

RESOLUTION NO. 2023-48

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. 1260, BELLA OLIVIA 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. 1260.

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. 1260 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. 1260 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. 1260 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. 1260.

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. 1260 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 Statues.

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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MID 1260, Bella Olivia
April 4, 2023
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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 4th day of April, 2023.

CITY OF PEORIA, an Arizona
municipal corporation

Jason Beck, Mayor

Date Signed

ATTEST:

Lori Dyckman, City Clerk

APPROVED AS TO FORM:

Emily Jurmu, City Attorney

Effective Date: _____

DESCRIPTION

THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 33 BEING MARKED BY A MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION BRASS CAP IN HANDHOLE WITH ILLEGIBLE STAMP 0.60 FEET BELOW THE SURFACE FROM WHICH A CITY OF PEORIA BRASS CAP IN HANDHOLE 0.60 FEET BELOW THE SURFACE MARKING THE CENTER OF SAID SECTION 33 BEARS SOUTH 00 DEGREES 00 MINUTES 23 SECONDS WEST 2640.19 FEET;
THENCE SOUTH 00 DEGREES 00 MINUTES 23 SECONDS WEST 365.38 FEET ALONG THE EAST LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 23 SECONDS WEST 334.44 FEET ALONG THE EAST LINE OF SAID NORTHWEST QUARTER TO THE NORTH LINE OF "LA JOLLA GROVES" RECORDED IN BOOK 640 OF MAPS, PAGE 20, RECORDS OF MARICOPA COUNTY, ARIZONA;
THENCE SOUTH 88 DEGREES 13 MINUTES 40 SECONDS WEST 1159.32 FEET ALONG SAID NORTH LINE;
THENCE NORTH 00 DEGREES 05 MINUTES 35 SECONDS EAST 696.13 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER;
THENCE NORTH 88 DEGREES 02 MINUTES 38 SECONDS EAST 436.31 FEET ALONG SAID NORTH LINE;
THENCE SOUTH 01 DEGREE 57 MINUTES 22 SECONDS EAST 329.85 FEET;
THENCE NORTH 88 DEGREES 02 MINUTES 38 SECONDS EAST 281.25 FEET;
THENCE SOUTH 01 DEGREE 57 MINUTES 22 SECONDS EAST 35.32 FEET;
THENCE NORTH 88 DEGREES 02 MINUTES 38 SECONDS EAST 428.31 FEET TO THE POINT OF BEGINNING.

COMPRISING 12.786 ACRES OR 556,943 SQUARE FEET MORE OR LESS, SUBJECT TO ALL EASEMENTS OF RECORD.



 <p>SUPERIOR SURVEYING SERVICES, INC.</p>	<p>2122 W. Lone Cactus Dr. Ste. 11, Phoenix, AZ 85027 623-869-0223 (office) 623-869-0726 (fax) www.superiorsurveying.com info@superiorsurveying.com</p>
<p>DATE: 11/1/2021</p>	<p>JOB NO.: 190317</p>

EXHIBIT "B"

IS ON FILE IN THE

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

