



OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
LAURA DEAN-LYTLE

WHEN RECORDED, RETURN TO:

Mary Ridgell, City Clerk
City of Eloy
628 North Main Street
Eloy, Arizona 85231

DATE/TIME: 03/06/07 1006
FEE: \$11.00
PAGES: 2
FEE NUMBER: 2007-028002

ORDINANCE NO.: 07-676
(Stirling)

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ELOY, ARIZONA, APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ELOY, AN ARIZONA MUNICIPAL CORPORATION (THE "CITY") AND BRALU, LLC, AN ARIZONA LIMITED LIABILITY COMPANY ("OWNER") REGARDING DEVELOPMENT ON APPROXIMATELY 277.32 ACRES, LOCATED GENERALLY AT THE NORTHEAST CORNER OF SUNSHINE BOULEVARD AND I-10 IN PORTIONS OF SECTION 8 AND SECTION 17, T8S, R8E OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA.

WHEREAS, the Development Agreement is proposed and accepted pursuant to the provisions of Arizona Revised Statutes Annotated (A.R.S.) §§ 9-500.05, which vests the City with the authority and power to enter into this Development Agreement and vests the Owner with certain rights as proposed in the Development Agreement and accepted and approved by the City.

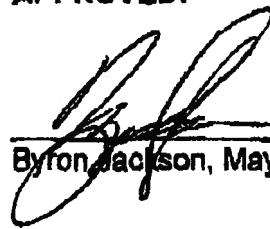
NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Eloy, Arizona, as follows:

Section 1. That the Mayor and City Council of the City of Eloy, Arizona, hereby approves a Development Agreement by and between the City of Eloy, Arizona, a municipal corporation of the State of Arizona and Bralu, LLC, an Arizona limited liability company; and

Section 2. That the Mayor is hereby authorized to enter into a Development Agreement by and between the City of Eloy, Arizona and Bralu, LLC.

PASSED AND ADOPTED by the Mayor and City Council of the City of Eloy, Arizona, this 26th day of February, 2007.

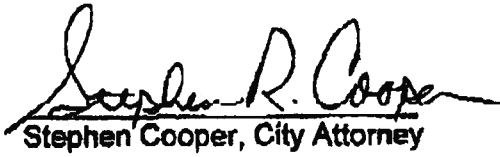
APPROVED:


Byron Jackson, Mayor

ATTEST:


Mary Ridgell, City Clerk

APPROVED AS TO FORM:


Stephen Cooper, City Attorney

ORDINANCE NO.: 07-663
(Stirling)

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ELOY, ARIZONA APPROVING A REZONING OF APPROXIMATELY 277.32 ACRES FROM R1-43 (ESTATE DENSITY RESIDENTIAL) TO I-1 (LIGHT INDUSTRIAL) AND C-2 (COMMUNITY COMMERCIAL). SUBJECT PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF SUNSHINE BOULEVARD AND I-10 (ON PORTIONS OF ASSESSOR'S PARCEL NUMBERS: 411-10-015A, -015B, -016, -017, -020C, -022G, -023E, -023F, AND 411-17-006) IN PORTIONS OF SECTION 8 AND SECTION 17, T8S, R8E OF THE G&SRB&M, PINAL COUNTY, ARIZONA.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ELOY, ARIZONA, AS FOLLOWS:

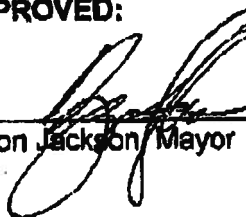
That the Mayor and City Council of the City of Eloy, Arizona, hereby approves a rezoning of approximately 277.32 acres from R1-43 (Estate Density Residential) to I-1 (Light Industrial) and C-2 (Community Commercial). Subject property is located at the northeast corner of Sunshine Boulevard and I-10 (on portions of Assessor's Parcel Numbers: 411-10-015A, -015B, -016, -017, -020C, -022G, -023E, -023F; and 411-17-006) in portions of Section 8 and Section 17, T8S, R8E of the G&SRB&M, Pinal County, Arizona. Rezoning approval shall be subject to the following stipulations:

1. That the developer shall work in good faith with the Arizona Department of Transportation (ADOT) to mitigate traffic impacts to the Sunshine Boulevard and Interstate 10 Traffic Interchange and all affected State highways;
2. That all future development of the sites shall undergo subsequent Site Plan and/or subdivision review and approval;
3. That compliance with the Community Commercial and the Light Industrial Design Guidelines and Standards of the Eloy Zoning Ordinance and/or the Eloy Subdivision Ordinance, as may be amended from time to time, shall be required;

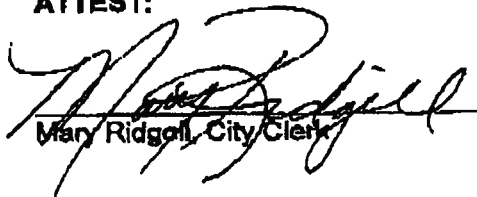
4. That any major changes or modifications to the "Stirling" rezoning request shall be reviewed and processed in accordance with those procedures outlined for rezoning in Chapter 3 of the Eloy Zoning Ordinance. The City Manager, or designee, may administratively approve minor changes and will determine the difference between major and minor changes;
5. That the Traffic Impact Analysis submitted to the city shall be reviewed and approved by the City Engineer prior to any further approvals affecting the subject property; and
6. That the property owner shall extinguish all grandfathered groundwater rights and transfer to the city all assured water supply credits that may be issued by the ADWR pursuant to the Development Agreement by and between the City of Eloy and Braku, LLC.

PASSED AND ADOPTED by the Mayor and City Council of the City of Eloy, Arizona, this 26th day of February, 2007.

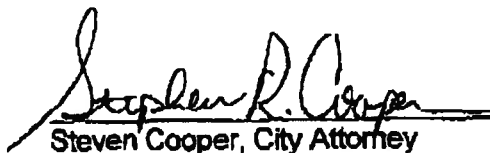
APPROVED:


Byron Jackson, Mayor

ATTEST:


Mary Ridgell, City Clerk

APPROVED AS TO FORM:


Steven Cooper, City Attorney