

RESOLUTION NO. 2022-2255

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, TERMINATING SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR LA JOLLA VISTA AND AMENDMENTS THERETO AND DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS INCORPORATED BY REFERENCE IN ORDINANCE 2022-1545 RELATED TO THE REZONING CASE FOR – LA JOLLA VISTA AT WEST GOODYEAR.

Be it resolved by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, as follows:

SECTION 1 **TERMINATION OF DEVELOPMENT AGREEMENT**

The Mayor and Council of the City of Goodyear hereby approve and authorize the termination of the Second Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2016-0288863 as amended by the First Amendment to Second Amended and Restated Development Agreement for La Jolla Vista recorded at MCR 2017-0077324 as set forth herein:

- The City Manager is authorized to execute a Termination of La Jolla Vista Development Agreement substantially in the form attached hereto as Exhibit I subject to any modifications needed to effectuate the termination of the agreement as approved by the City Attorney or his designee; and
- The Termination of La Jolla Vista Development Agreement shall be recorded in the Official Records of the Maricopa County Recorder but shall not be recorded until the deadline for referring Ordinance 2022-1545, which is thirty (30) days from the date the ordinance is adopted by the City Council and made available to the public.

SECTION 1. That certain document titled “Official Supplementary Zoning Map No. 21-17 City of Goodyear, AZ – Rezone Case,” a copy of which is attached hereto as Exhibit A, is hereby declared a public record.

That certain document titled “La Jolla Vista,” a copy of which is attached hereto as Exhibit B, is hereby declared a public record.

That certain document titled “La Jolla Vista R1-4 Parcel,” a copy of which is attached hereto as Exhibit C, is hereby declared a public record.

That certain document titled “La Jolla Vista R1-6 Parcels,” a copy of which is attached hereto as Exhibit D, is hereby declared a public record.

That certain document titled “La Jolla Vista Conceptual Wall Program,” a copy of which is attached hereto as Exhibit E, is hereby declared a public record.

That certain document titled “La Jolla Vista Proposed Phasing Plan,” a copy of which is attached hereto as Exhibit F, is hereby declared a public record.

That certain document titled “La Jolla Vista Main Park Amenity,” a copy of which is attached hereto as Exhibit G, is hereby declared a public record.

That certain document titled "La Jolla Vista Monuments," a copy of which is attached hereto as Exhibit H is hereby declared a public record.

SECTION 2. PURPOSE

The aforementioned documents are declared public records in connection with the adoption of Ordinance 2022-1545.

SECTION 3. COPIES FILED WITH THE CITY CLERK

Either three paper copies or one paper copy and one electronic copy maintained in compliance with section A.R.S 44-7041 of each of the aforementioned documents being declared public records herein are ordered to remain on file with the City Clerk and to be available for public use and inspection during regular business hours.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 20____.

Joe Pizzillo, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-17

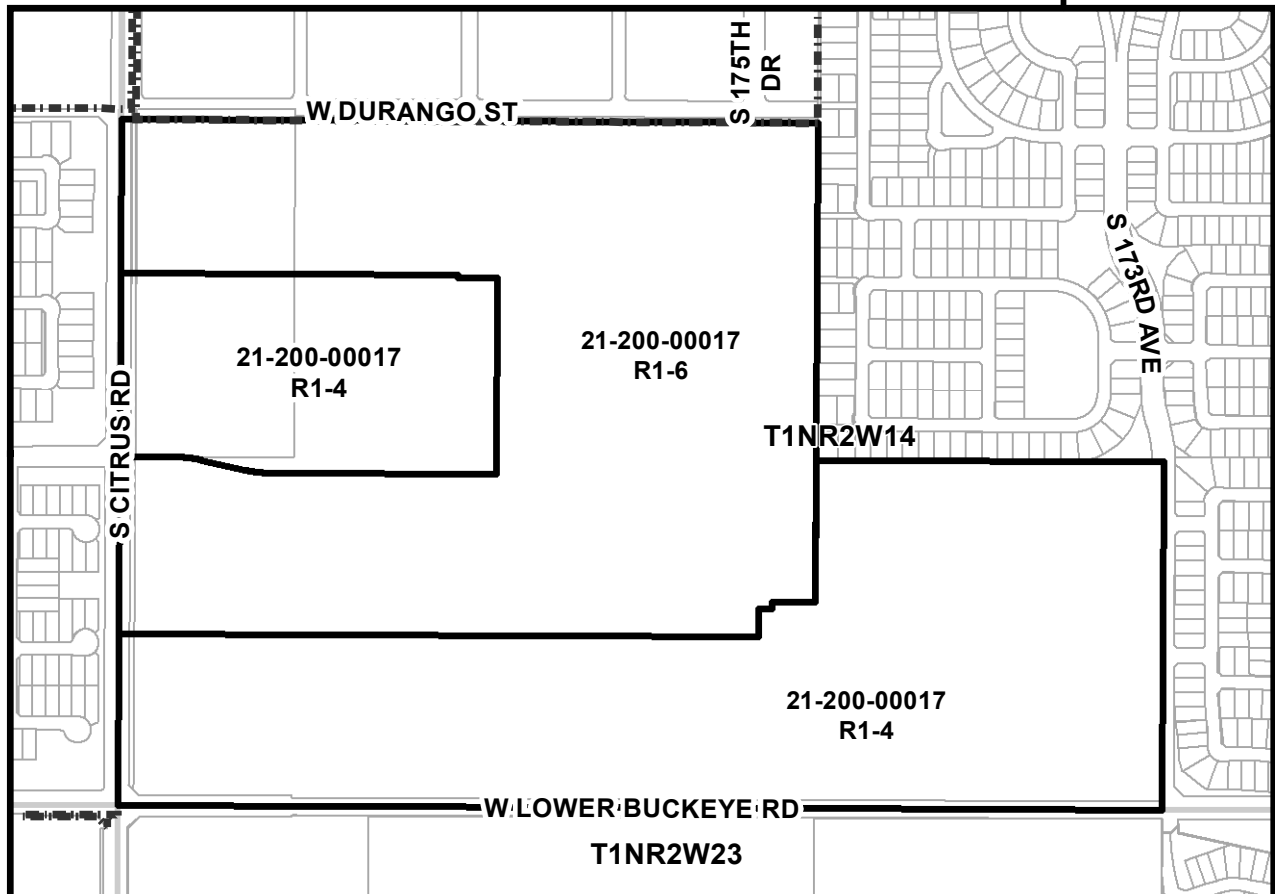
AMENDING ARTICLE 1, SECTION 1-1-4 OF THE ZONING ORDINANCE OF
THE CITY OF GOODYEAR. AMENDED BY ORDINANCE NO. _____,
PASSED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA,
THIS _____ DAY OF _____, 2022.

MAYOR

CITY CLERK

SUBJECT PROPERTY:

**A portion of the Southwest Quarter Section 14, Township 1 North,
Range 2 West of the Gila and Salt River Base and Meridian,
Maricopa County, Arizona.**



SOURCE: CITY OF GOODYEAR G.I.S.

