

RESOLUTION NO. 2023-57

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. 1275, ALORAVITA NORTH PHASE 3 PARCEL 11 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. 1275.

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. 1275 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. 1275 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. 1275 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. 1275.

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. 1275 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. 2023-57  
MID 1275, Aloravita North Phase 3 Parcel 11  
April 25, 2023  
Page 3 of 9 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 25<sup>th</sup> 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 MASTER FINAL PLAT FOR ALORAVITA NORTH PHASE 3, AS RECORDED IN BOOK 1663 OF MAPS, PAGE 38, RECORDS OF MARICOPA COUNTY, ARIZONA, AND THE MASTER FINAL PLAT FOR ALORAVITA NORTH PHASE 2, AS RECORDED IN BOOK 1436 OF MAPS, PAGE 39, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING SITUATED WITHIN THE EAST HALF OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PHOENIX BRASS CAP FLUSH MARKING THE SOUTHEAST CORNER OF SAID SECTION 36, FROM WHICH THE CITY OF PEORIA BRASS CAP FLUSH STAMPED LS#22782 MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 36, BEARS NORTH 89°56'23" WEST, A DISTANCE OF 2,641.16 FEET;

THENCE NORTH 89°56'23" WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 36, A DISTANCE OF 815.45 FEET TO THE MONUMENT LINE OF EASTWING VISTA TRAIL AS DEPICTED IN SAID MASTER FINAL PLAT FOR ALORAVITA NORTH PHASE 2;

THENCE ALONG SAID MONUMENT LINE THE FOLLOWING COURSES:

THENCE NORTH 00°03'37" EAST, A DISTANCE OF 208.27 FEET TO THE BEGINNING OF A TANGENT CURVE OF 600.00 FOOT RADIUS, CONCAVE SOUTHWESTERLY;

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 57°20'32", A DISTANCE OF 600.49 FEET;

Page 1 of 4

Title: Maintenance Improvement District  
Aloravita North Parcel 11

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 57°16'55" WEST, A DISTANCE OF 153.75 FEET TO THE BEGINNING OF A TANGENT CURVE OF 660.00 FOOT RADIUS, CONCAVE NORTHEASTERLY;

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 57°20'32", A DISTANCE OF 660.53 FEET;

THENCE NORTH 00°03'37" EAST, A DISTANCE OF 148.43 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00°03'37" EAST, A DISTANCE OF 115.52 FEET TO THE BEGINNING OF A TANGENT CURVE OF 600.00 FOOT RADIUS, CONCAVE SOUTHWESTERLY;

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 64°08'05", A DISTANCE OF 671.62 FEET;

THENCE NORTH 64°04'28" WEST, A DISTANCE OF 733.29 FEET TO THE MONUMENT LINE OF ALORAVITA BOULEVARD AS DEPICTED IN SAID MASTER FINAL PLAT FOR ALORAVITA NORTH PHASE 2;

THENCE NORTH 25°55'32" EAST, DEPARTING SAID MONUMENT LINE OF EASTWING VISTA TRAIL ALONG THE MONUMENT LINE OF ALORAVITA BOULEVARD, A DISTANCE OF 452.18 FEET;

Page 2 of 4

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## EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTH 64°04'28" EAST, DEPARTING SAID MONUMENT LINE, A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF PARCEL 11 OF SAID MASTER FINAL PLAT FOR ALORAVITA NORTH PHASE 3;

THENCE ALONG THE NORTHERLY, EASTERLY AND SOUTHERLY BOUNDARY OF SAID PARCEL 11 THE FOLLOWING COURSES:

THENCE NORTH 68°21'18" EAST, A DISTANCE OF 352.74 FEET;  
THENCE SOUTH 77°09'03" EAST, A DISTANCE OF 51.55 FEET;  
THENCE SOUTH 59°10'31" EAST, A DISTANCE OF 82.85 FEET;  
THENCE SOUTH 71°50'31" EAST, A DISTANCE OF 57.90 FEET;  
THENCE NORTH 84°55'31" EAST, A DISTANCE OF 71.39 FEET;  
THENCE NORTH 62°02'49" EAST, A DISTANCE OF 84.95 FEET;  
THENCE NORTH 30°26'03" EAST, A DISTANCE OF 195.03 FEET;  
THENCE SOUTH 66°18'52" EAST, A DISTANCE OF 325.86 FEET;  
THENCE SOUTH 52°37'27" EAST, A DISTANCE OF 505.88 FEET;  
THENCE SOUTH 10°42'17" WEST, A DISTANCE OF 304.42 FEET;  
THENCE SOUTH 34°21'07" EAST, A DISTANCE OF 139.12 FEET;  
THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 250.27 FEET;  
THENCE SOUTH 49°48'09" WEST, A DISTANCE OF 452.84 FEET;  
THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 50.82 FEET;  
THENCE SOUTH 49°48'09" WEST, A DISTANCE OF 305.47 FEET;

Page 3 of 4

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## EXHIBIT A LEGAL DESCRIPTION

THENCE NORTH 89°56'23" WEST, ALONG THE SOUTHERLY LINE OF SAID PARCEL 11 AND ITS WESTERLY PROLONGATION, A DISTANCE OF 120.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 1,520,448 SQUARE FEET OR 34.905 ACRES, MORE OR LESS.

Page 4 of 4

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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**

