

RESOLUTION NO. 10753

A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO ENTER INTO TWO PURCHASE AND SALE AGREEMENTS AND A DEVELOPMENT AGREEMENT WITH MESA HOUSING ASSOCIATES II, LLC (“DEVELOPER”) FOR THE CONVEYANCE OF PROPERTY LOCATED AT THE 50-100 BLOCK OF WEST 1ST AVENUE (“PROPERTY”).

WHEREAS, Developer is a real estate developer specializing in creating, owning and operating affordable and market rate housing, whose developments in Mesa have proven themselves to be economic development and revitalization tools for the community; and

WHEREAS, the City Council hereby determines it is appropriate to authorize the conveyance of the Property to the Developer. The Property is depicted on Exhibit A and further described in Exhibits B and C. The Property will be conveyed pursuant to two Purchase and Sale Agreements with one such PSA conveying the portion of the Property described in Exhibit B to Developer for the purpose of developing an age-restricted affordable housing project, and the second such PSA conveying the remainder of the Property described in Exhibit C to Developer for the purpose of developing a market-rate housing project; and

WHEREAS, the development of age-restricted affordable housing will benefit the residents of the City by: (i) providing affordable housing for seniors in the downtown area; (ii) developing under-utilized property in the downtown area; (iii) facilitating transit-oriented sustainable housing within the downtown area; and (iv) helping to ensure light rail is a catalyst to create sustainable, transit-oriented development and economies in downtown Mesa; and

WHEREAS, the development of market rate housing will benefit the residents of the City by facilitating the City’s development of its downtown area by: (i) developing under-utilized property in the downtown area; (ii) facilitating transit-oriented sustainable housing within the

downtown area; and (iii) helping to ensure light rail is a catalyst to create sustainable, transit-oriented development and economies in downtown Mesa.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That the City Manager, or his designee, is authorized and directed to enter into a Development Agreement and two Purchase and Sale Agreements, together with all other documents and amendments necessary to carry out the provisions of such agreements. The City Manager may make modifications to the terms set forth in the Development Agreement and Purchase and Sale Agreements so long as such modifications do not materially alter the overall agreements presented to the City Council.

Section 2: That the City Clerk is authorized and directed to attest to the signature of the City Manager, or his designee, on all such documents.

PASSED AND ADOPTED by the Council of the City of Mesa, Maricopa County, Arizona this 25th day of February, 2016.



APPROVED:



Mayor

ATTEST:



