

RESOLUTION NO. 2017-21

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE IMPROVEMENTS OF A CERTAIN AREA WITHIN THE CORPORATE LIMITS OF THE CITY AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1200, VISTANCIA VILLAGE D PARCEL D3B; PROVIDING THAT THE COST OF THE MAINTENANCE OF THE LANDSCAPING INCLUDED WITHIN, NEAR, AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTEnant STRUCTURES AS SHOWN ON THE PLANS, SHALL BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, THAT:

SECTION 1. The public interest or convenience require and it is the intention of the Mayor and Council of the City of Peoria, Arizona to order the maintenance of landscaping within the proposed district and that the cost of maintaining landscaping included within, near, and adjacent to a parkway and related facilities together with appurtenant structures be assessed upon a certain improvement district to be known as Peoria Maintenance Improvement District No. 1200.

The estimate of the cost and expenses for the maintenance of the landscaping on file with the Superintendent of Streets and the City Clerk is approved and adopted by the Mayor and Council of the City.

SECTION 2. The maintenance of the landscaping, therefore, in the opinion of the Mayor and Council of the City, are of more than local or ordinary public benefit, and are of special benefit to the respective lots, pieces and parcels

of land within the real property described herein. The Mayor and Council of the City make and order that the cost and expense for the maintenance of the landscaping included within, near, and adjacent to a parkway and related facilities together with appurtenant structures be chargeable upon a district to be known and designated as the City of Peoria Maintenance Improvement District No. 1200 and as described and bounded as set forth on Exhibits A and B attached, and declare that the district in the City benefited by the maintenance of landscaping included within, near, and adjacent to a parkway and related facilities together with appurtenant structures to be assessed, to pay the costs and expenses thereof in proportion to the benefits derived therefrom.

The City shall not assess the costs and expenses for the maintenance of landscaping included within, near, and adjacent to a parkway and related facilities together with appurtenant structures, which are for the general public benefit against the respective lots, pieces and parcels of land located within the boundaries of the City of Peoria Maintenance Improvement District No. 1200 and if a portion of the costs and expenses for the maintenance of landscaping is for the general public benefit, the City shall assess the boundaries of the City of Peoria Maintenance Improvement District No. 1200 only that portion of such costs and expenses which benefits the lots, pieces and parcels of land located within the boundaries of the City of Peoria Maintenance Improvement District No. 1200.

SECTION 3. The costs and expense for the maintenance of landscaping shall be made and all proceedings therein taken; that the Superintendent of Streets of the City shall post or cause to be posted notices thereof; that the City Clerk shall certify to the passage of this Resolution of Intention; that the Engineer shall prepare duplicate diagrams of the City of Peoria Maintenance Improvement District No. 1200 described in Section 2 of this Resolution to be assessed to pay the costs and expenses thereof, under and in accordance with the provisions of Title 48, Chapter 4, Article 2, Arizona Revised Statutes, as amended.

SECTION 4. The majority of owners of all of the real property within the proposed district have executed a Petition for formation of a Maintenance Improvement District and the City Council has verified the ownership of the property. Publication and posting of the notice of the passage of the Resolution of Intention will be completed as prescribed by the State Statutes.

SECTION 5. Any Resolutions or parts of Resolutions in conflict with the provisions of this Resolution are hereby repealed.

SECTION 6. The immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety and an emergency is declared to exist, and this Resolution will be in full force and effect from and after its passage and approval by the Mayor and Council of the

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City of Peoria, Arizona as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

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

CITY OF PEORIA, an Arizona municipal corporation

Cathy Carlat, Mayor

Date Signed

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen Burg, City Attorney

**EXHIBIT
LEGAL DESCRIPTION FOR
VISTANCIA VILLAGE D PARCEL D3B
MAINTENANCE IMPROVEMENT DISTRICT #1200**

All that certain lot, tract, or parcel of land, situated in a portion of Sections 24 and 25, Township 5 North, Range 1 West and Section 30, Township 5 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more completely described as follows, to-wit:

