

RESOLUTION NO. 12173

A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, ADOPTING A NOTICE OF INTENT TO ENTER INTO AN AMENDED AND RESTATED RETAIL DEVELOPMENT TAX INCENTIVE AGREEMENT PURSUANT TO A.R.S. § 9-500.11 (VERSION 2) RELATED TO THE DEVELOPMENT OF PROPERTY GENERALLY LOCATED AT THE CORNER OF SOUTH SIGNAL BUTTE ROAD AND EAST WILLIAMS FIELD ROAD FOR THE PROJECT KNOWN AS THE “DESTINATION AT GATEWAY.”

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.

WHEREAS, A.R.S. § 9-500.11 (Version 2) entitled “Expenditures for economic development; requirements; definitions” (“A.R.S. § 9-500.11”), allows the governing body of a city or town to appropriate and spend public monies for and in connection with economic development activities; provided, if the city or town desires to enter into a retail development tax incentive agreement, the city or town is required, pursuant to A.R.S. § 9-500.11(K), to “adopt a notice of intent to enter into a retail development tax incentive agreement at least fourteen days before approving a retail development tax incentive agreement.”

WHEREAS, following the required notice and approval by the City Council, the City entered into a retail development tax incentive agreement titled “Development Agreement ‘Destination at Gateway’” dated August 10, 2020, recorded in the official records of Maricopa County, Arizona as Recorder No. 2020-0649618 (“Original Development Agreement”) related to real property generally located at the corner of South Signal Butte and East Williams Field Road.

WHEREAS, the City Council intends to consider the approval of an amendment and restatement of the Original Development Agreement (“Amended and Restated Development Agreement”) to, in pertinent part, include additional real property related to a rezoning, increase the amount of the retail development tax incentive, and modify the terms of the agreement to allow for the inclusion of certain real property located in Maricopa County, Arizona if such property is annexed into the jurisdictional limits of Mesa, AZ.

WHEREAS, the real property that is the subject of the Amended and Restated Development Agreement is depicted in the attached **Exhibit A** (127 +/- acres of real property within the jurisdictional limits of Mesa, AZ) and **Exhibit B** (27 +/- acres of property located in Maricopa County, AZ outside of the jurisdictional limits of Mesa, AZ).

WHEREAS, the Amended and Restated Development Agreement meets the definition of a “retail development tax incentive agreement” under A.R.S. § 9-500.11(M)(6); and this Resolution is to satisfy the notice requirements of A.R.S. § 9-500.11(K).

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

Section 1: That, pursuant to A.R.S. § 9-500.11(K), notice is hereby given of the City of Mesa’s intent to consider approval to enter into the Amended and Restated Development Agreement, a “retail development tax incentive agreement” under A.R.S. § 9-500.11, for the project known as the “Destination at Gateway”, at the City Council meeting to be held on May 20, 2024 at 5:45 PM, or at a subsequent City Council meeting, to be held at 57 E. First Street, Mesa, Arizona in the Mesa Council Chambers.

PASSED AND ADOPTED by the Council of the City of Mesa, Maricopa County, Arizona this 15th day of April, 2024.

APPROVED:

