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CITY OF MESA  
REAL ESTATE SERVICES  
P.O. Box 1466  
Mesa, AZ 85211-1466

**CITY OF MESA**

**TERMINATION OF DEVELOPMENT AGREEMENT**

**NOTICE IS HEREBY GIVEN:**

That the Development Agreement between the **CITY OF MESA** and **LOOP 202 & ELLIOT ROAD PARCEL #2, LLC**, a Delaware limited liability company, the successor-in-ownership to **NKS GROUP III, LLC**, recorded **June 1, 2007** in the Office of the Maricopa County Recorder as Instrument No. 2007-0637500, which was partially terminated by Partial Termination of Development Agreement, recorded on August 15, 2017 in the Office of the Maricopa County Recorder as Instrument No. 2017-0601780, and amended by Amendment to the Development Agreement Between the City of Mesa and NKS Group III Limited Partnership Gateway Super Regional Center, recorded on September 14, 2017 in the Office of the Maricopa County Recorder as Instrument No. 2017-0680906 (collectively, the "**Development Agreement**"), for the remaining Property legally described on Exhibit A,

**IS HEREBY TERMINATED. NO FURTHER DEVELOPER OR  
CITY OBLIGATIONS EXIST UNDER THIS AGREEMENT.**

**IN WITNESS THEREOF, THE CITY OF MESA** has caused this **TERMINATION** to be executed the day and year written below.

**CITY OF MESA:**

**By:** \_\_\_\_\_  
Christopher J. Brady  
**Its:** City Manager

STATE OF ARIZONA       )  
                                      ) SS  
County of Maricopa       )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ the day of \_\_\_\_\_, 2017, by Christopher Brady, the City Manager, on behalf of the **CITY OF MESA**.

\_\_\_\_\_  
Notary public

My Commission Expires:

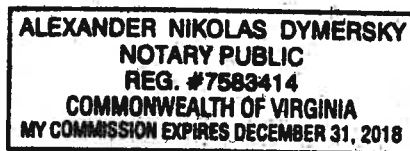
**LOOP 202 & ELLIOT ROAD PARCEL #2, LLC,**  
a Delaware limited liability company

COMMONWEALTH OF VIRGINIA                 )  
County of Fairfax                              ) ss.  
  )

The foregoing instrument was acknowledged before me this 3 the day of November, 2017, by Joseph Harar, the Chief Financial Officer of Loop 202 & Elliot Road Parcel #2, LLC, on behalf thereof.

Alexandee N. Dymarsky  
Notary public

My Commission Expires:



# **EXHIBIT A**

## **LEGAL DESCRIPTION**

### **Parcel No. 1:**

A portion of the South 250 feet of the Northwest quarter of Section 9, Township 1 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at a brass cap flush marking the West quarter corner of said Section 9, which bears North 00 degrees 57 minutes 01 seconds West 2635.13 feet from a brass cap in handhole marking the Southwest corner of said Section 9;

Thence South 89 degrees 38 minutes 37 seconds East 1328.14 feet to the Point of Beginning.

Thence North 00 degrees 55 minutes 26 seconds West 250.06 feet to a point on the North line of the South 250 feet of said Northwest quarter;

Thence South 89 degrees 38 minutes 37 seconds East 769.82 feet to a point on the South line of "Eastridge Unit 3", according to plat recorded in Book 492 of Maps, Page 45, records of the Maricopa County Recorder;

Thence South 89 degrees 38 minutes 37 seconds East along a portion of the South line of said "Eastridge Unit 3", 558.44 feet to a point on the North-South Mid-Section line of said Section 9;

Thence along said North-South Mid-Section line, South 00 degrees 53 minutes 46 seconds East 250.06 feet to a point on the South line of said Northwest quarter;

Thence North 89 degrees 38 minutes 37 seconds West 1328.14 feet to the Point of Beginning.

### **Parcel No. 2:**

A portion of the Southwest quarter of Section 9, Township 1 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at a brass cap flush marking the West quarter corner of said Section 9, which bears North 00 degrees 57 minutes 01 seconds West 2635.13 feet from a brass cap in handhole marking the Southwest corner of said Section 9;

Thence South 89 degrees 38 minutes 37 seconds East 1328.14 feet to the Point of Beginning.

Thence continuing South 89 degrees 38 minutes 37 seconds East 1328.14 feet to a point on the North-South mid-Section line of said Section 9;

Thence South 00 degrees 53 minutes 46 seconds East 659.19 feet;

Thence North 89 degrees 38 minutes 04 seconds West 1327.83 feet;

Thence North 00 degrees 55 minutes 23 seconds West 658.98 feet to the Point of Beginning.

**Parcel No. 3:**

A portion of the Southwest quarter of Section 9, Township 1 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at a brass cap flush marking the West quarter corner of said Section 9, which bears North 00 degrees 57 minutes 01 seconds West 2635.13 feet from a brass cap in handhole marking the Southwest corner of said Section 9;

Thence South 89 degrees 38 minutes 37 seconds East 1328.14 feet;

Thence South 00 degrees 55 minutes 23 seconds East, 658.98 feet to the Point of Beginning.

