

**RESOLUTION 2019-04**  
**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF**  
**THE TOWN OF CAREFREE, ARIZONA, AUTHORIZING THE**  
**MAYOR TO EXECUTE THE EASY STREET NORTH 2<sup>ND</sup> AMENDED DEVELOPMENT**  
**AGREEMENT**

**WHEREAS**, the Town has authority under Arizona Revised Statutes (A.R.S.) Section §9-500.05 to enter into development agreements with property owners or any other person having an interest in real property located in the Town.

**WHEREAS**, Butte Easy Street, LLC, an Arizona limited liability company, (the "Owner") owns certain real property (the "property") located within the interior of the Carefree Town Center as legally described within Exhibit "A" of the Easy Street North Amended 2<sup>nd</sup> Development Agreement.

**WHEREAS**, the Owner has entered into a purchase contract with and has authorized Carefree Hospitality 97, LLC, a Nebraska limited liability company (collectively, the "Contract Owner") to present and receive approval of the Easy Street North 2<sup>nd</sup> Amended Development Agreement.

**WHEREAS**, pursuant to the Town's zoning ordinance adopted March 2, 2004, amended through November 5, 2013 (as the same may be amended from time to time, the "Zoning Code") the Town requires a conditional use permit to allow a mixture of uses to support a new limited service hotel within a commercial zoning district which shall meet the minimum criteria set forth in Section 5.02(8)(b), unless otherwise approved by Town Council through a Development Agreement.

**WHEREAS**, the Contract Owner wishes to amend the previously approved Development Agreement to permit a limited service hotel with up to 100 guest rooms, management office, fitness facility, meeting rooms, social center, spar style pool, bar lounge seating and food service areas and other amenities associated with a limited service hotel development.

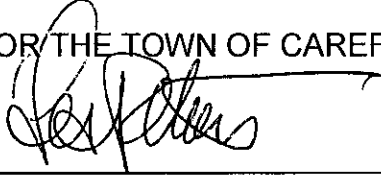
**WHEREAS**, the parties hereto agree that the development of the Property will result in planning and economic benefits to the Town and its residents; help maintain the Property as a first-class development; encourage the revitalization of the Carefree Town Center; and provide certainty and useful benefit to the Contract Owner and the Town.

**NOW, THEREFORE, IT IS RESOLVED** by the Mayor and Town Council of the Town of Carefree, Arizona that the Mayor is hereby authorized to execute the Easy Street North 2<sup>nd</sup> Amended Development Agreement and the Town Clerk record upon execution the Agreement.

**PASSED AND ADOPTED BY** the Mayor and Town Council of the Town of Carefree, Arizona, this 5<sup>th</sup> day of February, 2019.

AYES 7 NOES 0 ABSTENTIONS 0 ABSENT 0

FOR THE TOWN OF CAREFREE



**Les Peterson, Mayor**

ATTESTED TO:



**Kandace French-Contreras,  
Town Clerk**

APPROVED AS TO FORM:



**Michael Wright, Town Attorney**