

RESOLUTION NO. 2018-1905

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, APPROVING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR WEST GOODYEAR SEWER AND WATER INFRASTRUCTURE AND THE FIRST AMENDMENT TO THE ESCROW AGREEMENT; AUTHORIZING THE EXECUTION OF THE AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in early 2005, owners of sixteen properties (“WG Properties”) located in the West Goodyear Central Planning Area (“WGCPA”), which encompasses 3,364 acres and over 8000 residential units to be located west of Citrus Road and south of Van Buren, began working with the city to facilitate development in the WGCPA; and

WHEREAS, since then, the City Council has considered an approved a number of actions related to the on-going efforts to facilitate development in the WGCPA including approvals of: annexations; rezonings; development agreements, restated development agreements, and amendments thereto; and cost recovery resolutions and amendments thereto; and

WHEREAS, the owners of five of the WG Properties (Amber Meadows, Paseo Ridge I & II, Las Ventanas, Pradera and La Jolla Vista) have joined together to fund key local and regional water and sewer lines needed to serve close to 1900 single family residential units within their respective properties; and;

WHEREAS, in furtherance of that joint effort the Mayor and Council of the city of Goodyear adopted Resolution 17-1792 approving an Infrastructure Development Agreement for the development of the specifically identified local and regional water and sewer lines;

WHEREAS, the Infrastructure Development Agreement provided for the execution of an Escrow Agreement in the form attached to the Infrastructure Development Agreement; and

WHEREAS, the Infrastructure Development Agreement and the Escrow Agreement included terms requiring the completion of the local and regional water and sewer lines within eighteen (18) months from the Effective Date of the agreements; and

WHEREAS, the parties to the Infrastructure Development Agreement and the Escrow Agreement have requested that the deadline for completion of the local and regional water and sewer lines be extended from eighteen (18) months to twenty-four (24) months; and

WHEREAS, the Mayor and Council of the city of Goodyear, Arizona, find the granting of the requested extension to be in the best interests of the city;

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

SECTION 1. The Mayor and Council of the city of Goodyear, hereby approve the First Amendment to Development Agreement for West Goodyear Sewer and Water Infrastructure attached hereto as Exhibit 1 and the First Amendment to Escrow Agreement attached hereto as Exhibit 2.

SECTION 2. The City Manager or his designee is hereby authorized and directed to execute the First Amendment to Development Agreement for West Goodyear Sewer and Water Infrastructure attached hereto as Exhibit 1 and the First Amendment to Escrow Agreement attached hereto as Exhibit 2.

SECTION 3. This Resolution shall become effective as provided by law.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20_____.

Georgia Lord, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Resolution No. 2018-1905 is a true, correct and accurate copy of Resolution No. 2018-1905, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____, 20____, at which a quorum was present and, by a _____ vote, _____ voted in favor of said resolution.

Given under my hand and sealed this _____ day of _____, 20____.

seal

City Clerk