CITY OF GOODYEAR, AZ - REZONE CASE

EXHIBIT
A

REZONE FROM PAD TO R1-4 & R1-6 WITH PAD OVERLAY
21-200-00017

DATE:
June 2022



EXHIBIT "B"
LA JOLLA VISTA

Job No. 20-1595

April 20, 2022

A portion of the South Half of Section 14, Township 1 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at an aluminum cap at the West quarter-corner of said Section 14, from which an aluminum cap at the Southwest corner of Section 14, Township 1 North, Range 2 West bears South 00 degrees 00 minutes 00 seconds West, 2649.42 feet;

Thence along the West line of the Southwest quarter of said section 14, South 00 degrees 00 minutes 00 seconds West, 40.00 feet to the **POINT OF BEGINNING**;

thence along a line parallel with and 40.00 feet South of the North line of said Southwest quarter, North 89 degrees 58 minutes 35 seconds East, 2645.54 feet to the East line of the Southwest quarter of said section 14;

thence along said East line, South 00 degrees 00 minutes 10 seconds East, 1283.54;

thence, departing said East line North 89 degrees 56 minutes 37 seconds East, 1321.46 feet;

Thence South 00 Degrees 04 Minutes 22 Seconds East, 1322.79 Feet to a point on the south line of the Southeast quarter of said section 14;

Thence along the South line of the Southeast quarter, South 89 Degrees 54 Minutes 39 Seconds West, 1323.08 Feet to the South quarter corner of said section 14;

Thence along said south line, South 89 Degrees 55 Minutes 33 Seconds West, 2645.66 Feet to the Southwest quarter corner of said section 14;

Thence along the West line of the Southwest quarter, North 00 Degrees 00 Minutes 00 Seconds East, 2609.42 Feet, to the **POINT OF BEGINNING**.



Said portion of land containing 8,649,971 square feet, or 198.576 acres, more or less, and being subject to any easements, restrictions, and/or rights-of-ways of record or otherwise.

This description shown hereon is not to be used to violate subdivision regulations of the State, County and/or Municipality, or any other land division restrictions.



EXHIBIT "B"

WEST QUARTER CORNER
SECTION 14, T.1N., R.2W.,
FOUND 2" ALUMINUM CAP
POINT OF COMMENCEMENT

EAST QUARTER CORNER
SECTION 14, T.1N., R.2W.,
NOTHING FOUND.
NOTHING SET.
CALCULATED POSITION.

CITRUS ROAD

S0°00'00"W 2649.42'

S0°00'00"W
40.00'

POINT OF BEGINNING

N89°58'35"E 2645.54'

N89°58'35"E 2645.54'

N89°58'35"E 2639.68'

CENTER QUARTER CORNER
SECTION 14, T.1N., R.2W.,
FOUND 2" ALUMINUM CAP

COTTON LANE

S0°08'34"E 2644.07'

TOTAL ZONING AREA
8,649,971 SQUARE
FEET OR
198.576 ACRES

1283.54'

2647.09'

N89°56'37"E 1321.46'

S0°00'10"E

1323.54'

S0°04'22"E 1322.79'

1323.08'

L1

S89°55'33"W 2645.66'

S89°54'39"W 2646.15'

LOWER BUCKEYE ROAD

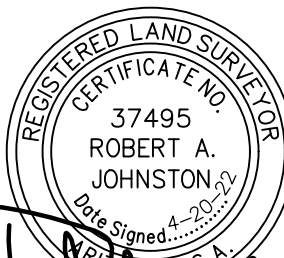
SOUTHWEST CORNER
SECTION 14, T.1N., R.2W.,
FOUND 2" ALUMINUM CAP

SOUTH QUARTER CORNER
SECTION 14, T.1N., R.2W.,
FOUND PK NAIL & WASHER
RPA RLS #57280

SOUTHEAST CORNER
SECTION 14, T.1N., R.2W.,
FOUND PK NAIL & WASHER
RPA RLS #57280



300 0 600
scale feet



[Handwritten Signature]

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20-1595

EXHIBIT "B"

LA JOLLA VISTA





EXHIBIT "C"
LA JOLLA VISTA
R1-4 PARCEL

Job No. 20-1595

April 21, 2022

PARCEL NO. 2

A portion of the Southwest quarter of Section 14, Township 1 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at an aluminum cap at the West quarter-corner of said Section 14, from which an aluminum cap at the Southwest corner of Section 14, Township 1 North, Range 2 West bears South 0 degrees 00 minutes 00 seconds West, 2649.42 feet;

thence along the west line of the Southwest quarter of said section 14 South 0 degrees 00 minutes 00 seconds West, 625.08 feet to the **POINT OF BEGINNING**;

thence, departing said west line North 89 degrees 58 minutes 53 seconds East, 1279.97 feet;

thence South 0 degrees 01 minutes 07 seconds East, 9.99 feet;

thence North 89 degrees 58 minutes 53 seconds East, 150.00 feet;

thence South 0 degrees 01 minutes 07 seconds East, 747.96 feet;

thence South 89 degrees 55 minutes 33 seconds West, 847.77 feet to the beginning of a curve, concave Northeast, having a radius of 500.00 feet;

thence Northwesterly 107.25 feet along the arc of said curve through a central angle of 12 degrees 17 minutes 22 seconds;

thence North 77 degrees 47 minutes 05 seconds West, 171.32 feet to the beginning of a curve, concave Southwest, having a radius of 500.00 feet;

thence Northwesterly 106.60 feet along the arc of said curve through a central angle of 12 degrees 12 minutes 55 seconds;



thence West, 202.76 feet;

thence North, 699.69 feet to the **POINT OF BEGINNING**.

Said portion of land containing 1,060,103 square feet, or 24.3366 acres, more or less. acres, more or less, and being subject to any easements, restrictions, and/or rights-of-ways of record or otherwise.

This description shown hereon is not to be used to violate subdivision regulations of the State, Country and/or Municipality, or any other land division restrictions.

PARCEL NO. 3

A portion of the South half of Section 14, Township 1 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at an aluminum cap at the West quarter-corner of said Section 14, from which an aluminum cap at the Southwest corner of Section 14, Township 1 North, Range 2 West bears South 0 degrees 00 minutes 00 seconds West, 2649.42 feet;

thence along the west line of the Southwest quarter of said section 14 North 0 degrees 00 minutes 00 seconds East, 1994.42 feet to the **POINT OF BEGINNING**;

thence, departing said west line North 89 degrees 55 minutes 33 seconds East, 2431.28 feet;

thence North 0 degrees 04 minutes 27 seconds West, 103.00 feet;

thence North 89 degrees 55 minutes 33 seconds East, 50.00 feet;

thence North 0 degrees 04 minutes 27 seconds West, 27.34 feet;

thence North 89 degrees 59 minutes 50 seconds East, 164.51 feet to a point on the east line of the Southwest quarter of said section 14;

thence along said East line, North 00 degrees 00 minutes 10 seconds West, 538.41;



thence, departing said East line North 89 degrees 56 minutes 37 seconds East, 1321.46 feet;

Thence South 00 Degrees 04 Minutes 22 Seconds East, 1322.79 Feet to a point on the south line of the Southeast quarter of said section 14;

Thence along the South line of the Southeast quarter, South 89 Degrees 54 Minutes 39 Seconds West, 1323.08 Feet to the South quarter corner of said section 14;

Thence along said south line, South 89 Degrees 55 Minutes 33 Seconds West, 2645.66 Feet to the Southwest corner of said section 14;

Thence along the West line of the Southwest quarter, North 00 Degrees 00 Minutes 00 Seconds East, 655.00 Feet, to the **POINT OF BEGINNING**.

Said portion of land containing 3,509,041 square feet, or 80.5565 acres, more or less. acres, more or less, and being subject to any easements, restrictions, and/or rights-of-ways of record or otherwise.

This description shown hereon is not to be used to violate subdivision regulations of the State, Country and/or Municipality, or any other land division restrictions.

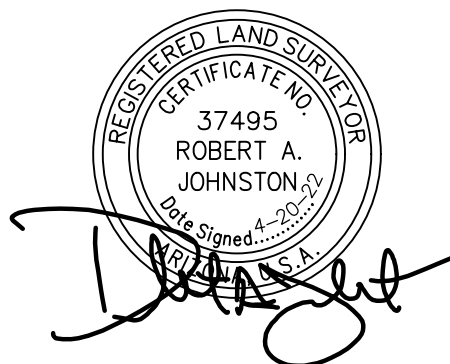


EXHIBIT "C"

WEST QUARTER CORNER
SECTION 14, T.1N., R.2W.,
FOUND 2" ALUMINUM CAP
POINT OF COMMENCEMENT

EAST QUARTER CORNER
SECTION 14, T.1N., R.2W.,
NOTHING FOUND.
NOTHING SET.
CALCULATED POSITION.

