

RESOLUTION NO. 2023-55

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. 1250, COWLEY PHASE 2 PARCEL 2A 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. 1250.

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. 1250 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. 1250 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. 1250 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. 1250.

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. 1250 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

Resolution No. 2023-55
MID 1250, Cowley Phase 2 Parcel 2A
April 25, 2023
Page 3 of 8 Pages

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 25th 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: _____



EXHIBIT A LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE 1/2" REBAR WITH CAP LS#21081 MARKING THE CENTER OF SAID SECTION 27, FROM WHICH THE G.L.O. BRASS CAP MARKING THE WEST QUARTER CORNER OF SAID SECTION 27 BEARS NORTH 89°43'13" WEST, A DISTANCE OF 2,643.63 FEET;

THENCE NORTH 89°43'13" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27, A DISTANCE OF 260.84 FEET;

THENCE NORTH 00°16'47" EAST, DEPARTING SAID SOUTH LINE, A DISTANCE OF 4.99 FEET;

THENCE NORTH 61°46'09" WEST, A DISTANCE OF 21.36 FEET;
THENCE NORTH 57°16'39" WEST, A DISTANCE OF 62.49 FEET;
THENCE SOUTH 36°04'14" WEST, A DISTANCE OF 20.00 FEET;
THENCE NORTH 49°14'05" WEST, A DISTANCE OF 90.85 FEET;

THENCE NORTH 46°39'50" EAST, A DISTANCE OF 150.05 FEET TO A POINT ON A 405.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 45°00'50" EAST;

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°39'00", A DISTANCE OF 11.66 FEET;

Page 1 of 3

**Title: COWLEY PHASE 2 PARCEL 2A
MAINTENANCE IMPROVEMENT DISTRICT**

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831

Fax: 602-264-0928





EXHIBIT A LEGAL DESCRIPTION

THENCE NORTH 43°20'10" WEST, A DISTANCE OF 98.34 FEET;
THENCE NORTH 88°20'10" WEST, A DISTANCE OF 28.28 FEET;
THENCE NORTH 43°20'10" WEST, A DISTANCE OF 50.00 FEET;
THENCE SOUTH 46°39'50" WEST, A DISTANCE OF 98.38 FEET;
THENCE NORTH 53°15'50" WEST, A DISTANCE OF 136.22 FEET;
THENCE NORTH 46°45'26" WEST, A DISTANCE OF 303.69 FEET;
THENCE NORTH 59°20'41" WEST, A DISTANCE OF 205.62 FEET;
THENCE NORTH 33°31'14" WEST, A DISTANCE OF 103.61 FEET;
THENCE NORTH 27°44'30" EAST, A DISTANCE OF 123.00 FEET;
THENCE SOUTH 72°44'30" WEST, A DISTANCE OF 18.38 FEET;
THENCE NORTH 62°15'30" WEST, A DISTANCE OF 50.00 FEET;
THENCE NORTH 17°15'30" WEST, A DISTANCE OF 28.28 FEET;

THENCE NORTH 62°15'30" WEST, A DISTANCE OF 188.00 FEET TO THE
BEGINNING OF A TANGENT CURVE OF 125.00 FOOT RADIUS, CONCAVE
SOUTHERLY;

THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF
27°28'02", A DISTANCE OF 59.92 FEET;

THENCE NORTH 89°43'32" WEST, A DISTANCE OF 2.31 FEET TO A POINT ON
THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST
QUARTER OF SAID SECTION 27;

THENCE NORTH 00°16'28" EAST, ALONG SAID WEST LINE, A DISTANCE OF
343.77 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF
THE NORTHWEST QUARTER OF SAID SECTION 27;

Page 2 of 3

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**EXHIBIT A
LEGAL DESCRIPTION**

THENCE SOUTH 89°42'11" EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 27, A DISTANCE OF 1,320.82 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 00°13'52" WEST, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27, A DISTANCE OF 1,319.10 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,201,651 SQUARE FEET OR 27.586 ACRES, MORE OR LESS.

Page 3 of 3

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Phone: 602-264-6831

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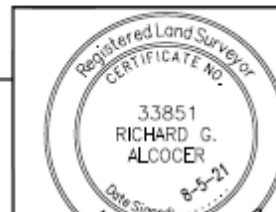


EXHIBIT "B"

IS ON FILE IN THE

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