Mayor

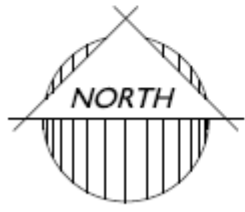
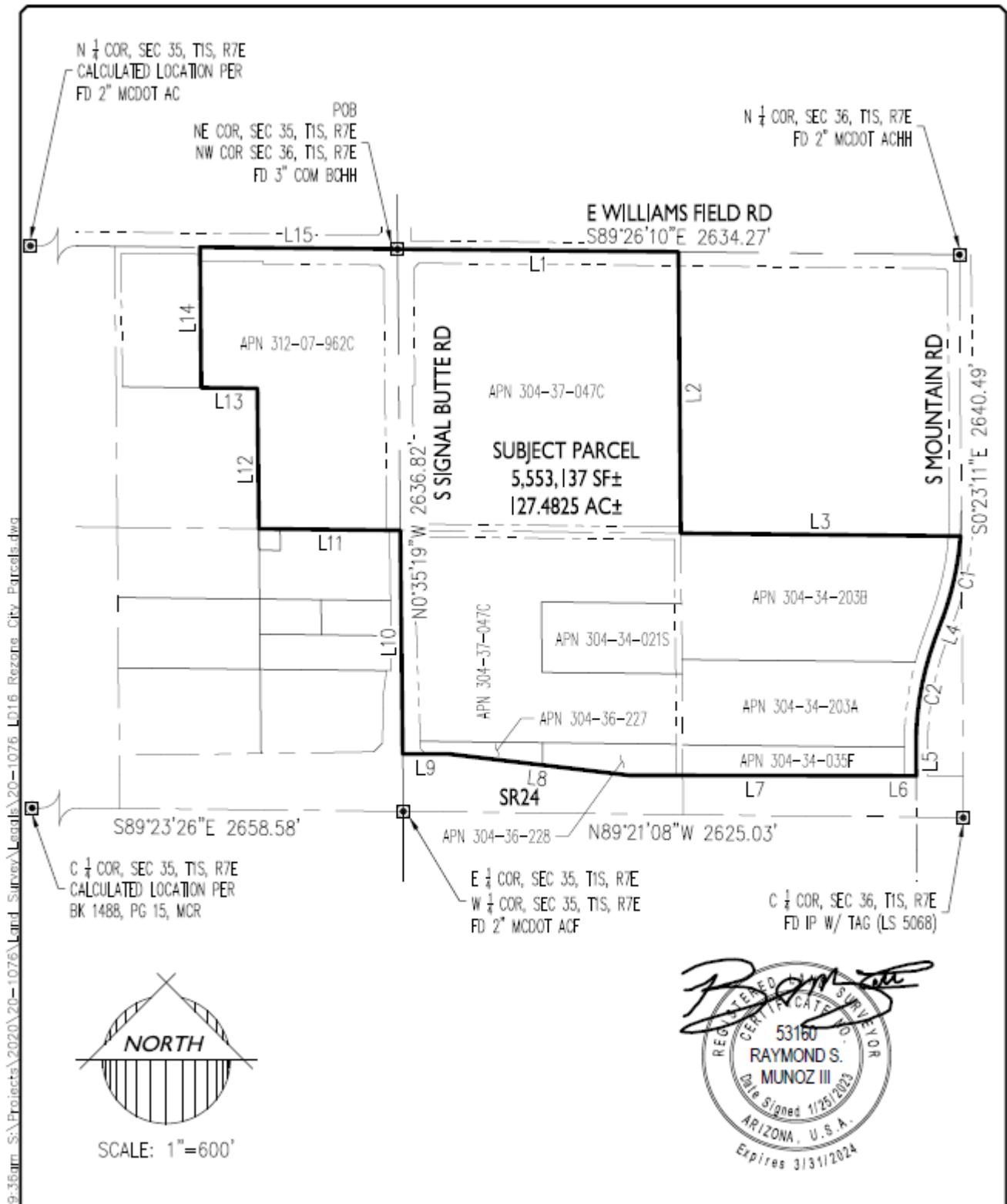
ATTEST:

City Clerk

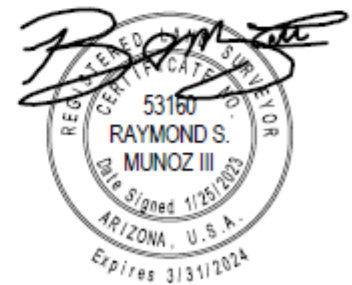
EXHBIT A

**PROJECT PROPERTY LOCATED IN
MESA, AZ JURISDICTIONAL LIMITS**

(SEE ATTACHED)



SCALE: 1"=600'



Jan 25, 2023 9:36am S:\Projects\2020\20-1076\Land Survey\Legals\20-1076 LD16 Rezone City Parcels.dwg

