

RESOLUTION NO. 2023-61

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. 1177, ALORAVITA NORTH PHASE 3 PARCEL 11 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 25th day of April, 2023, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2023-60, 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. 1177; 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. 2023-60 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. 2023-60, 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. 2023-60 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. 2023-60 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. 2023-60; 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. 2023-60 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 25th 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. 2023-61
SLID 1177, Aloravita North Phase 3 Parcel 11
April 25, 2023
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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 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;

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Title: Street Light 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;

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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;

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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.

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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. 1177, ALORAVITA NORTH PHASE 3 PARCEL 11.

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 25th day of April, 2023, the Mayor and Council of the City of Peoria adopted Resolution No. 2023-61; 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. 1177, 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. 1177 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.

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