

RESOLUTION NO. 2023-110

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA ORDERING THE IMPROVEMENTS OF CERTAIN STREETS AND RIGHTS-OF-WAY WITHIN THE CORPORATE LIMITS OF THE TOWN AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA STREETLIGHT IMPROVEMENT DISTRICT NO. 1176, MYSTIC A-4; PURSUANT TO TITLE 48, CHAPTER 4, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO FOR THE PURPOSE OF PURCHASING ELECTRICITY, WHICH INCLUDES A CHARGE FOR THE USE OF LIGHTING FACILITIES AND OTHER RELATED ITEMS TOGETHER WITH ALL APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, AND DECLARING AN EMERGENCY.

WHEREAS on the 17th day of October, 2023, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2023-109, 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; 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; and

WHEREAS, a copy of Resolution No. 2023-109 has been published in the Peoria Times, a newspaper published and generally circulated in the City, as required by law or alternatively a petition has been filed with the City Clerk having been signed by all the owners of the real property; and

WHEREAS, the Superintendent of Streets of the City caused to be posted along the streets of the District, no more than three hundred (300) feet apart, notices of the passage of Resolution No. 2023-109, said notices being headed "Notice of Proposed Improvement", each heading in letters at least one (1) inch in height. Said notices stated the fact of the passage of said Resolution of

Intention No. 2023-109 or alternatively a petition has been filed with the City Clerk having been signed by all the owners of the real property; and

WHEREAS, more than fifteen (15) days have elapsed since the date of the last publication of said Resolution of Intention No. 2023-109 and since the completion of the posting of said notices or alternatively a petition has been filed with the City Clerk having been signed by all the owners of the real property; and

WHEREAS, no protests against the proposed improvement and no objections to the extent of the District were filed with the Clerk of the City during the time prescribed by law; and

WHEREAS, the Mayor and Council of the City having acquired jurisdiction to order the improvements as described in Resolution No. 2023-109; and

WHEREAS, the City Engineer acting as District Engineer has prepared and presented to the Mayor and Council of the City duplicate diagrams of the property contained within the District ("the Diagram") and legal description copies of which are attached and incorporated as Exhibits A and B.

NOW THEREFORE IT IS RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, as follows:

Section 1. By virtue of the authority vested in the Mayor and Council of the City by Title 48, Chapter 4, Article 2, Arizona Revised Statutes and all amendments thereto, the Mayor and Council of the City orders the work or improvement done as described in Resolution No. 2023-109 and in accordance with the Plans and Specifications approved and adopted by the Mayor and Council of the City of Peoria, Arizona.

Section 2. The Superintendent of Streets of the City is authorized and directed to prepare and execute the notice of the passage of this Resolution, which is attached as Exhibit B. Such notice shall be posted and published as provided by law.

Section 3. That the Diagram, as prepared and presented to the Mayor and Council of the City is approved by the Mayor and Council of the City.

Section 4. That the Clerk of the City is authorized and directed to certify that the Diagram was approved by the Mayor and Council of the City on the 17th day of October, 2023, and after such certification, the Clerk of the City is authorized and directed to deliver the Diagram to the Superintendent of Streets of the City.

Resolution No. 2023-110
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**

**CITY OF PEORIA, ARIZONA
NOTICE**

OF THE PASSAGE OF A RESOLUTION ORDERING
THE IMPROVEMENT CONSISTING OF
AUTHORIZING THE PURCHASE OF ELECTRICITY
FOR LIGHTING THE STREETS AND PUBLIC PARKS
FOR THE IMPROVEMENT DISTRICT KNOWN AS
CITY OF PEORIA STREETLIGHT IMPROVEMENT
DISTRICT NO. 1176, MYSTIC A-4.

This notice is given pursuant to the provisions of Title 48, Chapter 4, Article 2, Sections 48-571 to 48-619, both inclusive, Arizona Revised Statutes, as amended.

On the 17th day of October, 2023, the Mayor and Council of the City of Peoria adopted Resolution No. 2023-110; ordering the improvements of certain streets and rights-of-way within the corporate limits of the town and creating an Improvement District known as the City of Peoria Streetlight Improvement District No. 1176, pursuant to Title 48, Chapter 4, Arizona Revised Statutes; and amendments thereto for the purpose of purchasing electricity, which includes a charge for the use of lighting facilities and other related items, together with all appurtenant structures as shown on the plans; and directing that this notice been given.

Any owner, or any other person having an interest in any lot, piece or parcel of land situated within the above-described assessment district, who claims that any of the provisions, acts or proceedings relative to the above described improvements are irregular, defective, illegal, erroneous or faulty, may file with the City Clerk, Room 150, 8401 West Monroe Street, Peoria, Arizona 85345, within 15 days from the date of the first publication of this notice, a written notice specifying in what way said acts or proceedings are irregular, defective, illegal, erroneous or faulty.

Further information concerning City of Peoria Streetlight Improvement District No. 1176 may be obtained by contacting Mrs. Adina Lund, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7691.

DATED AND SIGNED this _____ day of _____, 2023.

Adina Lund, P.E.
Superintendent of Streets
City of Peoria, Arizona