20-1076

DESTINATION AT GATEWAY
CITY OF MESA PARCELS

EXHIBIT



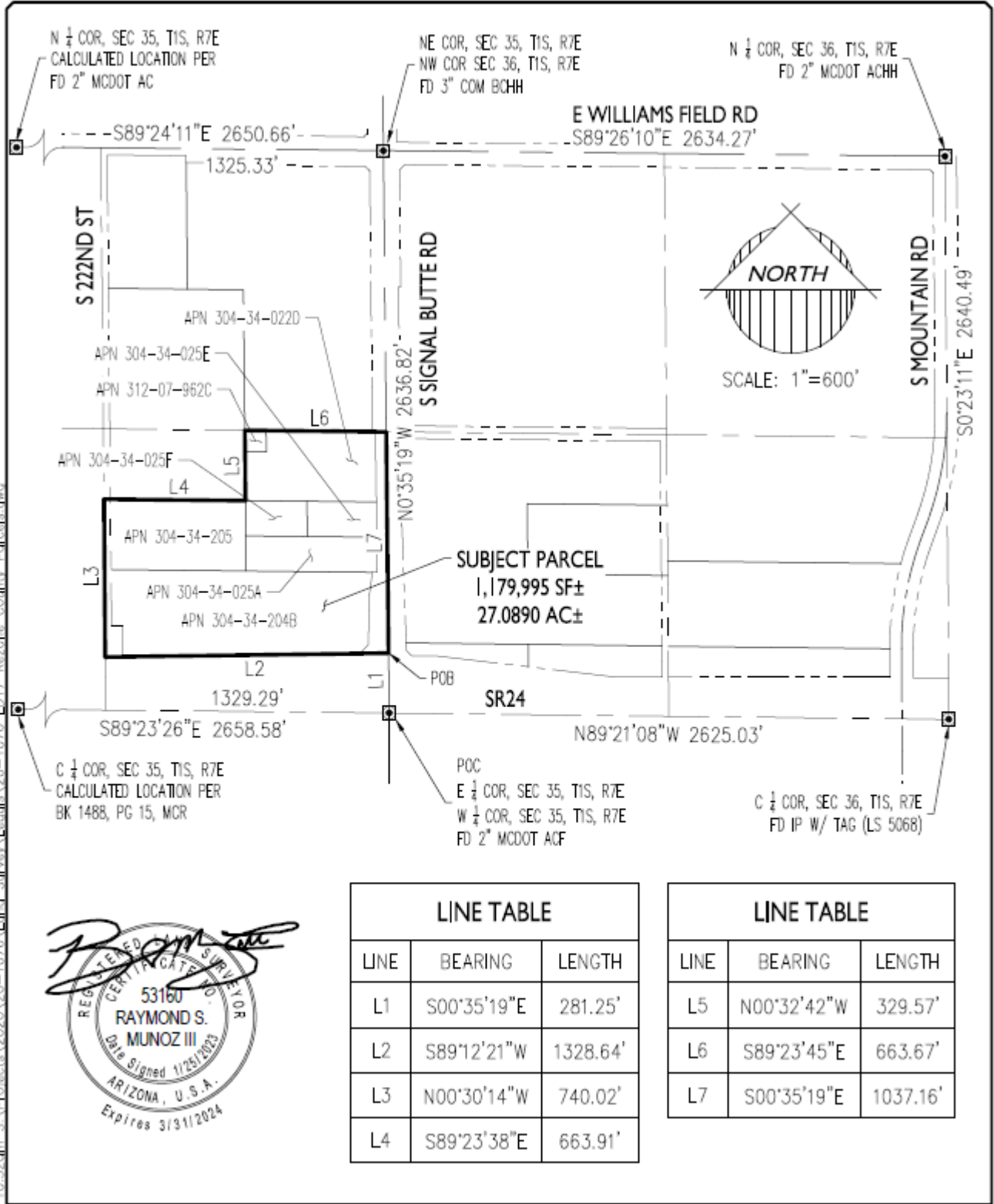
1130 N Alma School Rd
Ste 120 Mesa, AZ 85201
T:480.303.2230 | F:480.303.2238
www.epsgroupinc.com

EXHBIT B

**PROJECT PROPERTY LOCATED IN
MARICOPA COUNTY, AZ JURISDICITONAL LIMITS**

(SEE ATTACHED)

Jan 25, 2023, 10:32 am. S:\Projects\2020\20-1076\Land_Surveys\Leantis\20-1076_L017_Resize_County_Parcel.dwg



LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°35'19"E	281.25'
L2	S89°12'21"W	1328.64'
L3	N00°30'14"W	740.02'
L4	S89°23'38"E	663.91'

LINE TABLE		
LINE	BEARING	LENGTH
L5	N00°32'42"W	329.57'
L6	S89°23'45"E	663.67'
L7	S00°35'19"E	1037.16'

20-1076

DESTINATION AT GATEWAY
MARICOPA COUNTY PARCELS

EXHIBIT

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