

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, APPROVING THE TRANSFER OF OWNERSHIP OF ONE CITY-OWNED PARCEL OF REAL PROPERTY AND IMPROVEMENTS LOCATED IN MESA, ARIZONA TO A NEW LEAF, INC., AND AUTHORIZING AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE DOCUMENTS TO FACILITATE THE TRANSFER.

WHEREAS, the City of Mesa (“City”) is a recipient of Community Development Block Grant (“CDBG”) funds under Title I of the Community Development and Housing Act of 1974, as amended, (42 U.S.C. § 5301 *et seq.*), from the United States Department of Housing and Urban Development (“HUD”) as an entitlement city.

WHEREAS, the City owns several parcels of real property in Mesa, Arizona that were acquired, constructed or improved using CDBG federal funds, including the property legally described in **Exhibit A** (the “Hobson Property”); the closest major cross streets to the Hobson Property are E. University Drive and N. Hobson.

WHEREAS, A New Leaf, Inc. (“A New Leaf”), an Arizona nonprofit corporation that has served the Mesa community for over forty-five years, has leased the Hobson Property for more than ten years, utilized the Hobson Property for programming benefitting low- to moderate-income persons, and has requested that the ownership of the Hobson Property be transferred to A New Leaf.

WHEREAS, the operation of the Hobson Property by A New Leaf benefits the citizens of Mesa and the surrounding community as the property is utilized as a domestic violence shelter.

WHEREAS, the City Council, via Resolution No. 11018, approved a document entitled the “Criteria for the Disposition of City Property Encumbered by CDBG, HOME, or NSP Funding to Nonprofit Agencies” (the “Policy”) which outlines the City’s policy related to the transfer and sale of properties that are encumbered by HUD program funding.

WHEREAS, City staff has determined that the transfer of the Hobson Property to A New Leaf is governed by and meets the requirements of the Policy.

WHEREAS, HUD approved a waiver allowing for a shortened continued use period for the CDBG requirements on the Hobson Property should it be transferred to A New Leaf.

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 transfer of ownership of the Hobson Property described in the attached **Exhibit A** to A New Leaf subject to: (a) the Policy and applicable

HUD requirements for CDBG encumbered property; (b) A New Leaf entering into agreements with the City for the transfer requiring that the Hobson Property continue to be used for the purpose of serving low- to moderate-income persons for a period of ten years; and (c) A New Leaf entering into documents evidencing a ten-year loan of the fair market value of the Hobson Property that is forgivable subject to A New Leaf meeting specified requirements including, at a minimum, the foregoing continued use requirement for the Hobson Property.

Section 2: The City Manager, or his designee, is hereby authorized and directed on behalf of the City of Mesa to execute any documents reasonably necessary to transfer title to A New Leaf, Inc. of the Hobson Property, described in the attached **Exhibit A**, including amendments and modifications thereto, and is also authorized to place such conditions and restrictions on the transfer of the Hobson Property that ensure the transfer meets the requirements of this Resolution and such other transfer requirements as may otherwise be reasonably determined by the City Manager or his designee.

Section 3: 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 City Council of the City of Mesa, Maricopa County, Arizona this 27th day of January, 2020.

APPROVED

Mayor

ATTEST

City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF THE HOBSON PROPERTY

Beginning at the Southeast corner of the South half of the East half of the North half of the East half of the Northwest quarter of the Northwest quarter of Section 23, Township 1 North, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona and running

Thence West 16.5 feet to the Point of Beginning;

Thence North 50 feet;

Thence West 150 feet;

Thence South 50 feet;

Thence East 150 feet to the Place of Beginning.