CITRUS ROAD

LOWER BUCKEYE ROAD

COTTON LANE

PARCEL NO. 2
R1-4 AREA
1,060,103 SQUARE FEET OR
24.3366 ACRES

PARCEL NO. 3
R1-4 AREA
3,509,041 SQUARE FEET OR
80.5565 ACRES

POINTS OF BEGINNING:
PARCEL NO. 2
PARCEL NO. 3

CORNER NOTES:
SOUTHWEST CORNER SECTION 14, T.1N., R.2W., FOUND 2" ALUMINUM CAP
SOUTH QUARTER CORNER SECTION 14, T.1N., R.2W., FOUND PK NAIL & WASHER RPA RLS #57280
SOUTHEAST CORNER SECTION 14, T.1N., R.2W., FOUND PK NAIL & WASHER RPA RLS #57280

BOUNDARY DATA:
Top: N89°58'35"E 2645.54', N89°58'35"E 2639.68'
Left: N0°00'00"E 2649.42', N89°58'53"E 1279.97', N89°55'33"E 2431.28', S89°55'33"W 2645.66'
Right: S0°00'10"E 1283.54', S0°04'22"E 1322.79', S89°54'39"W 2646.15'
Bottom: S0°01'07"E 747.96', S0°00'00"W 40.00', S89°55'33"W 2645.66', S89°54'39"W 2646.15'

Other Measurements:
585.08', 699.69', 669.64', 655.00', 847.77', 1321.46', 1323.08', 1283.54', 2644.07', 2644.07'

Scale: 300 0 600 feet

North Arrow: NORTH

Surveyor Seal: REGISTERED LAND SURVEYOR, CERTIFICATE NO. 37495, ROBERT A. JOHNSTON, Date Signed 4-21-22

Signature: [Handwritten Signature]

SHT. 1 OF 2
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20-1595	EXHIBIT "C"
	LA JOLLA VISTA R1-4 PARCELS

SOUTHEAST CORNER
SECTION 14, T.1N., R.2W.,
FOUND PK NAIL & WASHER
RPA RLS #57280

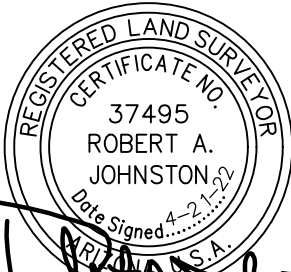
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LA JOLLA VISTA
R1-4 PARCELS



20-1595

EXHIBIT "C"



LINE TABLE

LINE	BEARING	LENGTH
L1	S89°54'39"W	1323.08'
L2	S00°01'07"E	9.99'
L3	N89°58'53"E	150.00'
L4	N77°47'05"W	171.32'
L5	S90°00'00"E	202.76'
L6	N00°04'27"W	103.00'
L7	N89°55'33"E	50.00'
L8	N00°04'27"W	27.34'
L9	N89°55'33"E	165.00'
L10	N00°00'10"W	538.41'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	107.25'	500.00'	12°17'22"	53.83'	107.04'	S83°55'46"E
C2	106.60'	500.00'	12°12'55"	53.50'	106.40'	N83°53'32"W

SHT. 2 OF 2
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20-1595

EXHIBIT "C"

LA JOLLA VISTA
R1-4 PARCELS





EXHIBIT "D"
LA JOLLA VISTA
R1-6 PARCELS

Job No. 20-1595

April 21, 2022

A portion of the Southwest quarter of Section 14, Township 1 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at an aluminum cap at the West quarter-corner of said Section 14, from which an aluminum cap at the Southwest corner of Section 14, Township 1 North, Range 2 West bears South 00 degrees 00 minutes 00 seconds West, 2649.42 feet;

Thence along the West line of the Southwest quarter of said section 14, South 00 degrees 00 minutes 00 seconds West, 40.00 feet to the **POINT OF BEGINNING**;

thence along a line parallel with and 40.00 feet South of the North line of said Southwest quarter, North 89 degrees 58 minutes 35 seconds East, 2645.54 feet to the East line of the Southwest quarter of said section 14;

thence along said East line, South 00 degrees 00 minutes 10 seconds East, 1821.75 feet to a point on said east line;

thence, departing said East line South 89 degrees 55 minutes 32 seconds West, 164.51 feet;

thence South 0 degrees 04 minutes 27 seconds East, 27.34 feet;

thence South 89 degrees 55 minutes 33 seconds West, 50.00 feet;

thence South 0 degrees 04 minutes 27 seconds East, 103.00 feet;

thence South 89 degrees 55 minutes 33 seconds West, 2431.28 feet to a point on the west line of the Southwest quarter of said section 14;

thence along said west line North 0 degrees 00 minutes 00 seconds East, 669.64 feet;



thence, departing said west line South 90 degrees 00 minutes 00 seconds East, 202.76 feet to the beginning of a curve, concave Southwest, having a radius of 500.00 feet;

thence Southeasterly 106.60 feet along the arc of said curve through a central angle of 12 degrees 12 minutes 55 seconds;

thence South 77 degrees 47 minutes 05 seconds East, 171.32 feet to the beginning of a curve, concave Northeast, having a radius of 500.00 feet;

thence Southeasterly 107.25 feet along the arc of said curve through a central angle of 12 degrees 17 minutes 22 seconds;

thence North 89 degrees 55 minutes 33 seconds East, 847.77 feet;

thence North 0 degrees 01 minutes 07 seconds West, 747.96 feet;

thence South 89 degrees 58 minutes 53 seconds West, 150.00 feet;

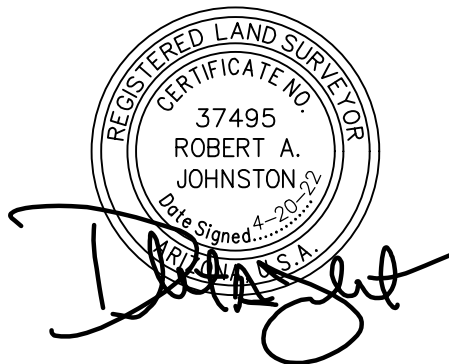
thence North 0 degrees 01 minutes 07 seconds West, 9.99 feet;

thence South 89 degrees 58 minutes 53 seconds West, 1279.97 feet to a point on the west line of the Southwest quarter of said section 14;

thence along said west line North 0 degrees 00 minutes 00 seconds East, 585.08 feet to the **POINT OF BEGINNING**.

Said portion of land containing 4,080,810 square feet, or 93.6825 acres, more or less. acres, more or less, and being subject to any easements, restrictions, and/or rights-of-ways of record or otherwise.

This description shown hereon is not to be used to violate subdivision regulations of the State, Country and/or Municipality, or any other land division restrictions.



