

RESOLUTION NO. 2017-19

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA ORDERING THE IMPROVEMENTS OF CERTAIN STREETS AND RIGHTS-OF-WAY WITHIN THE CORPORATE LIMITS OF THE TOWN AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA STREETLIGHT IMPROVEMENT DISTRICT NO. 1120, VISTANCIA VILLAGE D PARCEL D2 PURSUANT TO TITLE 48, CHAPTER 4, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO FOR THE PURPOSE OF PURCHASING ELECTRICITY, WHICH INCLUDES A CHARGE FOR THE USE OF LIGHTING FACILITIES AND OTHER RELATED ITEMS TOGETHER WITH ALL APPURtenant STRUCTURES AS SHOWN ON THE PLANS, AND DECLARING AN EMERGENCY.

WHEREAS on the 7<sup>th</sup> day of February, 2017, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2017-18, declaring its intention to order the purchase of electricity for lighting the streets and public parks within the proposed district and that the cost of the purchase of electricity for lighting the streets and public parks be assessed upon a certain improvement district, to be known as City of Peoria Streetlight Improvement District No. 1120; providing that the cost of the electricity required to operate the system be assessed under the provisions of Title 48, Chapter 4, Article 2, Arizona Revised Statutes, as amended; and declaring an emergency; and

WHEREAS, a copy of Resolution No. 2017-18 has been published in the Peoria Times, a newspaper published and generally circulated in the City, as required by law or alternatively a petition has been filed with the City Clerk having been signed by all the owners of the real property; and

WHEREAS, the Superintendent of Streets of the City caused to be posted along the streets of the District, no more than three hundred (300) feet apart, notices of the passage of Resolution No. 2017-18, said notices being headed "Notice of Proposed Improvement", each heading in letters at least one (1)

inch in height. Said notices stated the fact of the passage of said Resolution of Intention No. 2017-18 or alternatively a petition has been filed with the City Clerk having been signed by all the owners of the real property; and

WHEREAS, more than fifteen (15) days have elapsed since the date of the last publication of said Resolution of Intention No. 2017-18 and since the completion of the posting of said notices or alternatively a petition has been filed with the City Clerk having been signed by all the owners of the real property; and

WHEREAS, no protests against the proposed improvement and no objections to the extent of the District were filed with the Clerk of the City during the time prescribed by law; and

WHEREAS, the Mayor and Council of the City having acquired jurisdiction to order the improvements as described in Resolution No. 2017-18; and

WHEREAS, the City Engineer acting as District Engineer has prepared and presented to the Mayor and Council of the City duplicate diagrams of the property contained within the District ("the Diagram") and legal description copies of which are attached and incorporated as Exhibits A and B.

NOW THEREFORE IT IS RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, as follows:

Section 1. By virtue of the authority vested in the Mayor and Council of the City by Title 48, Chapter 4, Article 2, Arizona Revised Statutes and all amendments thereto, the Mayor and Council of the City orders the work or improvement done as described in Resolution No. 2017-18 and in accordance with the Plans and Specifications approved and adopted by the Mayor and Council of the City of Peoria, Arizona.

Section 2. The Superintendent of Streets of the City is authorized and directed to prepare and execute the notice of the passage of this Resolution, which is attached as Exhibit B. Such notice shall be posted and published as provided by law.

Section 3. That the Diagram, as prepared and presented to the Mayor and Council of the City is approved by the Mayor and Council of the City.

Section 4. That the Clerk of the City is authorized and directed to certify that the Diagram was approved by the Mayor and Council of the City on the 7<sup>th</sup> day of February, 2017, and after such certification, the Clerk of the City is authorized and directed to deliver the Diagram to the Superintendent of Streets of the City.

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PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 7<sup>th</sup> day of February, 2017.

