

RESOLUTION NO. 2023-88

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. 1272, LEGACY PLACE PHASE 1 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. 1272.

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. 1272 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. 1272 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. 1272 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. 1272.

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. 1272 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. 2023-88
MID 1272, Legacy Place Phase 1
August 15, 2023
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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: _____

**LEGACY PLACE PHASE 1
MAINTENANCE IMPROVEMENT DISTRICT
LEGAL DESCRIPTION**

A portion of land being situated within the South Half of Section 35, Township 3 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found 3 inch Maricopa County Department of Transportation brass cap in hand hole accepted as the South Quarter corner of said Section 35 from which a found 3 inch Maricopa County Department of Transportation brass cap in hand hole accepted as the Southeast corner thereof bears North 88°31'05" East, 2662.45 feet;

Thence North 00°25'14" East, 33.02 feet along the north-south mid-section line of said Section 35 to the **POINT OF BEGINNING**;

Thence leaving said north-south mid-section line, South 88°31'05" West, 1.09 feet along a line which is 33.00 feet north of and parallel with the south line of the Southwest Quarter of said Section 35;

Thence South 88°32'46" West, 1331.50 feet along said parallel line to the west line of the Southeast Quarter of the Southwest Quarter of said Section 35;

Thence North 00°29'06" East, 1284.68 feet along said west line to the northwest corner of the Southeast Quarter of the Southwest Quarter of said Section 35;

Thence North 88°33'14" East, 1310.98 feet along the north line of the Southeast Quarter of Southwest Quarter of said Section 35;

Thence leaving said north line, South 00°28'39" West, 853.45 feet;

Thence North 86°58'44" East, 687.36 feet to the east line of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter of said Section 35;

Thence South 00°24'24" West, 449.51 feet along said east line;

Thence leaving said east line, South 88°31'05" West, 665.61 feet along a line which is 33.00 feet north of and parallel with the south line of the Southeast Quarter of said Section 35 to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 1,985,437 sq. ft. (45.5794 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