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Tel (480) 503-2250 • Fax (480) 503-2258

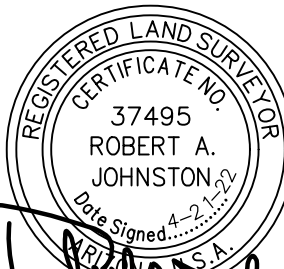
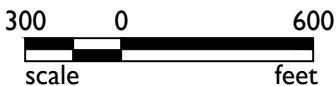
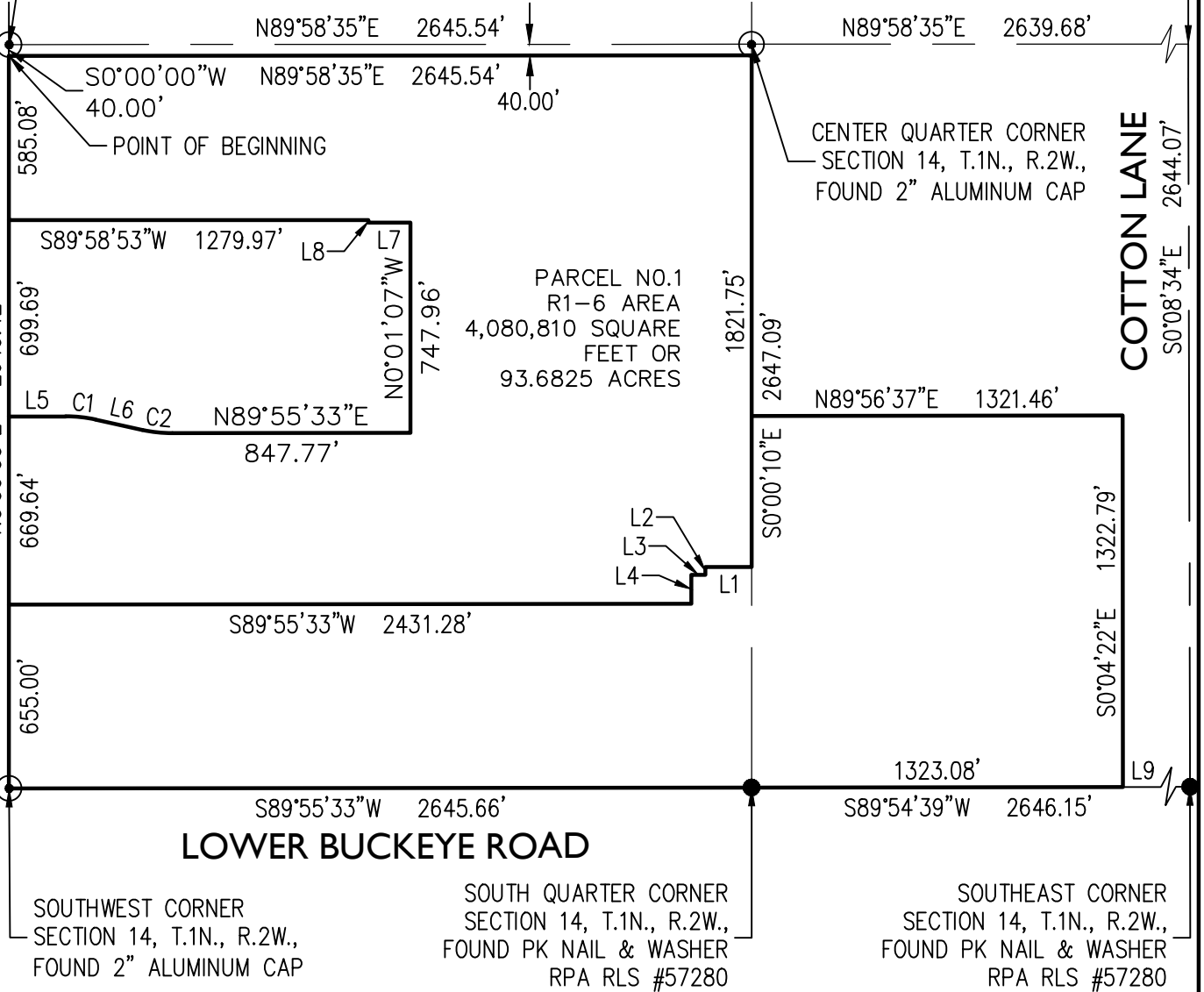
EXHIBIT "D"

WEST QUARTER CORNER
SECTION 14, T.1N., R.2W.,
FOUND 2" ALUMINUM CAP
POINT OF COMMENCEMENT

EAST QUARTER CORNER
SECTION 14, T.1N., R.2W.,
NOTHING FOUND.
NOTHING SET.
CALCULATED POSITION.

CITRUS ROAD

COTTON LANE



[Signature]

SHT. 1 OF 2
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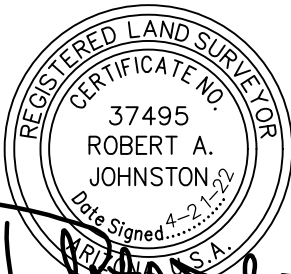
20-1595

EXHIBIT "D"

LA JOLLA VISTA
R1-6 PARCELS



EXHIBIT "D"



LINE TABLE

LINE	BEARING	LENGTH
L1	S89°55'32"W	164.51'
L2	S00°04'27"E	27.34'
L3	S89°55'33"W	50.00'
L4	S00°04'27"E	103.00'
L5	S90°00'00"E	202.76'
L6	S77°47'05"E	171.32'
L7	S89°58'53"W	150.00'
L8	N00°01'07"W	9.99'
L9	S89°54'39"W	1323.08'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	106.60'	500.00'	12°12'55"	53.50'	106.40'	S83°53'32"E
C2	107.25'	500.00'	12°17'22"	53.83'	107.04'	S83°55'46"E

SHT. 2 OF 2
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20-1595

EXHIBIT "D"

LA JOLLA VISTA
R1-6 PARCELS





BRICK VENEER/CAP
DAKOTA
MANUFACTURER:
SUMMIT BRICK COMP.