City Clerk



mesa·az

Exhibit A

SEC 1st Avenue & Macedonald

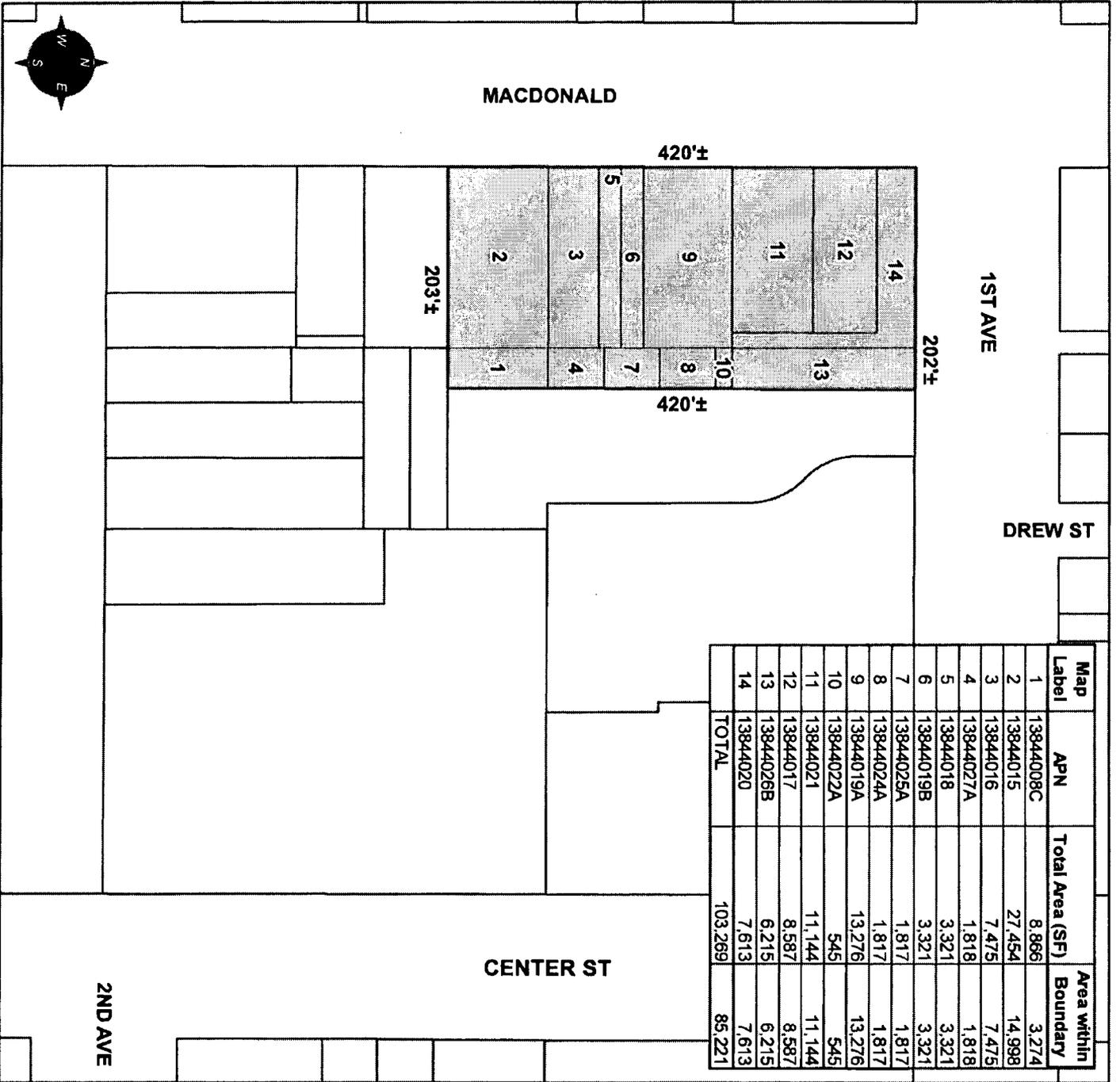
 Property Boundary
1.95 ac ±



Created By: City of Mesa
Development Services GIS
Created Date: 2/23/2016
Source: City of Mesa

The City of Mesa makes no claims concerning the accuracy of the data provided nor assumes any liability resulting from the use of the information herein.

COPYRIGHT © 1988, 2016 CITY OF MESA, ARIZONA



SEC FIRST & MACDONALD

PROPOSED LOT 1

JOB NO. 2015-249

EXHIBIT B



A PORTION OF LOTS 3, 4, 5 AND 6, BLOCK 14, MESA, ACCORDING TO BOOK 23 OF MAPS, PAGE 18, RECORDS OF MARICOPA COUNTY, ARIZONA, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 1 NORTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING THE INTERSECTION OF THE MONUMENT LINES OF SOUTH MACDONALD STREET AND FIRST AVENUE, FROM WHICH THE INTERSECTION OF THE MONUMENT LIES OF CENTER STREET AND FIRST AVENUE BEARS SOUTH 89 DEGREES 43 MINUTES 54 SECONDS EAST, A DISTANCE OF 794.77 FEET;

THENCE SOUTH 89 DEGREES 43 MINUTES 54 SECONDS EAST, ALONG THE MONUMENT LINE OF FIRST AVENUE, A DISTANCE OF 268.07 FEET;

