

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH THE STATE OF ARIZONA FOR THE DEVELOPMENT OF A MIXED USE PROJECT KNOWN AS HAWES CROSSING ON STATE PROPERTY LOCATED WITHIN THE INNER LOOP DISTRICT THAT IS PART OF ZONING CASE ZON17-00607.

WHEREAS, the State of Arizona (the “State”) owns approximately 595 acres of land located in unincorporated Maricopa County, Arizona located within the Inner Loop District and part of zoning case ZON17-00607 (the “Property”); and

WHEREAS, City of Mesa (the “City”) and State desire that the Property be annexed into the corporate limits of the City, to be developed as an integral part of the City, to provide for the orderly, controlled and quality growth in the area, to improve and enhance the economic welfare of the residents of the City, and to ensure the Property is developed to City standards; and

WHEREAS, the Property, upon annexation, is intended to be rezoned (the “Hawes Crossing PAD”) and developed with a combination of employment, commercial, retail, mixed-use and residential housing connected via a network of open space and pedestrian connectivity, all as more generally described in this Agreement (the “Project”). The Project is intended to include approximately 536 acres of property owned by private owners for a total of approximately 1,132 acres; and

WHEREAS, Arizona Revised Statutes (“A.R.S.”) § 9-500.05 authorizes the City to enter into a development agreement with any person or entity having an interest in real property in the City of Mesa providing for the development of such property and certain development rights thereon; and

WHEREAS, the Parties desire to enter into a development agreement (the “Development Agreement”) to facilitate the development of the Project by providing for, among other things: (i) the permitted uses on the Property, (ii) property restrictions; (iii) the construction of open space, parks, trails, and infrastructure improvements; and (iv) other matters related to the development of the Project; and

WHEREAS, the City Council will consider the Development Agreement along with the annexation, general plan amendment and Hawes Crossing PAD on the same Council agenda; and

WHEREAS, the development of the Project pursuant to the Development Agreement and the Hawes Crossing PAD is acknowledged by the Parties to be consistent with the Mesa 2040 General Plan; and

WHEREAS, the City Council hereby determines it is appropriate to enter into a Development Agreement for the development of the Project.

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 the Development Agreement between the State of Arizona and the City of Mesa, 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 Development Agreement. The City Manager, or his designee, is authorized to execute the Development Agreement. Additionally, the City Manager may agree to and enter into, and make, amendments and modifications to the Development Agreement as necessary to carry out the intent of the Development Agreement or that are necessary to facilitate the development of the Project and do not materially alter the terms of the Development Agreement.

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 24<sup>th</sup> day of February, 2020.

APPROVED:

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Mayor

ATTEST:

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City Clerk