

**PETITION, WAIVER AND CONSENT TO FORMATION
OF A MUNICIPAL IMPROVEMENT DISTRICT
BY THE CITY OF PEORIA**

1118

SLID#

VISTANCIA VILLAGE D PARCEL D3B

Subdivision Name

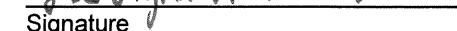
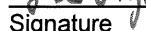
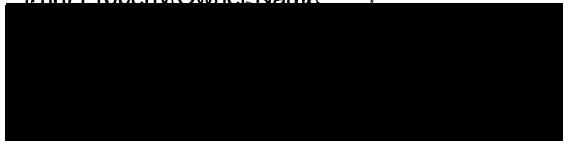
To: Honorable Mayor and Council
City of Peoria, Arizona

Pursuant to Arizona Revised Statutes, Section 48-617, the undersigned property owner respectfully petitions the City Council of the City of Peoria, Arizona (City Council) to order the formation of a Municipal Street Light Improvement District under Arizona Revised Statutes, Title 48, Chapter 4, Article 2. In support of this petition, the undersigned agree to waive certain rights under the Arizona Improvement District Law and to consent to the formation and completion of the District.

1. Area of District. The proposed district is described by a map and by a legal description on Exhibit "A", which is attached hereto and incorporated herein by reference. The proposed district consists of 20.802 acres and is entirely within the corporate boundaries of the City of Peoria.
2. Ownership. The undersigned (is) (are) the sole owner(s) of the real property within the proposed district.
3. Purpose. The district is proposed to be formed for the purpose of the purchase of electricity for lighting the streets and public parks within the proposed district.
4. Public Convenience and Necessity. The necessity for the proposed district is the purchase of electricity for lighting the streets and public parks within the proposed district by the levying of special assessments in the proposed district.
5. Waiver and Consent. The petitioners with full knowledge of their rights being waived hereunder, hereby expressly waive:
 - (a) Any and all irregularities, illegalities or deficiencies which may exist in the acts or proceedings resulting in the adoption of the Resolution of Intention and the Resolution Ordering the Work;
 - (b) Any necessity for publication and posting of the Resolution of Intention and the Notice of Proposed Improvements pursuant to A.R.S. §48-578;
 - (c) All protest rights whatsoever under A.R.S. §48-579(A) and (B), which provide for protests against the work;
 - (d) All objections to the filing of and adoption by the City of the plans and specifications, the Engineer's estimate and the Assessment Diagram, all of which provide for the completion of the District.

Further, the improvements described above are of more than local or ordinary public benefit.

In Witness whereof the parties have executed this Petition and Waiver Agreement as of the _____
day of _____ 20 ____.

<p>Vistancia 60 Residential, LLC</p> <p>Print Property Owner Name <i>John J. Vistica</i>  </p> <p>Signature </p>	<p>Date: <u>9-1-16</u></p>	<p>Property (Tax Parcel Numbers) <u>503-89-011E</u></p>
<p>Vistancia Maintenance Corporation</p> <p>Print Property Owner Name <i>John J. Vistica</i>  </p> <p>Signature </p>	<p>Date: <u>9/6/16</u></p>	<p>Property (Tax Parcel Numbers) <u>503-99-976</u></p>

Accepted and approved by:

CITY OF PEORIA, ARIZONA, an
 ARIZONA MUNICIPAL CORPORATION

ATTEST:

By _____
 Mayor

 City Clerk

APPROVED AS TO FORM:

 Stephen M. Kemp, City Attorney

VISTANCIA 60 RESIDENTIAL, LLC,
a Delaware limited liability company

By: SLF III – VPMM, LLC,
a Texas limited liability company,
its Managing Member

By: SLF III – Vistancia, LLC,
a Texas limited liability company,
its Sole and Managing Member

By: Stratford Land Fund III, L.P.,
a Delaware limited partnership,
its Sole and Managing Member

By: Stratford Fund III GP, LLC,
a Texas limited liability company,
its General Partner

By: _____
Name: _____ Vice President
Title: _____