THENCE SOUTH 00 DEGREES 16 MINUTES 06 SECONDS WEST, DEPARTING SAID MONUMENT LINE OF FIRST AVENUE, A DISTANCE OF 66.00 FEET A POINT ON THE SOUTHERLY RIGHT OF WAY OF FIRST AVENUE;

THENCE NORTH 89 DEGREES 43 MINUTES 54 SECONDS WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 124.58 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED;

THENCE SOUTH 00 DEGREES 17 MINUTES 25 SECONDS WEST, A DISTANCE OF 104.00 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 50 SECONDS EAST, A DISTANCE OF 89.93 FEET;

THENCE SOUTH 00 DEGREES 16 MINUTES 38 SECONDS WEST, A DISTANCE OF 248.67 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 34.67 FEET TO A POINT ON THE WEST LINE OF LOT 2 OF THE FINAL PLAT FOR ENCORE ON FIRST AVENUE, ACCORDING TO BOOK 1127 OF MAPS, PAGE 14, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 00 DEGREES 16 MINUTES 38 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 68.12 FEET;

THENCE NORTH 89 DEGREES 43 MINUTES 25 SECONDS WEST, DEPARTING SAID WEST LOT LINE, A DISTANCE OF 202.05 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF MACDONALD STREET;

THENCE NORTH 00 DEGREES 16 MINUTES 24 SECONDS EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 420.18 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID FIRST AVENUE;

THENCE SOUTH 89 DEGREES 43 MINUTES 54 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 77.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

SAID PARCEL CONTAINS 63,361 SQUARE FEET OR 1.455 ACRES, MORE OR LESS.



SEC FIRST & MACDONALD

PROPOSED LOT 2

JOB NO. 2015-249

EXHIBIT C



A PORTION OF LOTS 3, 5 AND 6, BLOCK 14, MESA, ACCORDING TO BOOK 23 OF MAPS, PAGE 18, RECORDS OF MARICOPA COUNTY, ARIZONA, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 1 NORTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING THE INTERSECTION OF THE MONUMENT LINES OF SOUTH MACDONALD STREET AND FIRST AVENUE, FROM WHICH THE INTERSECTION OF THE MONUMENT LIES OF CENTER STREET AND FIRST AVENUE BEARS SOUTH 89 DEGREES 43 MINUTES 54 SECONDS EAST, A DISTANCE OF 794.77 FEET;

THENCE SOUTH 89 DEGREES 43 MINUTES 54 SECONDS EAST, ALONG THE MONUMENT LINE OF FIRST AVENUE, A DISTANCE OF 268.07 FEET;

THENCE SOUTH 00 DEGREES 16 MINUTES 06 SECONDS WEST, DEPARTING SAID MONUMENT LINE OF FIRST AVENUE, A DISTANCE OF 66.00 FEET A POINT ON THE SOUTHERLY RIGHT OF WAY OF FIRST AVENUE AND THE NORTHWEST CORNER OF LOT 2 OF THE FINAL PLAT FOR ENCORE ON FIRST AVENUE, ACCORDING TO BOOK 1127 OF MAPS, PAGE 14, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED;

THENCE SOUTH 00 DEGREES 16 MINUTES 38 SECONDS WEST, DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 352.09 FEET;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, DEPARTING SAID WEST LOT LINE, A DISTANCE OF 34.67 FEET;

THENCE NORTH 00 DEGREES 16 MINUTES 38 SECONDS EAST, A DISTANCE OF 248.67 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 50 SECONDS WEST, A DISTANCE OF 89.93 FEET;

THENCE NORTH 00 DEGREES 17 MINUTES 25 SECONDS EAST, A DISTANCE OF 104.00 FEET TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE OF FIRST AVENUE;

THENCE SOUTH 89 DEGREES 43 MINUTES 54 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 124.58 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED.

SAID PARCEL CONTAINS 21,544 SQUARE FEET OR 0.495 ACRES, MORE OR LESS.