STANDARD CMU PAINT
COLOR: SW0023
MANUFACTURER:
SHERWIN-WILLIAMS



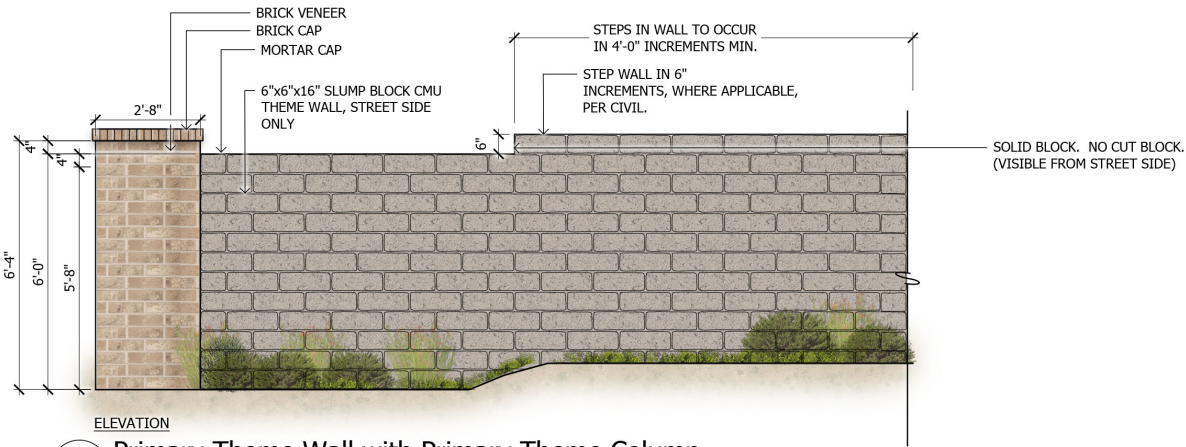
METAL STEEL COLOR
MODEL: TRICORN
MANUFACTURER:
SHERWIN-WILLIAMS



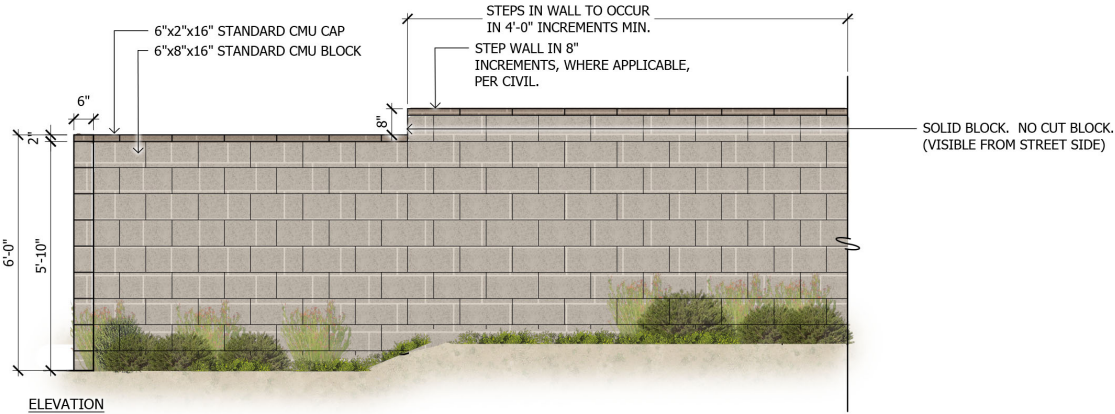
CMU PAINT
COLOR: SW7023
MANUFACTURER:
SHERWIN-WILLIAMS



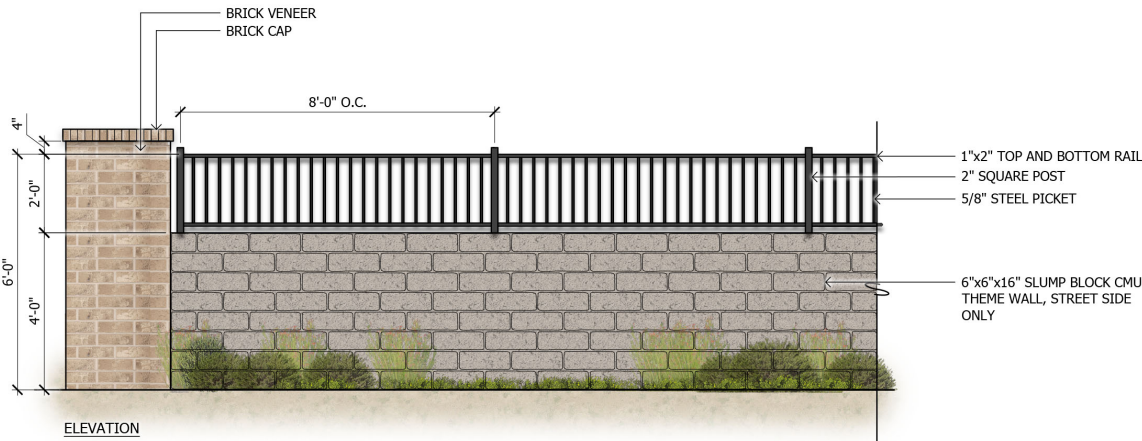
CMU CAP PAINT
COLOR: SW7039
MANUFACTURER:
SHERWIN-WILLIAMS



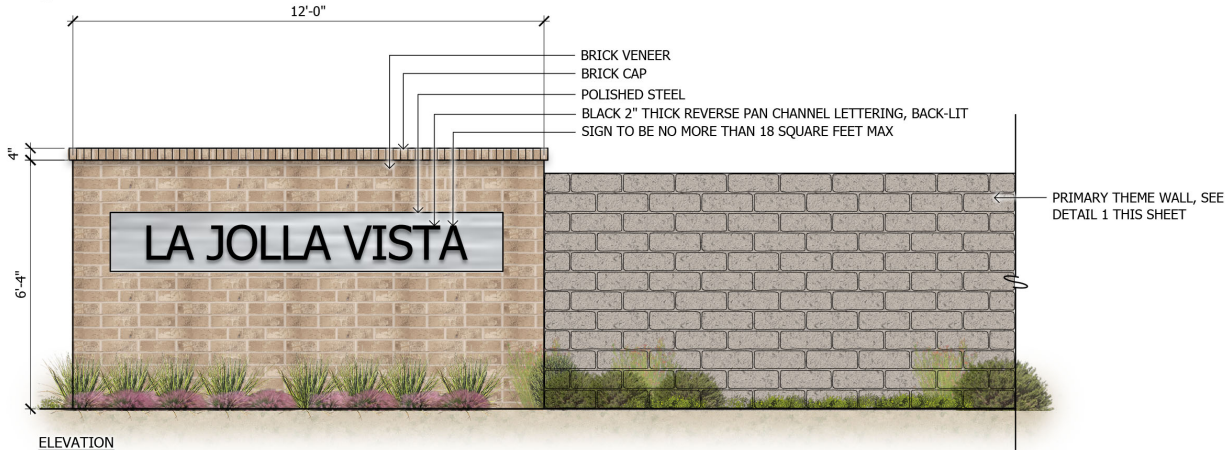
1 Primary Theme Wall with Primary Theme Column
SCALE: 1/2"=1'-0"



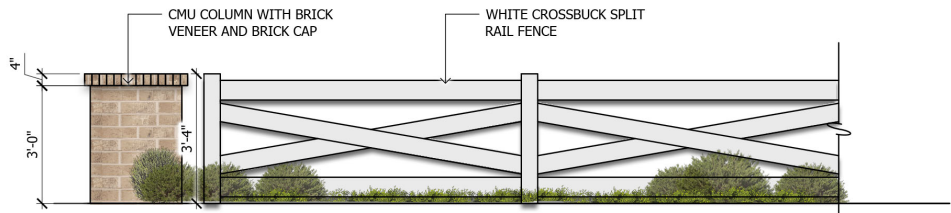
2 Secondary Theme Wall with Turned Wall End
SCALE: 1/2"=1'-0"



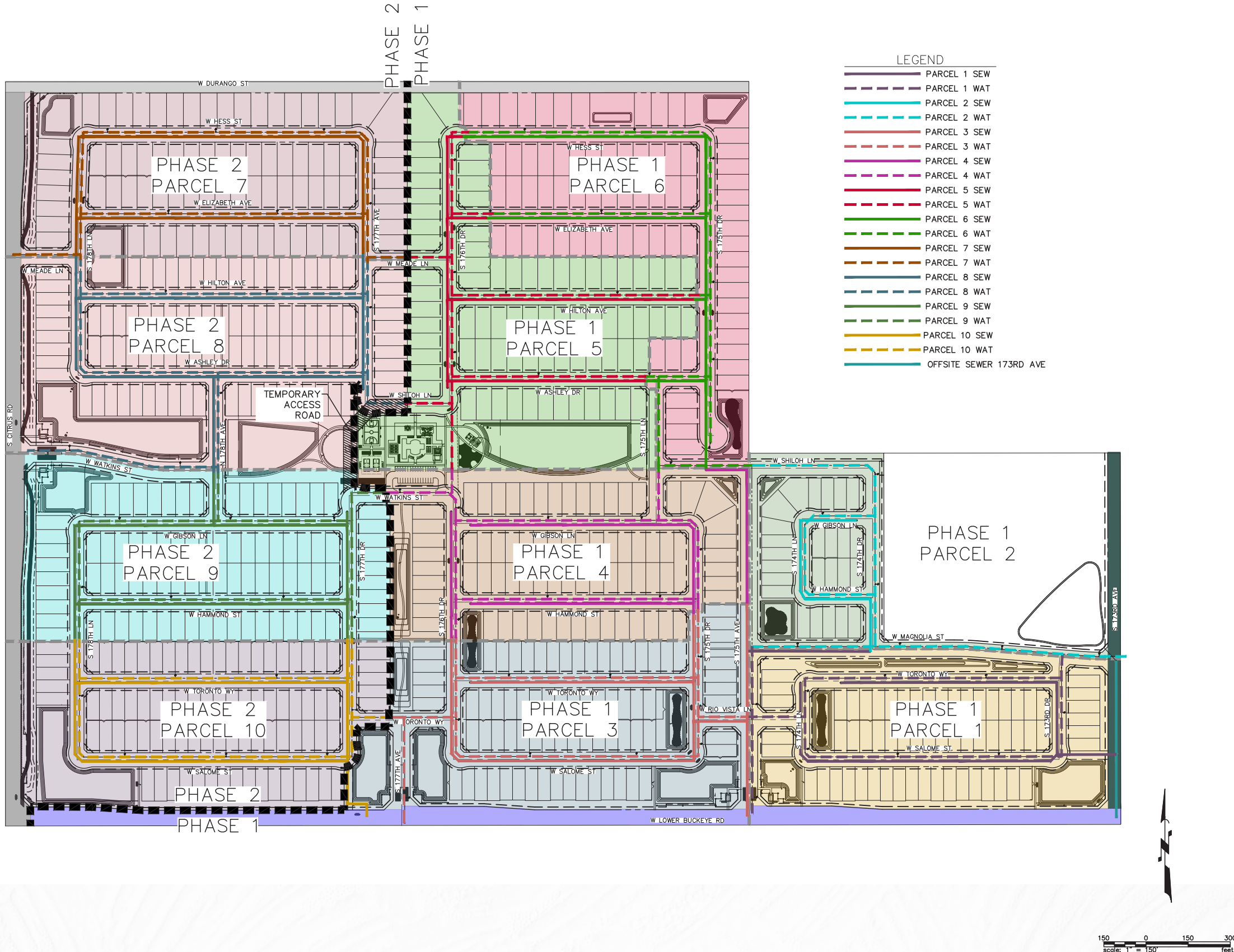
3 2' View Fence Over 4' CMU
SCALE: 1/2"=1'-0"



