

RESOLUTION NO. 2023-90

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. 1280, VILLAGE J AT VISTANCIA J14/15 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. 1280.

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. 1280 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. 1280 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. 1280 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. 1280.

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. 1280 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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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 15th day of August, 2023.

CITY OF PEORIA, an Arizona
municipal corporation

Jason Beck, Mayor

Date Signed

ATTEST:

Jill Boltz, Acting City Clerk

APPROVED AS TO FORM:

Emily Jurmu, City Attorney

Effective Date: _____

EXHIBIT
LEGAL DESCRIPTION FOR
MAINTENANCE IMPROVEMENT DISTRICT NO. 1280

All that certain lot, tract, or parcel of land, situated in a portion of the Southeast Quarter of Section 10, the Southwest Quarter of Section 11 and the Northwest Quarter of Section 14, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more completely described as follows, to-wit:

COMMENCING at a GLO cap on a 3" iron pipe stamped "1922 S. 11,14-1/4" for the South Quarter corner of said Section 11 and the North Quarter corner of said Section 14, from which a GLO cap on a 2" iron pipe stamped "1922 S. 10,11,14,15" for the Northwest corner of said Section 14, the Southwest corner of said Section 11, the Southeast corner of said Section 10 and the Northeast corner of said Section 15, Township 5 North, Range 1 West, bears North 89 deg. 41 min. 50 sec. West (Basis of Bearings) – 2,640.88 feet;

THENCE North 89 deg. 41 min. 50 sec. West along the North line of said Section 14 and the South line of said Section 11, a distance of 1,167.11 feet;

THENCE North 00 deg. 18 min. 10 sec. East departing said North and South lines, a distance of 1,601.84 feet to the **TRUE POINT OF BEGINNING**;

THENCE South 34 deg. 58 min. 24 sec. West, a distance of 415.74 feet;

THENCE South 04 deg. 36 min. 52 sec. East, a distance of 227.16 feet;

THENCE South 11 deg. 59 min. 44 sec. West, a distance of 8.66 feet;

THENCE South 55 deg. 30 min. 16 sec. East, a distance of 65.00 feet;

THENCE South 34 deg. 29 min. 44 sec. West, a distance of 939.32 feet to a Point of Curvature of a circular curve to the right, having a radius of 600.00 feet, a central angle of 56 deg. 04 min. 18 sec., and being subtended by a chord which bears South 62 deg. 31 min. 53 sec. West - 564.03 feet;

THENCE in a southwesterly direction along said curve to the right, a distance of 587.18 feet;

THENCE North 89 deg. 25 min. 58 sec. West tangent to said curve, a distance of 134.87 feet to a Point of Curvature of a non-tangent circular curve to the left, having a radius of 1,247.68 feet, a central angle of 37 deg. 11 min. 00 sec., and being subtended by a chord which bears North 13 deg. 42 min. 31 sec. West - 795.57 feet;

THENCE in a northerly direction along said curve to the left, a distance of 809.71 feet to a Point of Curvature of a non-tangent circular curve to the left, having a radius of 1,247.68 feet, a central angle of 10 deg. 42 min. 08 sec., and being subtended by a chord which bears North 36 deg. 40 min. 18 sec. West - 232.71 feet;

THENCE in a northwesterly direction along said curve to the left, a distance of 233.05 feet;

THENCE South 47 deg. 58 min. 38 sec. West non-tangent to said curve, a distance of 65.00 feet;

THENCE North 42 deg. 01 min. 22 sec. West, a distance of 882.11 feet to a Point of Curvature of a circular curve to the left, having a radius of 1,930.00 feet, a central angle of 13 deg. 41 min. 48 sec., and being subtended by a chord which bears North 48 deg. 52 min. 16 sec. West - 460.27 feet;

THENCE in a northwesterly direction along said curve to the left, a distance of 461.37 feet;

THENCE North 34 deg. 16 min. 50 sec. East non-tangent to said curve, a distance of 65.00 feet to a Point of Curvature of a non-tangent circular curve to the left, having a radius of 1,995.00 feet, a central angle of 08 deg. 05 min. 23 sec., and being subtended by a chord which bears North 59 deg. 45 min. 51 sec. West - 281.45 feet;

THENCE in a northwesterly direction along said curve to the left, a distance of 281.68 feet;