BEGINNING at a found stone monument for the Northwest corner of said Section 30, from which 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 and a found GLO monument stamped "T5N, R1W, R1E 25,25 dated 1922" for the Southeast corner of said Section 24 bears South 00 deg. 03 min. 56 sec. East - 348.12 feet;

THENCE North 88 deg. 20 min. 10 sec. East along the North line of the Northwest Quarter of said Section 30, a distance of 344.24 feet, from which a found 2" aluminum cap stamped "T5N, R1E 19.30 1/4, dated 2001 RLS-29891" for the North Quarter corner of said Section 30 bears North 88 deg. 20 min. 10 sec. East (Basis of Bearings) - 2348.15 feet;

THENCE South 01 deg. 33 min. 46 sec. East departing said North line, a distance of 288.44 feet;

THENCE South 04 deg. 19 min. 58 sec. West, a distance of 52.57 feet;

THENCE South 11 deg. 00 min. 35 sec. West, a distance of 51.84 feet;

THENCE South 15 deg. 59 min. 20 sec. West, a distance of 105.69 feet;

THENCE South 24 deg. 57 min. 11 sec. West, a distance of 97.71 feet;

THENCE South 36 deg. 25 min. 28 sec. West, a distance of 10.00 feet to a Point of Curvature radial to said line and being a circular curve to the right, having a radius of 2099.00 feet, a central angle of 0 deg. 55 min. 40 sec., and being subtended by a chord which bears South 53 deg. 06 min. 42 sec. East - 33.99 feet;

THENCE in a southeasterly direction along said curve to the right, a distance of 33.99 feet;

THENCE South 37 deg. 21 min. 07 sec. West radial to said curve, a distance of 249.00 feet to the centerline of Lone Mountain Parkway as shown in the Map of Dedication of same recorded in Book 1084 of Maps, Page 15, MCR, said point being a Point of Curvature radial to said line and being a circular curve to the left, having a radius of 1850.00 feet, a central angle of 15 deg. 14 min. 57 sec., and being subtended by a chord which bears North 60 deg. 16 min. 21 sec. West - 490.93 feet;

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THENCE in a northwesterly direction along said curve to the left and said centerline, a distance of 492.38 feet to a found City of Peoria brass cap flush;

THENCE North 67 deg. 53 min. 50 sec. West tangent to said curve and continue along said centerline, a distance of 639.15 feet;

THENCE North 22 deg. 06 min. 10 sec. East departing said centerline, a distance of 853.00 feet;

THENCE South 67 deg. 53 min. 50 sec. East, a distance of 115.00 feet to a Point of Curvature radial to said line and being a circular curve to the left, 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 North 21 deg. 39 min. 45 sec. East - 6.53 feet;

THENCE in a northerly direction along said curve to the left, a distance of 6.53 feet;

THENCE South 67 deg. 53 min. 50 sec. East non-tangent to said curve, a distance of 165.05 feet;

THENCE North 22 deg. 06 min. 10 sec. East, a distance of 7.53 feet;

THENCE North 89 deg. 56 min. 04 sec. East, a distance of 122.28 feet;

THENCE South 17 deg. 45 min. 37 sec. East, a distance of 35.45 feet to a Point of Curvature radial to said line and being a circular curve to the right, 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 South 15 deg. 09 min. 23 sec. East - 107.89 feet;

THENCE in a southeasterly direction along said curve to the right, a distance of 174.55 feet to a Point of Curvature of a reverse circular curve to the left, 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 South 38 deg. 41 min. 28 sec. West - 25.04 feet;

THENCE in a southwesterly direction along said curve to the left, a distance of 27.06 feet;

THENCE North 89 deg. 56 min. 04 sec. East radial to said curve, a distance of 148.99 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 226.57 feet to the POINT OF BEGINNING, containing 906,128 square feet or 20.802 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**