4 Secondary Entry Monument
SCALE: 1/2"=1'-0"



5 White Crossbuck Split Rail Fence
SCALE: 1/2"=1'-0"



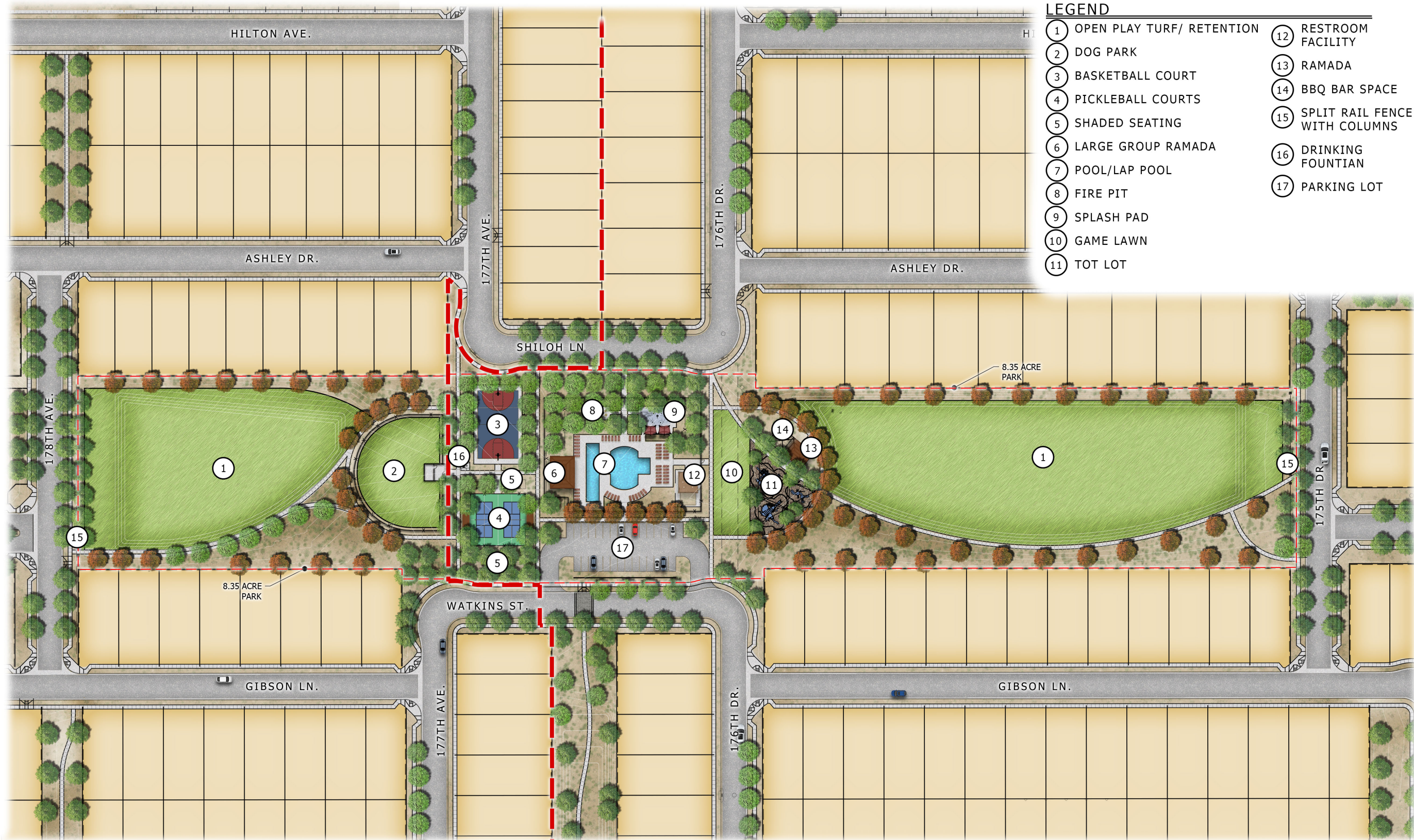
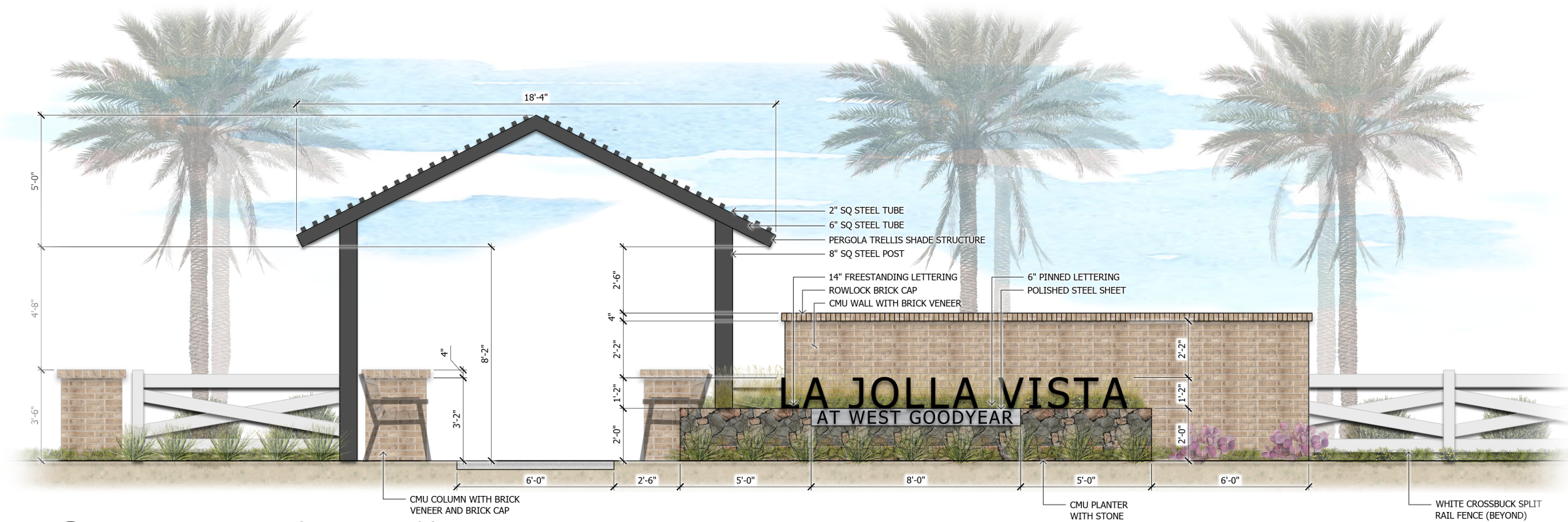


