

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 SUN BELT HOLDINGS, LP. GENERALLY LOCATED AT THE NORTHWEST CORNER OF ELLSWORTH ROAD AND POINT TWENTY-TWO BOULEVARD.

WHEREAS, Sunbelt Land Holdings, LP, a Delaware limited partnership, is the Owner ("Owner") of approximately 73.7 acres of property located at the northwest corner of Ellsworth Road and Point Twenty-Two Boulevard; and

WHEREAS, the Owner and the City desire to enter into the Development Agreement to memorialize the request to modify the current zoning from Agriculture (AG), Light Industrial (LI) and Planned Employment Park with a Bonus Intensity Zone and Planned Area Development Overlay (PEP-BIZ-PAD) to a Mixed Use Development/Employment District with LI-PAD, Limited Commercial (LC)-PAD and Multiple Residence 4 (RM-4)-PAD zoning and prohibits some of the uses in the LI and LC Districts; and

WHEREAS, the Development Agreement is in compliance with Arizona Revised Statutes (A.R.S.) § 9.500.11 and the Parties intend this document to be a "Development Agreement" within the meaning of A.R.S. § 9-500.05 and § 9.500.11; and

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 other benefits for the City; and

WHEREAS, the City Council finds and determines that the Development Agreement is for the economic development of the City and will assist in the creation and retention of jobs and will improve and enhance the economic welfare of the City's citizens and promote greater economic activity in the City.

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

Section 1: That the City Manager, or his designee, is authorized and directed to enter into the Development Agreement, 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 presented to the City Council.

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 1st day of June, 2020.

APPROVED:

John Giles, Mayor

ATTEST:

DeeAnn Mickelsen, City Clerk