

## RESOLUTION NO. 12402

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT AND PUBLIC ACCESS EASEMENT AGREEMENT WITH OZ16 QOZB, LLC FOR THE DEVELOPMENT OF A MIXED-USE PROJECT ON THE REAL PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF COUNTRY CLUB DRIVE AND MAIN STREET, ON BOTH SIDES OF MORRIS STREET.

Whereas, OZ16 QOZB, LLC (“Developer”) owns real property generally located at the southeast corner of S. Country Club Drive and W. Main Street, on both sides of S. Morris Street, in downtown Mesa (the “Property”).

Whereas, Developer desires to construct a mixed-use project on the Property, including commercial space, retail/restaurant uses or offices, and market-rate apartments (the “Project”) as more fully described in the development agreement (DA25-00028) (the “Development Agreement”).

Whereas, to develop the Project, a portion of the public roadway S. Morris, between W. Main Street and W. Mahoney Avenue (the “Vacated Roadway”), needs to be vacated by the City to be combined with the Property, which abuts the Vacated Roadway on both sides, and concurrently with this Resolution, the City Council will consider a Resolution to vacate the roadway.

Whereas, if the roadway is vacated, Developer agrees to develop and thereafter maintain a central plaza area on the Vacated Roadway that will be open to the public and will include a pedestrian pathway, open space, seating, lighting, landscaping, and related improvements (the “Plaza”), and to grant to the City, at no cost to the City or the public, a perpetual Public Access Easement and Public Utilities Easements on the Plaza, as more fully described in the Development Agreement.

Whereas, the Development Agreement and the development of the Property as contemplated therein will benefit the City and the public, including by creating a new, vibrant mixed-use area in downtown Mesa with residential and commercial components, and a central open space that will remain open to the public and be maintained by Developer in perpetuity.

Whereas, the City Council determines it is appropriate to enter into the Development Agreement and Public Access Easement Agreement with Developer.

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 Development Agreement and the Public Access Easement Agreement required therein (the “Project Documents”) and the City Manager, or his designee, is authorized to execute the Project Documents. Provided further, the City Manager, or his designee, may agree to, enter into, and make amendments and modifications to the Project Documents as necessary to carry out the intent of the Project Documents or that are necessary to

facilitate the development of the Project and that do not materially alter the terms or structure of the Project Documents as they were presented to the City Council.

Section 2: The City Clerk is authorized and directed to attest to the signature of the City Manager, or his designee, on all documents referenced in Section 1, including the Project Documents.

Passed and adopted by the City Council of the City of Mesa, Maricopa County, Arizona, this 8th day of July, 2025.

Approved:

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Mayor

Attest:

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City Clerk