

RESOLUTION NO. 2023-101

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. 1278, CYRENE AT MYSTIC FOOTHILLS 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. 1278.

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. 1278 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. 1278 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. 1278 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. 1278.

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. 1278 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. 2023-101  
MID 1278, Cyrene at Mystic Foothills  
September 5, 2023  
Page 3 of 7 Pages

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 5<sup>th</sup> day of September, 2023.

**CITY OF PEORIA**, an Arizona  
municipal corporation

\_\_\_\_\_  
Jason Beck, Mayor

\_\_\_\_\_  
Date Signed

ATTEST:

\_\_\_\_\_  
Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Emily Jurmu, City Attorney

Effective Date: \_\_\_\_\_

CYRENE AT MYSTIC FOOTHILLS  
MAINTENANCE IMPROVEMENT DISTRICT  
CITY OF PEORIA

PARCEL A-12, A RE-PLAT OF FOR PARCELS E, F & G, AS RECORDED IN BOOK 1625, PAGE 14, M.C.R., A PORTION OF A PARCEL OF LAND AS DESCRIBED IN SPECIAL WARRANTY DEED, RECORDED IN DOCUMENT 2019-0968121, M.C.R., AND A PORTION OF EL MIRAGE ROAD AS RECORDED IN BOOK 1458, PAGE 50 M.C.R. ALL WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND GENERAL LAND OFFICE MONUMENT, ACCEPTED AS THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 5 NORTH, RANGE 1 WEST FROM WHICH A FOUND GENERAL LAND OFFICE MONUMENT, ACCEPTED AS THE EAST QUARTER CORNER OF SECTION 13, TOWNSHIP 5 NORTH, RANGE 1 WEST, THEREOF BEARS S00°03'52"W A DISTANCE OF 2635.48 FEET;

THENCE ALONG THE EAST LINE OF SAID SECTION 13, S00°03'52"W A DISTANCE OF 1381.01 FEET;

THENCE LEAVING THE EAST LINE OF SAID SECTION 13, N90°00'00"W A DISTANCE OF 2225.97 FEET, TO THE NORTHWEST CORNER OF ARIZONA PUBLIC SERVICE COMPANY (APS) PARCEL AS DESCRIBED IN SPECIAL WARRANTY DEED 2019-0968121, MARICOPA COUNTY RECORDS, AND THE POINT OF BEGINNING;

THENCE S80°36'12"W, ALONG THE WESTERLY LINE SAID APS PARCEL A DISTANCE OF 295.00 FEET;

THENCE DEPARTING SAID WESTERLY LINE S09°11'58"E, A DISTANCE OF 391.46 FEET, TO THE EASTERLY LINE OF SAID APS PARCEL; THENCE N80°36'12"E, ALONG THE EASTERLY LINE OF SAID APS PARCEL, A DISTANCE OF 79.02 FEET; THENCE DEPARTING SAID EASTERLY LINE S09°12'56"E, A DISTANCE OF 300.03 FEET;

THENCE S31°46'00"E, A DISTANCE OF 974.81 FEET; THENCE S76°59'28"E, A DISTANCE OF 75.02 FEET;

THENCE S.40°11'10"W., A DISTANCE OF 211.76 FEET, TO THE MONUMENT LINE OF EL MIRAGE ROAD AS SHOWN FINAL PLAT FOR "MYSTIC AT LAKE PLEASANT HEIGHTS", RECORDED IN BOOK 1458 OF MAPS, PAGE 50, MARICOPA COUNTY RECORDS;

THENCE N48°30'24"W, A DISTANCE OF 909.34 FEET, ALONG SAID MONUMENT LINE;

THENCE DEPARTING SAID MONUMENT LINE N01°25'10"W, A DISTANCE OF 352.61 FEET;

THENCE N14°55'35"E, A DISTANCE OF 230.18 FEET;

THENCE N04°12'50"E, A DISTANCE OF 208.42 FEET;

THENCE N17°04'46"W, A DISTANCE OF 110.10 FEET;

THENCE N36°25'39"W, A DISTANCE OF 226.62 FEET;

THENCE N04°41'12"E, A DISTANCE OF 239.69 FEET;

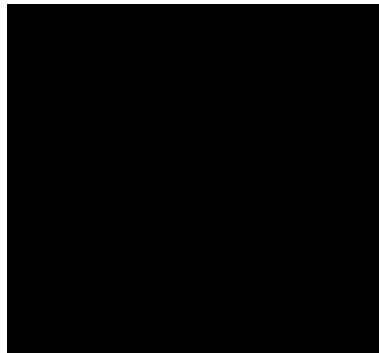
THENCE N40°06'49"W, A DISTANCE OF 138.37 FEET;

THENCE N85°32'58"W, A DISTANCE OF 160.48 FEET;

THENCE N23°35'45"W, A DISTANCE OF 189.44 FEET;

THENCE S80°31'21"E, A DISTANCE OF 249.28 FEET;

THENCE S53°40'34"E, A DISTANCE OF 795.19 FEET TO THE POINT OF BEGINNING.



**EXHIBIT "B"**

**IS ON FILE IN THE**

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