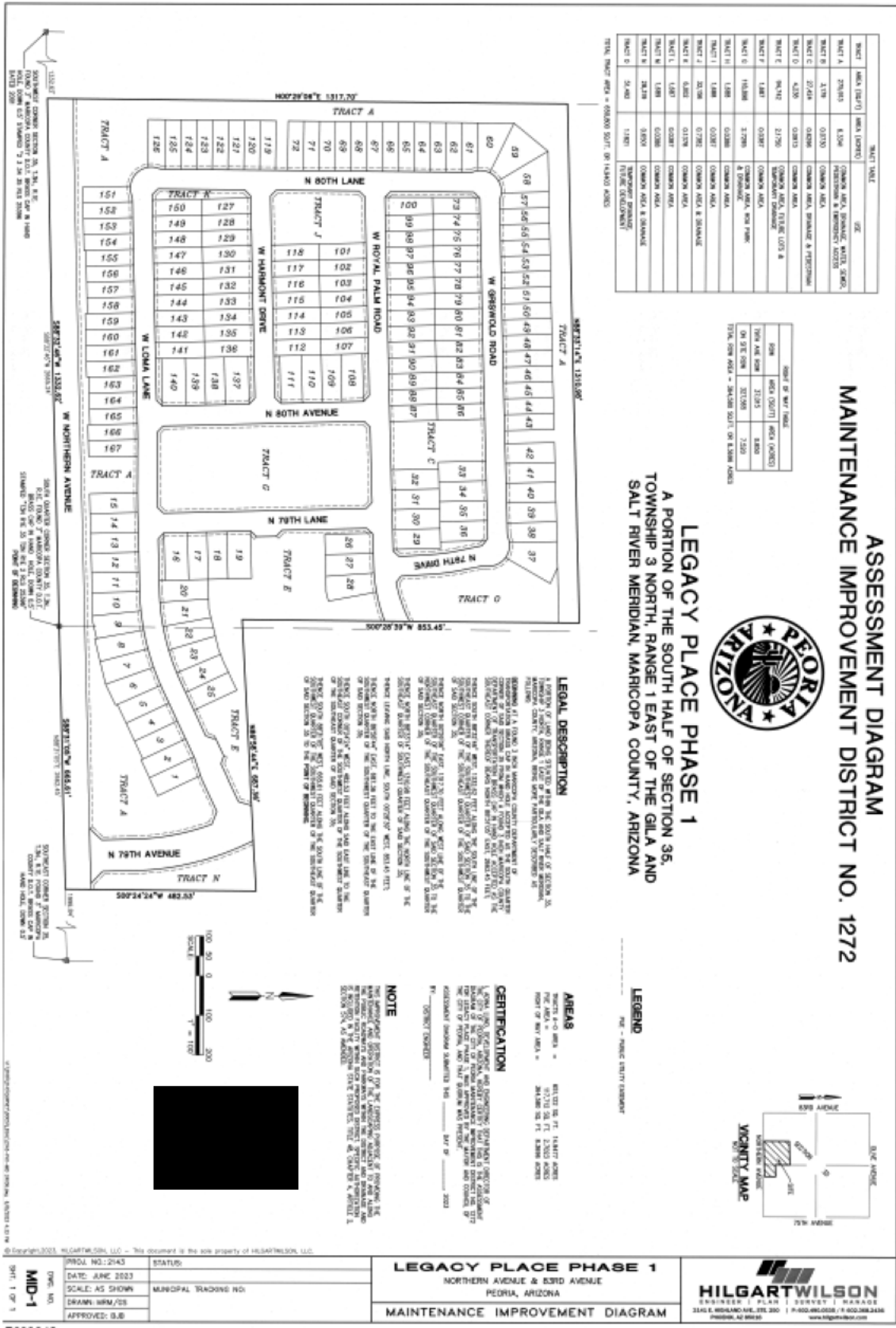
Prepared by: HILGARTWILSON, LLC

Date: December 2022

EXHIBIT "B"

IS ON FILE IN THE

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



TRACT	AREA (SQ FT)	AREA (ACRES)	USE
TRACT A	276,815	6.306	COMMERCIAL, GENERAL, OFFICE, SERVICE, PROFESSIONAL & PERSONAL, RESIDENTIAL
TRACT B	2,176	0.050	COMMERCIAL
TRACT C	27,649	0.636	COMMERCIAL, GENERAL, SERVICE & PROFESSIONAL
TRACT D	4,200	0.095	COMMERCIAL
TRACT E	96,742	2.196	COMMERCIAL, GENERAL, OFFICE
TRACT F	1,481	0.034	COMMERCIAL
TRACT G	18,508	0.426	COMMERCIAL, GENERAL, SERVICE & PROFESSIONAL
TRACT H	1,488	0.034	COMMERCIAL
TRACT I	1,488	0.034	COMMERCIAL
TRACT J	32,506	0.746	COMMERCIAL, GENERAL, SERVICE & PROFESSIONAL
TRACT K	4,200	0.095	COMMERCIAL
TRACT L	1,481	0.034	COMMERCIAL
TRACT M	1,481	0.034	COMMERCIAL
TRACT N	28,218	0.648	COMMERCIAL, GENERAL, SERVICE & PROFESSIONAL
TRACT O	28,462	0.654	COMMERCIAL, GENERAL, SERVICE & PROFESSIONAL

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ASSESSMENT DIAGRAM
MAINTENANCE IMPROVEMENT DISTRICT NO. 1272

LEGACY PLACE PHASE 1
 A PORTION OF THE SOUTH HALF OF SECTION 35,
 TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILFA AND
 SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



LEGAL DESCRIPTION
 A PORTION OF THE SOUTH HALF OF SECTION 35, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILFA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

CERTIFICATION
 I, the undersigned, being a duly licensed and sworn-in surveyor of the State of Arizona, do hereby certify that the foregoing is a true and correct copy of the original record of the assessment diagram for the maintenance improvement district shown herein.

NOTE
 THIS ASSESSMENT DIAGRAM IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT A LEGAL INSTRUMENT AND DOES NOT CONSTITUTE A WARRANTY OF ANY KIND. THE USER OF THIS DIAGRAM SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

PROJECT NO.: 2043	STATUS:
DATE: JAN 2023	MUNICIPAL TRACKING NO.:
SCALE: AS SHOWN	
DRAWN: MRM/DS	
APPROVED: S.B	

LEGACY PLACE PHASE 1
 NORTHERN AVENUE & 83RD AVENUE
 PEORIA, ARIZONA

MAINTENANCE IMPROVEMENT DIAGRAM

HILGARTWILSON
 ENGINEER | PLANNING | SURVEY | MANAGER

2145 E. WILSON AVENUE, STE. 200 | PHOENIX, AZ 85024
 602.955.1234 | www.hilgartwilson.com