**CITY OF PEORIA**, an Arizona municipal corporation

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Cathy Carlat, Mayor

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Date Signed

ATTEST:

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Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

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Stephen Burg, City Attorney

**EXHIBIT  
LEGAL DESCRIPTION FOR  
VISTANCIA VILLAGE D PARCEL D2  
STREET LIGHT IMPROVEMENT DISTRICT #1120**

All that certain lot, tract, or parcel of land, situated in a portion of Section 24, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more completely described as follows, to-wit:

COMMENCING at a found stone monument with no markings for the Northwest corner of Section 30, Township 5 North, Range 1 East, from which a found GLO monument stamped "T5N, R1W, R1E 25 DATED 1922" for the Southwest corner of said Section 24 bears South 00 deg. 03 min. 56 sec. East - 348.12 feet and a found GLO monument stamped "T5N, R1W 24 DATED 1922" for the East Quarter corner of said Section 24 bears North 00 deg. 03 min. 56 sec. West (Basis of Bearings) - 2290.08 feet;

THENCE North 00 deg. 03 min. 56 sec. West along the East line of the Southeast Quarter of said Section 24, a distance of 226.57 feet to the TRUE POINT OF BEGINNING;

THENCE South 89 deg. 56 min. 04 sec. West departing said East line, a distance of 148.99 feet to a Point of Curvature radial to said line and being a circular curve to the right, having a radius of 20.00 feet, a central angle of 77 deg. 30 min. 47 sec., and being subtended by a chord which bears North 38 deg. 41 min. 28 sec. East - 25.04 feet;

THENCE in a northeasterly direction along said curve to the right, a distance of 27.06 feet to a Point of Curvature of a reverse circular curve to the left, having a radius of 54.00 feet, a central angle of 185 deg. 12 min. 28 sec., and being subtended by a chord which bears North 15 deg. 09 min. 23 sec. West - 107.89 feet;

THENCE in a northwesterly direction along said curve to the left, a distance of 174.55 feet;

THENCE North 17 deg. 45 min. 37 sec. West radial to said curve, a distance of 35.45 feet;

THENCE South 89 deg. 56 min. 04 sec. West, a distance of 122.28 feet;

THENCE South 22 deg. 06 min. 10 sec. West, a distance of 7.53 feet;

THENCE North 67 deg. 53 min. 50 sec. West, a distance of 165.05 feet to a Point of Curvature of a non-tangent circular curve to the right, having a radius of 425.00 feet, a central angle of 0 deg. 52 min. 49 sec., and being subtended by a chord which bears South 21 deg. 39 min. 45 sec. West - 6.53 feet;

THENCE in a southerly direction along said curve to the right, a distance of 6.53 feet;

THENCE North 67 deg. 53 min. 50 sec. West radial to said curve, a distance of 1000.51 feet to a Point of Curvature of a non-tangent circular curve to the left, having a radius of 4000.00 feet, a

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central angle of 8 deg. 05 min. 09 sec., and being subtended by a chord which bears North 11 deg. 19 min. 56 sec. East - 564.03 feet;

THENCE in a northerly direction along said curve to the left, a distance of 564.49 feet;

THENCE South 82 deg. 37 min. 08 sec. East non-tangent to said curve, a distance of 223.05 feet to a Point of Curvature of a circular curve to the left, having a radius of 1493.58 feet, a central angle of 7 deg. 26 min. 48 sec., and being subtended by a chord which bears South 86 deg. 20 min. 32 sec. East - 193.99 feet;

THENCE in a easterly direction along said curve to the left, a distance of 194.12 feet;

THENCE North 89 deg. 56 min. 04 sec. East tangent to said curve, a distance of 140.37 feet to a Point of Curvature of a circular curve to the right, having a radius of 6.42 feet, a central angle of 90 deg. 03 min. 56 sec., and being subtended by a chord which bears South 45 deg. 01 min. 58 sec. East - 9.08 feet;

THENCE in a easterly, southeasterly direction along said curve to the right, a distance of 10.09 feet;

THENCE North 89 deg. 55 min. 14 sec. East non-tangent to said curve, a distance of 30.16 feet;

