

RESOLUTION NO. 2017-23

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. 1118, VISTANCIA VILLAGE D PARCEL D3B 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 7th day of February, 2017, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2017-22, 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. 1118; 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. 2017-22 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. 2017-22, 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. 2017-22 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. 2017-22 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. 2017-22; 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. 2017-22 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 7th 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.

Resolution No. 2017-23
SLID 1118, Vistancia Village D Parcel D3B
February 7, 2017
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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
STREET LIGHT IMPROVEMENT DISTRICT #1118

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;

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.



EXHIBIT "B"

IS ON FILE IN THE

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

**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. 1118, VISTANCIA VILLAGE D
PARCEL D3B.

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 7th day of February, 2017, the Mayor and Council of the City of Peoria adopted Resolution No. 2017-23; 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. 1118, 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. 1118 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.

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