

MARANA ORDINANCE NO. 2017.028

RELATING TO DEVELOPMENT; EXTENDING THE TIME FOR SUBMITTING WAIVERS UNDER MARANA ORDINANCE NO. 2017.023, WHICH ADOPTED AMENDMENTS TO THE VILLAGES OF TORTOLITA SPECIFIC PLAN AND AUTHORIZED THE MAYOR TO SIGN THE VILLAGES OF TORTOLITA DEVELOPMENT AGREEMENT; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS Marana Ordinance No. 2007.09 adopted The Villages of Tortolita Specific Plan, governing land uses on approximately 1,780 acres of land located on the east side of Interstate 10 from about Marana Road on the south to about two-thirds of a mile north of the Pinal County line; and

WHEREAS Marana Ordinance No. 2017.023 was adopted on November 7, 2017, amending The Villages of Tortolita Specific Plan and authorizing the Mayor to sign The Villages of Tortolita Development Agreement; and

WHEREAS Section 2, paragraph 5 of Marana Ordinance No. 2017.023 requires each of the Property Owners other than TMR INVESTORS, LLC (“TMR”) to execute waivers in substantially the form attached as Exhibit C to The Villages of Tortolita Development Agreement, and provides for reversion of Section 2 paragraphs 1 and 4 of Ordinance No. 2017.023 if the fully executed waivers are not submitted to the Town Clerk for recording within 60 days after the Marana Town Council’s approval of Ordinance No. 2017.023; and

WHEREAS TMR has encountered unanticipated obstacles and difficulties obtaining the waivers; and

WHEREAS extending the time period for obtaining the waivers does not substantially affect the Town’s rights, obligations, or liabilities.

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

Section 1. Section 2, paragraph 5 of Marana Ordinance No. 2017.023 is hereby amended to require the waivers in substantially the form attached as Exhibit C to The Villages of Tortolita Development Agreement to be signed and submitted to the Town Clerk for recording no later than April 4, 2018.

Section 2. This ordinance addresses an administrative issue associated with Marana Ordinance No. 2017.023, and is therefore effective immediately upon its adoption.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona,
this 19th day of December, 2017.

Mayor Ed Honea

ATTEST:

APPROVED AS TO FORM:

Jocelyn C. Bronson, Town Clerk

Frank Cassidy, Town Attorney