THENCE South 00 deg. 03 min. 56 sec. East, a distance of 140.75 feet to a Point of Curvature of a circular curve to the right, having a radius of 228.16 feet, a central angle of 22 deg. 10 min. 06 sec., and being subtended by a chord which bears South 11°01'07" West - 87.73 feet;

THENCE in a southerly direction along said curve to the right, a distance of 88.28 feet;

THENCE South 22 deg. 06 min. 10 sec. West tangent to said curve, a distance of 58.75 feet;

THENCE South 67 deg. 53 min. 50 sec. East, a distance of 216.89 feet to a Point of Curvature of a non-tangent circular curve to the left, having a radius of 600.00 feet, a central angle of 22 deg. 07 min. 01 sec., and being subtended by a chord which bears North 10 deg. 59 min. 35 sec. East - 230.17 feet;

THENCE in a northerly direction along said curve to the left, a distance of 231.61 feet;

THENCE North 00 deg. 03 min. 56 sec. West tangent to said curve, a distance of 26.51 feet;

THENCE North 89 deg. 56 min. 04 sec. East, a distance of 150.00 feet;

THENCE North 00 deg. 03 min. 56 sec. West, a distance of 270.00 feet;

THENCE North 89 deg. 56 min. 04 sec. East, a distance of 110.00 feet;

THENCE North 33 deg. 33 min. 32 sec. East, a distance of 31.16 feet;

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THENCE North 89 deg. 56 min. 04 sec. East, a distance of 192.75 feet to the East line of the Southeast Quarter of said Section 24;

THENCE South 00 deg. 03 min. 56 sec. East along said East line, a distance of 1274.46 feet to the POINT OF BEGINNING, containing 1,031,908 square feet or 23.689 acres of land, more or less.



EXPIRES 3/31/2019

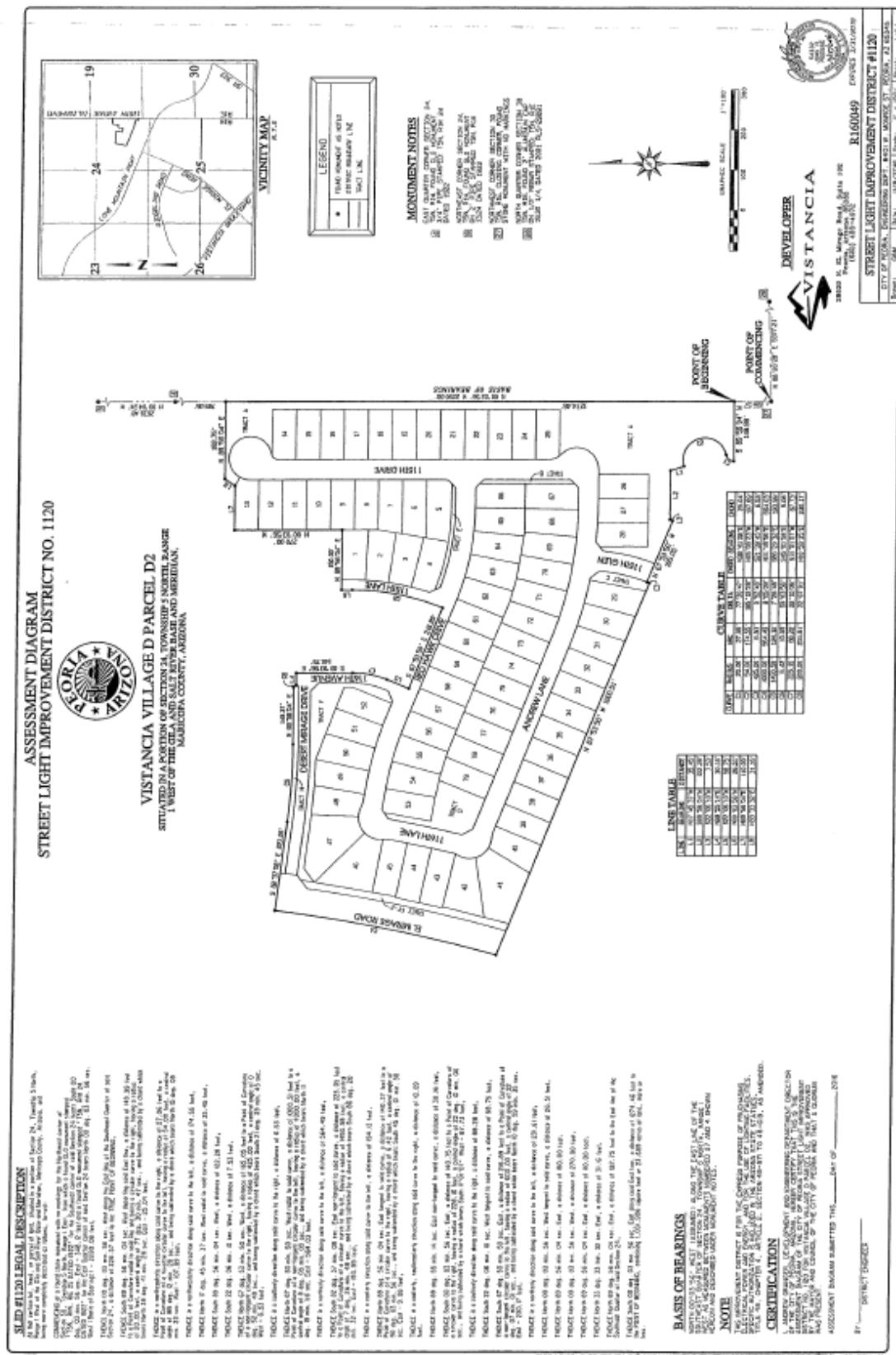
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**EXHIBIT "B"**

