

RESOLUTION NO. 2023-59

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. 1155, COWLEY PHASE 2 PARCEL 2A 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 25<sup>th</sup> day of April , 2023, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2023-58, 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. 1155; 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. 2023-58 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. 2023-58, 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. 2023-58 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. 2023-58 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. 2023-58; 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. 2023-58 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 25<sup>th</sup> day of April, 2023, 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. 2023-59  
SLID 1155, Cowley Phase 2 Parcel 2A  
April 25, 2023  
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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 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;

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**Title: COWLEY PHASE 2 PARCEL 2A  
STREET LIGHT 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;

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**Phone: 602-264-6831**

**Fax: 602-264-0928**





**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.

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**Title: COWLEY PHASE 2 PARCEL 2A  
STREET LIGHT 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 "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. 1155, COWLEY PHASE 2 PARCEL 2A.

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 25<sup>th</sup> day of April, 2023, the Mayor and Council of the City of Peoria adopted Resolution No. 2023-59; 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. 1155, 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. 1155 may be obtained by contacting Mrs. Adina Lund, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7691.

DATED AND SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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Adina Lund, P.E.  
Superintendent of Streets  
City of Peoria, Arizona