



# City of Maricopa

## Legislation Text

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**File #:** RES 21-14, **Version:** 1

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A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting the First Amendment to Pre-Annexation Development Agreement between the City of Maricopa, Hogenes Farms, an Arizona limited partnership and TRS 15, LLC, an Arizona limited liability company, in compliance with A.R.S. §9-500.05. Discussion and Action.

The City and Abraham and Barbara Hogenes and Hogenes Farms entered into a certain Pre-Annexation Development Agreement dated April 7, 2007 in connection with the Maricopa Meadows II Property. Since that time, the property has been incorporated into the City of Maricopa. Though the property has already been annexed, the scope of the development has changed since it was originally proposed in 2007. This results in a need to revise the Development Agreement and replace certain provisions. This is the case, in particular, with the improvements to be done on the Green Road alignment.

The owner shall be responsible for all improvements on Green Road as required by the City Code, which may be amended from time to time. The Owner shall provide the City with a Phase 1 environmental assessment of the Dedicated Property prior to the City accepting dedication of any right of way.

As consideration for City's agreement concerning the construction requirement of an overpass on Green Road identified in the TIA, TRS 15 agrees to pay EPS Group, Inc. for the preliminary engineering for the design and construction of the overpass. The City shall, at such time as may be determined by the City in its sole and absolute discretion, construct the improvements for an overpass at Green Road. The City will include the construction of the overpass or Substitute Improvements in a future Capital Improvement Plan after the preliminary engineering is completed and accepted by the City. City agrees that any such construction shall include reasonable access to the current homes and dairy operations located on the property. The City and the Owner acknowledge that an overpass on Green Road or Substitute Improvements will be required after the completion of construction of 800 lots within the Development Area.

Staff recommends the approval of Resolution 21-14 and the First Amendment to Pre-Annexation Development Agreement.