**IS ON FILE IN THE**

**CITY OF PEORIA  
CITY CLERK'S OFFICE  
8401 W. MONROE STREET  
PEORIA, AZ 85345**

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**CITY OF PEORIA, ARIZONA  
NOTICE**

OF THE PASSAGE OF A RESOLUTION ORDERING  
THE IMPROVEMENT CONSISTING OF  
AUTHORIZING THE PURCHASE OF ELECTRICITY  
FOR LIGHTING THE STREETS AND PUBLIC PARKS  
FOR THE IMPROVEMENT DISTRICT KNOWN AS  
CITY OF PEORIA STREETLIGHT IMPROVEMENT  
DISTRICT NO. 1120, VISTANCIA VILLAGE D  
PARCEL D2.

This notice is given pursuant to the provisions of Title 48, Chapter 4, Article 2, Sections 48-571 to 48-619, both inclusive, Arizona Revised Statutes, as amended.

On the 7<sup>th</sup> day of February, 2017, the Mayor and Council of the City of Peoria adopted Resolution No. 2017-19; ordering the improvements of certain streets and rights-of-way within the corporate limits of the town and creating an Improvement District known as the City of Peoria Streetlight Improvement District No. 1120, pursuant to Title 48, Chapter 4, Arizona Revised Statutes; and amendments thereto for the purpose of purchasing electricity, which includes a charge for the use of lighting facilities and other related items, together with all appurtenant structures as shown on the plans; and directing that this notice been given.

Any owner, or any other person having an interest in any lot, piece or parcel of land situated within the above-described assessment district, who claims that any of the provisions, acts or proceedings relative to the above described improvements are irregular, defective, illegal, erroneous or faulty, may file with the City Clerk, Room 150, 8401 West Monroe Street, Peoria, Arizona 85345, within 15 days from the date of the first publication of this notice, a written notice specifying in what way said acts or proceedings are irregular, defective, illegal, erroneous or faulty.

Further information concerning City of Peoria Streetlight Improvement District No. 1120 may be obtained by contacting Mr. Andrew Granger, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7215.

DATED AND SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Andrew Granger, P.E.  
Superintendent of Streets  
City of Peoria, Arizona