

RESOLUTION NO. 2023-92

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. 1281, VILLAGE J AT VISTANCIA J9/11/16 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. 1281.

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. 1281 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. 1281 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. 1281 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. 1281.

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. 1281 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. 1281

All that certain lot, tract, or parcel of land, situated in a portion of the Northwest Quarter, Northeast Quarter, the Southwest Quarter and the Southeast Quarter of Section 10, 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 1" pipe stamped "1922 S. 10,11-1/4" for the East Quarter corner of said Section 10 and the West Quarter corner of Section 11, Township 5 North, Range 1 West, from which a GLO cap on a 2" iron pipe stamped "1922 S. 2,3,10,11" for the Northeast corner of said Section 10, Northwest corner of said Section 11, the Southwest corner of Section 2, Township 5 North, Range 1 West, and the Southeast corner of Section 3, Township 5 North, Range 1 West bears North 00 deg. 13 min. 54 sec. East (Basis of Bearings) - 2,637.64 feet;

THENCE North 00 deg. 13 min. 54 sec. East along the East line of said Section 10 and the West line of said Section 11, a distance of 299.06 feet;

THENCE North 89 deg. 46 min. 06 sec. West departing said East and West lines, a distance of 527.39 feet to the **TRUE POINT OF BEGINNING**;

THENCE South 39 deg. 29 min. 01 sec. East, a distance of 654.44 feet;

THENCE South 02 deg. 00 min. 00 sec. West, a distance of 153.68 feet;

THENCE North 64 deg. 20 min. 36 sec. West, a distance of 33.22 feet;

THENCE South 51 deg. 04 min. 26 sec. West, a distance of 102.99 feet to a Point of Curvature of a non-tangent circular curve to the left, 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 North 53 deg. 30 min. 04 sec. West - 36.36 feet;

THENCE in a northwesterly direction along said curve to the left, a distance of 37.11 feet;

THENCE North 16 deg. 26 min. 22 sec. East non-tangent to said curve, a distance of 87.15 feet;

THENCE North 64 deg. 20 min. 36 sec. West, a distance of 100.03 feet;

THENCE South 51 deg. 04 min. 26 sec. West, a distance of 310.00 feet;

THENCE South 38 deg. 55 min. 34 sec. East, a distance of 111.38 feet;

THENCE North 88 deg. 10 min. 07 sec. West, a distance of 17.10 feet to a Point of Curvature of a non-tangent circular curve to the left, 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 North 49 deg. 42 min. 36 sec. West - 46.20 feet;

THENCE in a northwesterly direction along said curve to the left, a distance of 46.21 feet;

THENCE North 51 deg. 18 min. 53 sec. West tangent to said curve, a distance of 93.64 feet;

THENCE North 38 deg. 41 min. 07 sec. East, a distance of 120.00 feet;

THENCE North 49 deg. 04 min. 36 sec. West, a distance of 109.92 feet;

THENCE North 39 deg. 52 min. 15 sec. West, a distance of 119.88 feet;

THENCE North 37 deg. 02 min. 03 sec. West, a distance of 120.00 feet;

THENCE South 52 deg. 57 min. 57 sec. West, a distance of 120.00 feet;

THENCE North 37 deg. 02 min. 03 sec. West, a distance of 119.65 feet;

THENCE South 52 deg. 15 min. 33 sec. West, a distance of 50.00 feet;

THENCE South 08 deg. 06 min. 40 sec. West, a distance of 28.21 feet to a Point of Curvature of a non-tangent circular curve to the left, 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 South 40 deg. 25 min. 19 sec. West - 442.53 feet;

THENCE in a southwesterly direction along said curve to the left, a distance of 445.94 feet;

THENCE South 28 deg. 08 min. 16 sec. West tangent to said curve, a distance of 90.20 feet;

THENCE South 72 deg. 22 min. 23 sec. West, a distance of 42.99 feet;

THENCE South 26 deg. 11 min. 27 sec. West, 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 05 deg. 01 min. 06 sec., and being subtended by a chord which bears North 66 deg. 19 min. 06 sec. West - 174.68 feet;

THENCE in a northwesterly direction along said curve to the left, a distance of 174.74 feet;

THENCE North 68 deg. 49 min. 39 sec. West tangent to said curve, a distance of 709.65 feet to a Point of Curvature of a circular curve to the right, having a radius of 2,005.00 feet, a central angle of 24 deg. 10 min. 21 sec., and being subtended by a chord which bears North 56 deg. 44 min. 28 sec. West - 839.63 feet;

THENCE in a northwesterly direction along said curve to the right, a distance of 845.89 feet;

THENCE North 44 deg. 39 min. 18 sec. West tangent to said curve, a distance of 318.60 feet to a Point of Curvature of a circular curve to the right, having a radius of 1,055.00 feet, a central angle of 28 deg. 44 min. 56 sec., and being subtended by a chord which bears North 30 deg. 16 min. 50 sec. West - 523.82 feet;

THENCE in a northwesterly direction along said curve to the right, a distance of 529.36 feet;

THENCE North 15 deg. 54 min. 22 sec. West tangent to said curve, a distance of 156.65 feet to a Point of Curvature of a circular curve to the left, having a radius of 1,045.00 feet, a central angle of 08 deg. 43 min. 13 sec., and being subtended by a chord which bears North 20 deg. 15 min. 58 sec. West - 158.89 feet;

THENCE in a northerly direction along said curve to the left, a distance of 159.05 feet;

THENCE North 24 deg. 37 min. 35 sec. West tangent to said curve, a distance of 78.90 feet;

THENCE North 65 deg. 22 min. 25 sec. East, a distance of 515.62 feet;

THENCE North 01 deg. 30 min. 12 sec. East, a distance of 397.07 feet;

THENCE North 29 deg. 06 min. 11 sec. East, a distance of 127.21 feet;

THENCE North 89 deg. 55 min. 46 sec. East, a distance of 362.90 feet;

THENCE South 40 deg. 36 min. 39 sec. East, a distance of 582.85 feet;

THENCE South 48 deg. 37 min. 54 sec. East, a distance of 415.16 feet;

THENCE North 77 deg. 52 min. 29 sec. East, a distance of 374.55 feet;

THENCE South 29 deg. 29 min. 04 sec. East, a distance of 579.03 feet;

THENCE South 41 deg. 12 min. 12 sec. East, a distance of 473.53 feet;

THENCE South 26 deg. 27 min. 08 sec. East, a distance of 384.91 feet;

THENCE North 52 deg. 57 min. 57 sec. East, a distance of 340.23 feet to the **POINT OF BEGINNING**, containing 4,076,471 square feet or 93.583 acres of land, more or less.

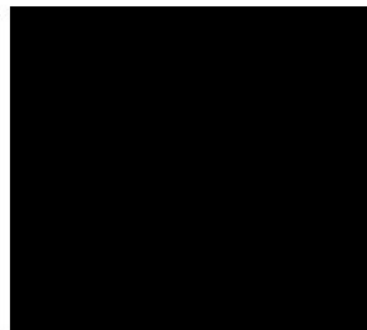


EXHIBIT "B"

IS ON FILE IN THE

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