Exhibit G: La Jolla Vista Main Park Amenity



1 Main Entry Monument
SCALE: NTS

Exhibit H: La Jolla Vista Monuments



1 Primary Entry Monument (Entry Drive Side)
SCALE: 1/2"=1'-0"

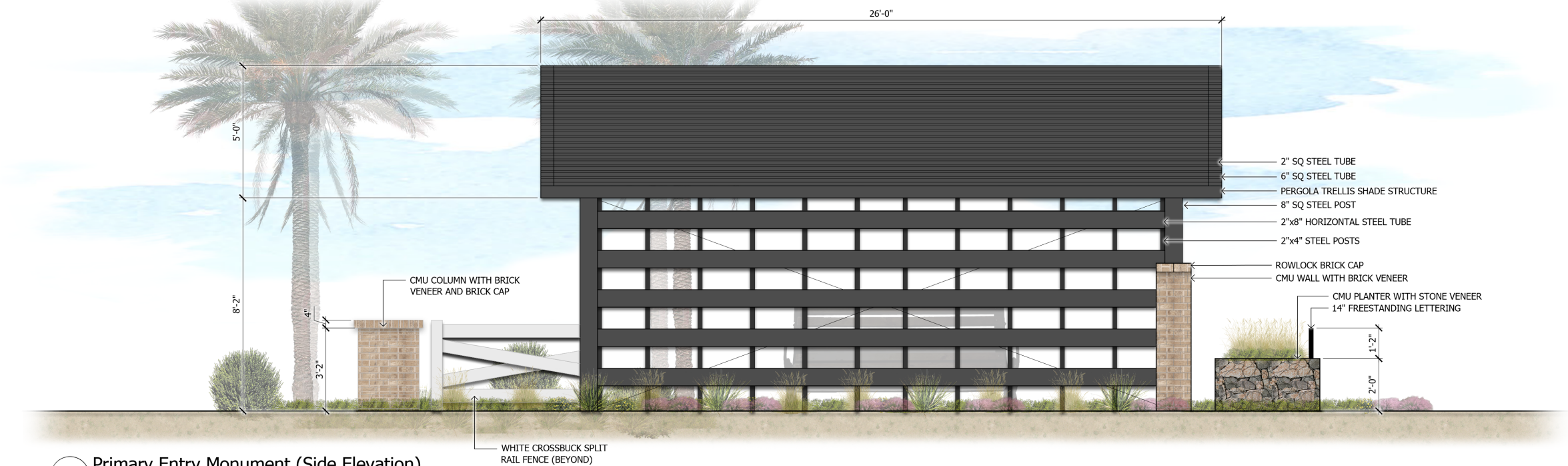
STONE VENEER
DC RANCH
MANUFACTURER:
ANASAZI STONE COMP.



BRICK VENEER/ CAP
DAKOTA
MANUFACTURER:
SUMMIT BRICK COMP.



METAL STEEL COLOR
MODEL: TRICORN
MANUFACTURER:
SHERWIN-WILLIAMS

2 Primary Entry Monument (Side Elevation)
SCALE: 1/2"=1'-0"

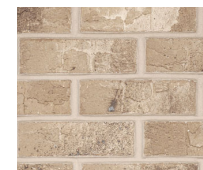
La Jolla Vista Monuments (cont.)



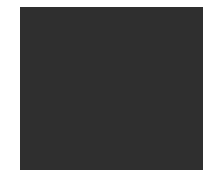
1 Corner Monument
SCALE: 1/2"=1'-0"



STONE VENEER
DC RANCH
MANUFACTURER:
ANASAZI STONE COMP.



BRICK VENEER/ CAP
DAKOTA
MANUFACTURER:
SUMMIT BRICK COMP.



METAL STEEL COLOR
MODEL: TRICORN
MANUFACTURER:
SHERWIN-WILLIAMS

La Jolla Vista Monuments (cont.)

When recorded Mail to:

Exhibit I

City of Goodyear
City Clerk
190 N. Litchfield Road
P.O. Box 5100
Goodyear, Arizona 85338

TERMINATION OF LA JOLLA VISTA DEVELOPMENT AGREEMENT

This Termination of La Jolla Vista Development Agreement (“Notice of Termination”) is being executed by the City of Goodyear, an Arizona municipal corporation (the “City”) and Citrus & Lower Buckeye LLC, an Arizona limited liability company (“Owner”) (collectively the City and Owner are referred to as the “Parties”).

WHEREAS, Owner owns approximately 198.6 acres of land that is more particularly described in Exhibit 1 attached hereto and incorporated herein by this reference (the “Property”).

WHEREAS, Owner and the City have entered into numerous agreements related to the development of the Property that have been amended and superseded by subsequent amended and restated agreements, including the following

- Pre-Annexation Development Agreement, recorded in the official records of the Maricopa County Records (“MCR”) at 2005-1656065
 - First Amendment to Pre-Annexation Development Agreement recorded at MCR No. 2011-1019669
- Memorandum of Understanding Regarding West Goodyear Regional Infrastructure recorded in the Official Records of the Maricopa County Recorder as Instrument No. 2005-1315299
- Amended and Restated Development Agreement (La Jolla Vista) recorded at MCR No. 2013-0594314;
 - First Amendment to Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2014-0040963;
 - Second Amendment to Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2014-0334245 and re-recorded at MCR 2014-0373259;
 - Third Amendment to Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2015-0457194;
 - Fourth Amendment to Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2015-0722868;
 - Fifth Amendment to Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2016-0060995;

(The foregoing agreements and amendments are collectively referred to as the “Superseded La Jolla Vista Development Agreements”)

- Second Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2016-0288863;
 - First Amendment to Second Amended and Restated Development Agreement for La Jolla Vista recorded at MCR 2017-0077324.

(The Second Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2016-0288863 as amended by the First Amendment to Second Amended and Restated Development Agreement for La Jolla Vista recorded at MCR 2017-0077324 are collectively referred to as the “Existing La Jolla Vista Development Agreement”)

WHEREAS, of the foregoing agreements, the Existing La Jolla Vista Development Agreement is the only currently agreement in effect specific to only this Property.

WHEREAS, Owner has applied to rezone the Property in a manner inconsistent with the terms of the Existing La Jolla Vista Development Agreement.

WHEREAS, because of the re-zoning and actions that have occurred since the effective dates of the Existing La Jolla Vista Development Agreement, various terms in the Existing La Jolla Vista Development Agreement are no longer needed or are not consistent with the re-zoning, and rather than amend or replace the Existing La Jolla Vista Development Agreement, the Existing La Jolla Vista Development Agreement is to be terminated as a condition of the re-zoning and the outstanding obligations, including the triggers for the construction of certain on-site and off-site street improvements, are being included as conditions of the rezoning.

WHEREAS Owner and City desire to terminate the Existing La Jolla Vista Development Agreement and provide record notice that Existing La Jolla Vista Development Agreement and the Superseded La Jolla Vista Development Agreements have been terminated and have no further force and effect and are to be removed from the Properties title.