THENCE North 26 deg. 11 min. 27 sec. East non-tangent to said curve, a distance of 65.00 feet;

THENCE North 72 deg. 22 min. 23 sec. East, a distance of 42.99 feet;

THENCE North 28 deg. 08 min. 16 sec. East, a distance of 90.20 feet to a Point of Curvature of a circular curve to the right, having a radius of 1,040.00 feet, a central angle of 24 deg. 34 min. 05 sec., and being subtended by a chord which bears North 40 deg. 25 min. 19 sec. East - 442.53 feet;

THENCE in a northeasterly direction along said curve to the right, a distance of 445.94 feet;

THENCE North 08 deg. 06 min. 40 sec. East non-tangent to said curve, a distance of 28.21 feet;

THENCE North 52 deg. 15 min. 33 sec. East, a distance of 50.00 feet;

THENCE South 37 deg. 02 min. 03 sec. East, a distance of 119.65 feet;

THENCE North 52 deg. 57 min. 57 sec. East, a distance of 120.00 feet;

THENCE South 37 deg. 02 min. 03 sec. East, a distance of 120.00 feet;

THENCE South 39 deg. 52 min. 15 sec. East, a distance of 119.88 feet;

THENCE South 49 deg. 04 min. 36 sec. East, a distance of 109.92 feet;

THENCE South 38 deg. 41 min. 07 sec. West, a distance of 120.00 feet;

THENCE South 51 deg. 18 min. 53 sec. East, a distance of 93.64 feet to a Point of Curvature of a circular curve to the right, having a radius of 825.00 feet, a central angle of 03 deg. 12 min. 33 sec., and being subtended by a chord which bears South 49 deg. 42 min. 36 sec. East - 46.20 feet;

THENCE in a southeasterly direction along said curve to the right, a distance of 46.21 feet;

THENCE South 88 deg. 10 min. 07 sec. East non-tangent to said curve, a distance of 17.10 feet;

THENCE North 38 deg. 55 min. 34 sec. West, a distance of 111.38 feet;

THENCE North 51 deg. 04 min. 26 sec. East, a distance of 310.00 feet;

THENCE South 64 deg. 20 min. 36 sec. East, a distance of 100.03 feet;

THENCE South 16 deg. 26 min. 22 sec. West, a distance of 52.18 feet to a Point of Curvature of a non-tangent circular curve to the right, having a radius of 53.00 feet, a central angle of 40 deg. 07 min. 07 sec., and being subtended by a chord which bears South 53 deg. 30 min. 04 sec. East - 36.36 feet;

THENCE in a southeasterly direction along said curve to the right, a distance of 37.11 feet;

THENCE North 51 deg. 04 min. 26 sec. East non-tangent to said curve, a distance of 102.99 feet;

THENCE South 64 deg. 20 min. 36 sec. East, a distance of 33.22 feet;

THENCE North 02 deg. 00 min. 00 sec. East, a distance of 153.68 feet;

THENCE South 80 deg. 12 min. 00 sec. East, a distance of 104.06 feet;

THENCE South 66 deg. 44 min. 01 sec. East, a distance of 191.19 feet;

THENCE South 20 deg. 15 min. 28 sec. East, a distance of 373.96 feet;

THENCE South 47 deg. 23 min. 15 sec. East, a distance of 185.95 feet;

THENCE North 63 deg. 05 min. 35 sec. East, a distance of 253.26 feet;

THENCE South 40 deg. 24 min. 20 sec. East, a distance of 328.57 feet;

THENCE North 35 deg. 47 min. 21 sec. East, a distance of 312.55 feet;

THENCE South 59 deg. 06 min. 45 sec. East, a distance of 401.60 feet;

THENCE South 20 deg. 51 min. 22 sec. East, a distance of 196.31 feet to the **POINT OF BEGINNING**, containing 3,596,091 square feet or 82.555 acres of land, more or less.

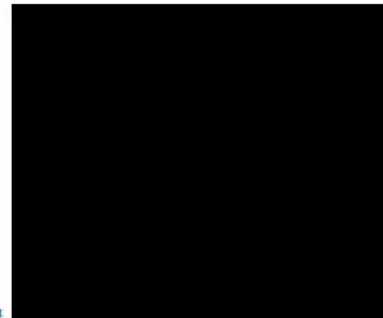


EXHIBIT "B"

IS ON FILE IN THE

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

