND  
EASTMARK COMMUNITY ALLIANCE, INC. FOR THE  
MAINTENANCE OF THE PROPERTY KNOWN AS EASTMARK.**

WHEREAS, the PADA, as amended, provided for entering into maintenance agreements regarding Specialty Features and Materials, the Great Park and non-standard improvements.

WHEREAS, the City of Mesa, DMB Mesa Proving Grounds, LLC and Eastmark Community Alliance, Inc entered into a Community Maintenance Agreement, dated June 12, 2012, adopted by Resolution No. 10081.

WHEREAS, the City of Mesa, DMB Mesa Proving Grounds, LLC and Eastmark Community Alliance, Inc. entered into an Amended and Restated Community Maintenance Agreement dated June 24, 2014, adopted by Resolution No. 10484.

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

Section 1: That the First Amendment to the Amended and Restated Maintenance Agreement between the City of Mesa, DMB Mesa Proving Grounds LLC and the Eastmark Community Alliance. Inc. is hereby approved.

Section 2: That the City Manager, Christopher J. Brady, or his designated representative, is authorized and directed to enter into the First Amendment to the Amended and Restated Maintenance Agreement between the City of Mesa, DMB Mesa Proving Grounds LLC and the Eastmark Community Alliance, Inc., 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.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 18th day of November, 2019.

APPROVED:

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Mayor

ATTEST:

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City Clerk