

RESOLUTION # 2016-154

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING THE SURPRISE FOOTHILLS WATER SUPPLY FACILITY DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SURPRISE AND BUENA VISTA HOLDINGS LLC, SURPRISE FOOTHILLS MASTER LLC, MESQUITE MOUNTAIN RANCH INVESTMENTS LLC, MANAGEMENT 317 LLC REPLACING ALL PRIOR DEVELOPMENT AGREEMENTS PERTAINING TO THE PROPERTY GENERALLY LOCATED NORTH OF SUN VALLEY PARKWAY AND WEST OF 243RD AVENUE.

WHEREAS, on October 21, 2008, the City entered into the SPA 3 West Water Service Area Development Agreement with various owners in the far western portion of the City for water system infrastructure for the properties;

WHEREAS, over time some ownership has changed, no development has occurred, and owners have revised the water system infrastructure plans; and

WHEREAS, the City of Surprise and representatives of the properties known as Surprise Foothills, Buena Vista Ranch and Mesquite Mountain Ranch, now desire to replace all previously approved development agreements with a new agreement for the purpose of setting forth certain obligations and commitments relative to the development of the water supply system of the properties.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The Mayor and Council hereby approve the development agreement between the City of Surprise and Buena Vista Holdings LLC, Surprise Foothills Master LLC, Mesquite Mountain Ranch Investments LLC, Management 317 consisting of the “Surprise Foothills Water System Facility Development Agreement” and exhibit A which is incorporated by reference.

Section 2. That the Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of the Agreement and this Resolution.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this ____ day of _____, 2016.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney