

**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 A DEVELOPMENT AGREEMENT BETWEEN PDE INVESTMENTS, LLC AND THE CITY OF MESA TO LIMIT CERTAIN LIGHT INDUSTRIAL LAND USES ON PROPERTY LOCATED AT 535 WEST BASELINE ROAD, MESA, ARIZONA.

WHEREAS, A.R.S. § 9-500.05 authorizes the City of Mesa to enter into development agreements related to the development of property in the City of Mesa; and

WHEREAS, PDE Investments, LLC, an Arizona Limited Liability Company owns property located at 535 West Baseline Road (the “Property”); and

WHEREAS, Property Owner desires to rezone their property from Neighborhood Commercial to Light Industrial (the “Rezoning”); and

WHEREAS, the Property Owner has agreed to limit certain uses allowed in the LI zoning district that are incompatible with the surrounding area; and

WHEREAS, the City finds that Rezoning the Property will benefit the City and its residents; and

WHEREAS, the Property Owner and the City desire to enter into this agreement to identify the prohibited uses on the Property and intend this document to be a development agreement within the meaning of A.R.S. §9-500.05.

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

Section 1: The City Council hereby approves a development agreement between PDE Investments, LLC, an Arizona Limited Liability Company and the City of Mesa regarding property located at 535 West Baseline Road in Mesa Arizona.

Section 2: That the City Manager, Christopher J. Brady, or his designated representative, is authorized to enter into the development agreement and other associated documents necessary to carry out the provisions of such agreement. The City Manager is further authorized to approve minor typographical, administrative, technical, procedural, and non-material modifications to the development agreement and all of its exhibits, as needed.

Section 3: That the City Clerk is authorized to attest to the signature of the City Manager or his authorized designated representative on all such documents.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 27th day of January, 2020.

APPROVED:

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Mayor

ATTEST:

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City Clerk