

RESOLUTION NO. 12428

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR EXCHANGE OF REAL PROPERTY AND ESCROW INSTRUCTIONS WITH SUNSHINE ACRES CHILDREN'S HOME, INC. TO EXCHANGE THE CITY-OWNED REAL PROPERTY LOCATED AT 3511 NORTH HIGLEY ROAD FOR A PORTION OF THE REAL PROPERTY WITH APN 141-40-007A LOCATED AT THE NORTHEAST CORNER OF NORTH HIGLEY ROAD AND EAST LONGBOW PARKWAY, TO BE DEVELOPED WITH A NEW CITY SEWER LIFT STATION.

Whereas, pursuant to Section 101 of the Mesa City Charter, the City may acquire by purchase, condemnation, or otherwise, land necessary to establish and operate any lawful municipal function, and may exchange any real property owned by the City in the manner, for such consideration, and upon such conditions as may be determined by the City Council.

Whereas, the City is the owner of approximately 173,151 square feet of land generally located at the southeast corner of Higley Road and the 202 Red Mountain Freeway, APNs 141-40-003V, 141-40-008, 141-40-003W, and 141-40-009, as legally described and depicted on Exhibit A (the "City Property"). The City Property is comprised of remnant parcels that are not used by the City and is currently leased to Sunshine Acres Children's Home, Inc. ("Sunshine Acres") for a nominal fee.

Whereas, Sunshine Acres owns approximately 109 acres of land generally located at the northeast corner of Higley Road and Longbow Parkway on which it operates a home for children who are separated from their parents and numerous programs for the benefit of the children living in the home, including a horse program, karate program, fine arts program, music program, greenhouse, fitness program, counseling services, and learning center.

Whereas, the City desires to convey the City Property to Sunshine Acres in exchange for an approximately 21,000 square foot portion of the property owned and operated by Sunshine Acres located at the northeast corner of Higley Road and Longbow Parkway, within APN 141-40-007A, as legally described and depicted on Exhibit B (the "Sunshine Acres Property"), so that the City may develop a new City sewer lift station on the real property the City acquires.

Whereas, the City Council has determined it is appropriate for the City to exchange the City Property for the Sunshine Acres Property pursuant to the terms of the Agreement for Exchange of Real Property and Escrow Instructions.

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 Agreement for Exchange of Real Property and Escrow Instructions with Sunshine Acres Children's Home, Inc. in the form provided to the City

Council (the “Agreement”).

Section 2: The City Manager or his designee is hereby authorized and directed on behalf of the City of Mesa to enter into the Agreement and is further authorized to execute any necessary documents related to the Agreement, and any amendments or modifications of the Agreement or such related documents provided they do not materially alter the terms or purpose of the Agreement presented to the City Council or as contemplated in this Resolution.

Passed and adopted by the City Council of the City of Mesa, Maricopa County, Arizona, this 3rd day of November, 2025.

Approved:

Mayor

Attest:

City Clerk