Thence South 89 degrees 38 minutes 04 seconds East 1327.83 feet to a point on the North-South Mid-Section line of said Section 9;

Thence South 00 degrees 53 minutes 46 seconds East 277.57 feet, along said Mid-Section line;

Thence South 05 degrees 42 minutes 49 seconds West 52.24 feet along the West line of the certain land described in instrument recorded in Document No. 2005-0648908;

Thence North 89 degrees 37 minutes 48 seconds West 1321.67 feet;

Thence North 00 degrees 55 minutes 23 seconds West 329.49 feet to the Point of Beginning.

**Parcel No. 4:**

A portion of the Southwest quarter of Section 9, Township 1 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at a brass cap flush marking the West quarter corner of said Section 9, which bears North 00 degrees 57 minutes 01 seconds West 2635.13 feet from a brass cap in handhole marking the Southwest corner of said Section 9;

Thence South 89 degrees 38 minutes 37 seconds East 1328.14 feet;

Thence South 00 degrees 55 minutes 23 seconds East, 988.48 feet to the Point of Beginning.

Thence South 89 degrees 37 minutes 48 seconds East 1321.67 feet to a point on the West line of that certain land described in instrument recorded in Document No. 2005-0648908;

Thence South 05 degrees 42 minutes 49 seconds West 330.95 feet, along said west line;

Thence North 89 degrees 37 minutes 32 seconds West 1283.41 feet;

Thence North 00 degrees 55 minutes 23 seconds West 329.49 feet to the Point of Beginning.

**Parcel No. 5:**

A portion of the Southwest quarter of Section 9, Township 1 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at a brass cap flush marking the West quarter corner of said Section 9, which bears North 00 degrees 57 minutes 01 seconds West 2635.13 feet from a brass cap in handhole marking the Southwest corner of said Section 9;

Thence South 00 degrees 57 minutes 01 seconds East 1317.57 along the West line of said Section 9;

Thence South 89 degrees 37 minutes 32 seconds East 55.01 feet to the Point of Beginning;

Thence continuing South 89 degrees 37 minutes 32 seconds East 2555.94 feet to a point on the West line of that certain land described in instrument recorded in Document No. 2005-0648908;

Thence South 05 degrees 42 minutes 49 seconds West 355.67 feet along said west line;

Thence South 02 degrees 37 minutes 16 seconds West 306.05 feet;

Thence North 89 degrees 30 minutes 30 seconds West 560.00 feet;

Thence South 00 degrees 29 minutes 30 seconds West 594.04 feet, said point being 65 feet North of the South line of said Section 9;

Thence North 89 degrees 36 minutes 30 seconds West 207.72 feet;

Thence South 00 degrees 23 minutes 30 seconds West 15.00 feet;

Thence North 89 degrees 36 minutes 27 seconds West 1767.61 feet to a point on the West line of the Southwest quarter of said Section 9, said point being parallel to an 50 feet North of said South Section line;

Thence North 00 degrees 57 minutes 01 seconds West 209.99 feet along said West Section line;

Thence North 89 degrees 02 minutes 56 seconds East 55.00 feet;

Thence North 00 degrees 57 minutes 01 seconds West 1056.29 feet to the Point of Beginning.

**Parcel No. 6:**

A portion of the Southwest quarter of Section 9, Township 1 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at a brass cap flush marking the West quarter corner of said Section 9, which bears North 00 degrees 57 minutes 01 seconds West 2635.13 feet from a brass cap in handhole marking the Southwest corner of said Section 9;

Thence South 00 degrees 57 minutes 01 seconds East 1317.57 feet;

Thence South 89 degrees 37 minutes 32 seconds East, 2610.94 feet to a point on the West line of that certain land described in instrument recorded in Document No. 2005-0648908;

Thence South 05 degrees 42 minutes 49 seconds West 355.67 feet along said West line;

Thence continuing along said West line, South 02 degrees 37 minutes 16 seconds West, 306.05 feet to the Point of Beginning;

Thence continuing along said West line South 02 degrees 37 minutes 16 seconds West 538.47 feet to a point being 120.01 feet North of the South line of said Section 9;

Thence South 46 degrees 41 minutes 41 seconds West 62.24 feet;

Thence South 88 degrees 56 minutes 11 seconds West 472.46 feet to a point, said point being 65 feet North of the South line of said Section 9;

Thence North 89 degrees 36 minutes 30 seconds West, 22.78 feet;

Thence North 00 degrees 29 minutes 30 seconds East, 594.04 feet;

Thence South 89 degrees 30 minutes 30 seconds East, 560.00 feet to the Point of Beginning.

**Parcel No. 7:**

A portion of the Southwest quarter of Section 9, Township 1 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at a brass cap flush marking the West quarter corner of said Section 9, which bears North 00 degrees 57 minutes 01 seconds West 2635.13 feet from a brass cap in handhole marking the Southwest corner of said Section 9;

Thence South 00 degrees 57 minutes 01 seconds East 1317.57 feet to the Point of Beginning;

Thence South 89 degrees 37 minutes 32 seconds East 55.01 feet;

Thence South 00 degrees 57 minutes 01 seconds East 1056.29 feet;

Thence South 89 degrees 02 minutes 56 seconds West 55.00 feet to the West line of said Section 9;

Thence along said West Section line, North 00 degrees 57 minutes 01 seconds West 1057.57 feet to the Point of Beginning.