

**RESOLUTION NO. 14-52**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, APPROVING AND ADOPTING THE NORTH SANTA CRUZ WASH IMPROVEMENTS DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MARICOPA AND EAGLE SHADOW, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY; E.L.G. INVESTMENTS, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY; COOK/EL DORADO, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY; HONEYCUTT ESTATES, LLC, AN ARIZONA LIMITED LIABILITY COMPANY; IOTA EAGLE, LLC, AN ARIZONA LIMITED LIABILITY COMPANY; MARICOPA 240, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY; DESERT SUNRISE, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY; AND DAWN RIDER, LLC, AN ARIZONA LIMITED LIABILITY COMPANY IN COMPLIANCE WITH A.R.S. §9-500.05 AND AUTHORIZING THE CITY MANAGER TO MAKE MINOR CORRECTIONS AND CLARIFICATIONS CONSISTENT WITH THE INTENT OF THIS DEVELOPMENT AGREEMENT.**

**WHEREAS**, pursuant to A.R.S. §9-500.05, Eagle Shadow, L.L.C., an Arizona limited liability company; E.L.G. Investments, L.L.C., an Arizona limited liability company; Cook/El Dorado, L.L.C., an Arizona limited liability company; Honeycutt Estates, LLC, an Arizona limited liability company; IOTA Eagle, LLC, an Arizona limited liability company; Maricopa 240, L.L.C., an Arizona limited liability company and Desert Sunrise, L.L.C., an Arizona limited liability company (“Owners”) requested that the City of Maricopa enter into the North Santa Cruz Wash Improvements Development Agreement in the form which is attached to this Resolution and by this reference made a part hereof; and

**WHEREAS**, Dawn Rider, LLC, an Arizona limited liability company, does not have property benefitted by the Development Agreement but will convey property to be used for the improvements subject to the terms and conditions stated in the Development Agreement; and

**WHEREAS**, the City of Maricopa believes that it is in the best interest of the City to enter into this Development Agreement in order to facilitate the proper development of the property subject to the Development Agreement.

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

**Section 1.** The City of Maricopa by the requisite vote of its City Council hereby approves and adopts, and authorizes and instructs its Mayor on behalf of the City of Maricopa to enter into the Development Agreement with the Owners and Dawn Rider,

LLC in the form attached to and made a part of this Resolution and authorizes the City Manager to make minor corrections and clarifications consistent with the intent of this Development Agreement.

**Section 2.** Pursuant to A.R.S. §9-500.05(G), the provisions of this Resolution are not enacted as an emergency measure and shall not be effective for thirty (30) days.

**PASSED AND ADOPTED** by the Mayor and City Council of the City of Maricopa, Arizona, this 1<sup>st</sup> day of December, 2014.

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Christian Price  
Mayor

ATTEST:

APPROVED AS TO FORM:

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Vanessa Bueras, CMC  
City Clerk

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Denis Fitzgibbons  
City Attorney