

RESOLUTION NO. 15-36

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ACCEPTING A PUBLIC TRAIL AND OPEN SPACE EASEMENT IN THE PROVINCE SUBDIVISION, WHICH IS GENERALLY LOCATED WITHIN THE CITY OF MARICOPA IN A PORTION OF THE WEST HALF OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS RELATED TO THIS EASEMENT.

WHEREAS, on June 16, 2015, the City Council approved Resolution 15-26 regarding the adoption of a Development and Settlement Agreement with Meritage Homes of Arizona, Inc. and Meritage Homes Corporation (“Owners”); and

WHEREAS, pursuant to the Development and Settlement Agreement, Owners agreed to grant the City a public trail and open space easement along the east side of the Santa Rosa Wash extending from Honeycutt Road to Smith Enke Road; and

WHEREAS, the City Council believes that accepting said easement will serve a legitimate public interest.

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and City Council of the City of Maricopa, Arizona as follows:

Section 1. An open space and trail easement in substantially the form attached hereto as Exhibit A are hereby accepted by the City of Maricopa from the Owners.

Section 2. The City Manager, or his designee, is hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Mayor and City Council of the City of Maricopa, Arizona this 7th day of July 2015.

APPROVED:

Christian Price
Mayor

ATTEST:

APPROVED AS TO FORM:

Vanessa Bueras, CMC
City Clerk

Denis Fitzgibbons
City Attorney

EXHIBIT A