NOW, THEREFORE, the City and Owner hereby agree as follows:

1. The Second Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2016-0288863 as amended by the First Amendment to Second Amended and Restated Development Agreement for La Jolla Vista recorded at MCR 2017-0077324 is hereby terminated effective the date this Termination of La Jolla Vista Development Agreement is recorded in the official records of the Maricopa; and upon the recordation of this Termination of La Jolla Vista Development Agreement, the Second Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2016-0288863 as amended by the First Amendment to Second Amended and Restated Development Agreement for La Jolla Vista recorded at MCR 2017-0077324 shall have no further force and effect and are to be removed from the Properties title.

2. The City shall not record this Termination of La Jolla Vista Development Agreement until the deadline for referring Ordinance 2022-1545, which is thirty (30) days from the date the ordinance is adopted by the City Council and made available to the public.

3. This Termination of La Jolla Vista Development Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which, taken together, shall constitute one agreement, binding on the Parties. Further this Termination of La Jolla Vista Development Agreement may be executed and delivered by electronic transmission. A manually signed copy of this Termination of La Jolla Vista Development Agreement delivered by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Termination of La Jolla Vista Development Agreement provided however, Owner shall deliver an original to the City for recordation in the Official Records of Maricopa County.

4. Notice is hereby given that the following agreements and amendments that address the development of the Property have been terminated and have no further force and effect and are to be removed from the Properties title:

- Pre-Annexation Development Agreement, recorded in the official records of the Maricopa County Records (“MCR”) at 2005-1656065
 - First Amendment to Pre-Annexation Development Agreement recorded at MCR No. 2011-1019669
- Memorandum of Understanding Regarding West Goodyear Regional Infrastructure recorded in the Official Records of the Maricopa County Recorder as Instrument No. 2005-1315299
- Amended and Restated Development Agreement (La Jolla Vista) recorded at MCR No. 2013-0594314;
 - First Amendment to Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2014-0040963;
 - Second Amendment to Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2014-0334245 and re-recorded at MCR 2014-0373259;
 - Third Amendment to Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2015-0457194;
 - Fourth Amendment to Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2015-0722868;
 - Fifth Amendment to Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2016-0060955;
- Second Amended and Restated Development Agreement for La Jolla Vista recorded at MCR No. 2016-0288863;
 - First Amendment to Second Amended and Restated Development Agreement for La Jolla Vista recorded at MCR 2017-0077324.

Signatures, Acknowledgments and Exhibits on Following Pages

IN WITNESS WHEREOF, the Parties have caused this Termination of La Jolla Vista Development Agreement to be executed on the dates set forth below.

OWNER:

CITRUS & LOWER BUCKEYE, LLC
an Arizona limited liability company

By: HINTON FINANCIAL SERVICES, INC.,
a Colorado corporation
ITS: Member and Manager

By: _____
Brad Clough President

DATE: _____

PROVINCE OF ALBERTA)
)ss.
CITY OF EDMONTON)

The foregoing instrument (Termination of La Jolla Vista Development Agreement) was acknowledged before me this ____ day of _____, 2022 by Brad Clough, President of Hinton Financial Services, Inc., the member and manager of CITRUS & LOWER BUCKEYE, LLC, an Arizona limited liability for and on behalf thereof.

Notary Public

Signatures, Acknowledgments and Exhibits on Following Pages

CITY:

CITY OF GOODYEAR,
an Arizona Municipal Corporation,

By: _____

Julie Karins

Its: City Manager

DATE: _____

State of Arizona)

)ss.

County of Maricopa)

The foregoing instrument (Termination of La Jolla Vista Development Agreement) was acknowledged before me this _____ day of _____, 2022 by Julie Karins, as City Manager of the CITY OF GOODYEAR, an Arizona municipal corporation, on behalf of said corporation.

Notary Public

Exhibit(s) on Following Page(s)

EXHIBIT “1”

LEGAL DESCRIPTION



EXHIBIT "1"
LA JOLLA VISTA

Job No. 20-1595

April 20, 2022

A portion of the South Half of Section 14, Township 1 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at an aluminum cap at the West quarter-corner of said Section 14, from which an aluminum cap at the Southwest corner of Section 14, Township 1 North, Range 2 West bears South 00 degrees 00 minutes 00 seconds West, 2649.42 feet;

Thence along the West line of the Southwest quarter of said section 14, South 00 degrees 00 minutes 00 seconds West, 40.00 feet to the **POINT OF BEGINNING**;

thence along a line parallel with and 40.00 feet South of the North line of said Southwest quarter, North 89 degrees 58 minutes 35 seconds East, 2645.54 feet to the East line of the Southwest quarter of said section 14;

thence along said East line, South 00 degrees 00 minutes 10 seconds East, 1283.54;

thence, departing said East line North 89 degrees 56 minutes 37 seconds East, 1321.46 feet;

Thence South 00 Degrees 04 Minutes 22 Seconds East, 1322.79 Feet to a point on the south line of the Southeast quarter of said section 14;

Thence along the South line of the Southeast quarter, South 89 Degrees 54 Minutes 39 Seconds West, 1323.08 Feet to the South quarter corner of said section 14;

Thence along said south line, South 89 Degrees 55 Minutes 33 Seconds West, 2645.66 Feet to the Southwest quarter corner of said section 14;

Thence along the West line of the Southwest quarter, North 00 Degrees 00 Minutes 00 Seconds East, 2609.42 Feet, to the **POINT OF BEGINNING**.



Said portion of land containing 8,649,971 square feet, or 198.576 acres, more or less, and being subject to any easements, restrictions, and/or rights-of-ways of record or otherwise.

This description shown hereon is not to be used to violate subdivision regulations of the State, County and/or Municipality, or any other land division restrictions.



WEST QUARTER CORNER
SECTION 14, T.1N., R.2W.,
FOUND 2" ALUMINUM CAP
POINT OF COMMENCEMENT

EAST QUARTER CORNER
SECTION 14, T.1N., R.2W.,
NOTHING FOUND.
NOTHING SET.
CALCULATED POSITION.

CITRUS ROAD

S0°00'00"W 2649.42'

S0°00'00"W
40.00'

POINT OF BEGINNING

N89°58'35"E 2645.54'

N89°58'35"E 2645.54'

N89°58'35"E 2639.68'

CENTER QUARTER CORNER
SECTION 14, T.1N., R.2W.,
FOUND 2" ALUMINUM CAP

COTTON LANE

S0°08'34"E 2644.07'

TOTAL ZONING AREA
8,649,971 SQUARE
FEET OR
198.576 ACRES

1283.54'

2647.09'

N89°56'37"E 1321.46'

S0°00'10"E

1323.54'

S0°04'22"E 1322.79'

1323.08'

L1

S89°55'33"W 2645.66'

S89°54'39"W 2646.15'

LOWER BUCKEYE ROAD

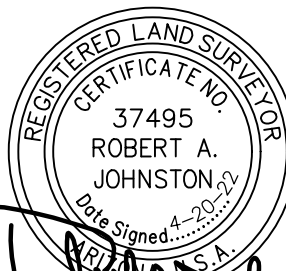
SOUTHWEST CORNER
SECTION 14, T.1N., R.2W.,
FOUND 2" ALUMINUM CAP

SOUTH QUARTER CORNER
SECTION 14, T.1N., R.2W.,
FOUND PK NAIL & WASHER
RPA RLS #57280

SOUTHEAST CORNER
SECTION 14, T.1N., R.2W.,
FOUND PK NAIL & WASHER
RPA RLS #57280



300 0 600
scale feet



[Handwritten signature]

www.epsgroupinc.com

20-1595

EXHIBIT "1"

LA JOLLA VISTA

