

RESOLUTION NO. 2023-109

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA 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. 1176, MYSTIC A-4; 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.

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 purchase of electricity for lighting the streets and public parks within the proposed district.

The estimate of the cost and expenses for the purchase of electricity for the operation of the streetlights 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 streetlights and the electricity, 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 purchase of electricity be chargeable upon a district to be known and designated as the City of Peoria

Streetlight Improvement District No. 1176 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 purchase of electricity for streetlights 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 purchase of electricity for streetlights 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 Streetlight Improvement District No. 1176 and if a portion of the costs and expenses for the purchase of electricity for streetlights is for the general public benefit, the City shall assess the boundaries of the City of Peoria Streetlight Improvement District No. 1176 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 Streetlight Improvement District No. 1176.

SECTION 3. The costs and expense for the purchase of electricity for streetlights 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 Streetlight Improvement District No. 1176 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 Streetlight 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 Statutes.

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 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.

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SLID 1176 Mystic A-4
October 17, 2023
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PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 17th day of October, 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: _____

**A4 – GROSS BOUNDARY
LEGAL DESCRIPTION**

PARCELS A4 AND A4-1 OF THE "REPLAT FOR PARCELS E, F & G AS ORIGINALLY RECORDED IN THE MASTER PLAT OF "MYSTIC AT LAKE PLEASANT HEIGHTS", BK 1458, PG 50 RECORDS OF MARICOPA COUNTY" RECORDED IN BOOK 1625, PAGE 48, MARICOPA COUNTY RECORDS, LOCATED IN SECTION 13, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND GENERAL LAND OFFICE BRASS CAP STAMPED SECTION 14, 13, 23 & 24, "1922" ACCEPTED AS THE SOUTHWEST CORNER OF SECTION 13, TOWNSHIP 5 NORTH, RANGE 1 WEST, FROM WHICH A FOUND GENERAL LAND OFFICE BRASS CAP STAMPED, SECTION 13-24, LS NUMBER 21782, "1922" ACCEPTED AS THE SOUTH QUARTER CORNER OF SECTION 13, TOWNSHIP 5 NORTH RANGE 1 WEST, THEREOF BEARS SOUTH 89°38'17" EAST A DISTANCE OF 2637.13 FEET;

THENCE, ALONG THE SOUTH LINE OF SAID SECTION 13, SOUTH 89°38'17" EAST DISTANCE OF 981.62 FEET;

THENCE, LEAVING THE SOUTH LINE OF SAID SECTION 13, NORTH 00°22'23" EAST A DISTANCE OF 1322.77 FEET TO THE POINT OF BEGINNING;

THENCE, NORTH 00°22'23" EAST A DISTANCE OF 147.01 FEET;

THENCE, NORTH 10°24'34" WEST A DISTANCE OF 46.41 FEET;

THENCE, NORTH 34°28'47" WEST A DISTANCE OF 74.01 FEET;

THENCE, NORTH 02°51'52" EAST A DISTANCE OF 71.86 FEET;

THENCE, NORTH 36°41'37" EAST A DISTANCE OF 70.12 FEET;

THENCE, NORTH 23°30'24" EAST A DISTANCE OF 89.04 FEET;

THENCE, NORTH 02°57'57" WEST A DISTANCE OF 130.49 FEET;

THENCE, NORTH 17°06'51" EAST A DISTANCE OF 179.88 FEET;

THENCE, SOUTH 87°49'51" EAST A DISTANCE OF 104.23 FEET;

THENCE, NORTH 76°36'09" EAST A DISTANCE OF 173.46 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE RIGHT;

THENCE, EASTERLY ALONG SAID CURVE AN ARC LENGTH OF 279.93 FEET, WITH A RADIUS OF 575.00 FEET AND A CENTRAL ANGLE OF 27°53'38" TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE LEFT;

THENCE, EASTERLY ALONG SAID CURVE AN ARC LENGTH OF 477.91 FEET, WITH A RADIUS OF 567.00 FEET AND A CENTRAL ANGLE OF 48°17'35" TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE RIGHT;

THENCE, EASTERLY ALONG SAID CURVE AN ARC LENGTH OF 202.11 FEET, WITH A RADIUS OF 420.00 FEET AND A CENTRAL ANGLE OF 27°34'16" TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE LEFT;

THENCE, EASTERLY ALONG SAID CURVE AN ARC LENGTH OF 115.98 FEET, WITH A RADIUS OF 344.00 FEET AND A CENTRAL ANGLE OF 19°19'01";

THENCE, SOUTH 89°59'54" EAST A DISTANCE OF 69.03 FEET;

THENCE, SOUTH 18°25'04" EAST A DISTANCE OF 126.25 FEET;

THENCE, SOUTH 19°34'42" EAST A DISTANCE OF 183.73 FEET;

THENCE, SOUTH 18°48'00" EAST A DISTANCE OF 142.50 FEET;

THENCE, SOUTH 18°18'59" EAST A DISTANCE OF 167.10 FEET;

THENCE, SOUTH 01°08'37" WEST A DISTANCE OF 211.57 FEET;

THENCE, SOUTH 00°22'23" WEST A DISTANCE OF 189.76 FEET;

THENCE, NORTH 89°37'37" WEST A DISTANCE OF 1647.84 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



