

**PETITION, WAIVER AND CONSENT TO FORMATION  
OF A MUNICIPAL IMPROVEMENT DISTRICT  
BY THE CITY OF PEORIA**

[ 1274 ]

**MID#**

[ MYSTIC A-4 ]

**Subdivision Name**

To: Honorable Mayor and Council  
City of Peoria, Arizona

Pursuant to Arizona Revised Statutes, Sections 48-574 and 48-575, the undersigned property owner respectfully petitions the City Council of the City of Peoria, Arizona (City Council) to order the formation of a Municipal Improvement District under Arizona Revised Statutes, Title 48, Chapter 4, Article 2. In support of this petition, the undersigned agrees to waive certain rights under the Arizona Improvement District Law and to consent to the formation and completion of the District.

1. Area of District. The proposed district is described by a map and by a legal description on Exhibit "A" that is attached hereto and incorporated herein by reference. The proposed district consists of 30.94 acres and is entirely within the corporate boundaries of the City of Peoria.
2. Ownership. The undersigned (is) (are) the sole owner(s) of the real property within the proposed district.
3. Purpose. The district is proposed to be formed for the purpose of the operation, maintenance, repair and improvements for landscape maintenance adjacent to designated public roadways and parkways within the proposed district and drainage and retention within each proposed district.
4. Public Convenience and Necessity. The necessity for the proposed district is for the operation, maintenance, repair and improvements for landscape maintenance adjacent to designated streets and parkways within the proposed district by the levying of special assessments in the proposed district.
5. Waiver and Consent. The petitioners with full knowledge of their rights being waived hereunder, hereby expressly waive:
  - (a) Any and all irregularities, illegalities or deficiencies which may exist in the acts or proceedings resulting in the adoption of the Resolution of Intention and the Resolution Ordering the Work;
  - (b) Any necessity for publication and posting of the Resolution of Intention and the Notice of Proposed Improvements pursuant to A.R.S. §48-578;
  - (c) All protest rights whatsoever under A.R.S. §48-579(A) and (B), which provide for protests against the work; and
  - (d) All objections to the filing of and adoption by the City of the plans and specifications, the Engineer's estimate and the Assessment Diagram, all of which provide for the completion of the District.

Further, the improvements described above are of more than local or ordinary public benefit.

In Witness whereof the parties have executed this Petition and Waiver Agreement as of the

\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

<p>LAKE PLEASANT (PHOENIX) ASLI VIII, LLC By: Avanti Strategic Land Investors VIII, L.L.L.P. By: APG ASLI VIII GP, LLC By: Avanti Properties Group III, L.L.L.P. By: APG III GP, LLC By: Avanti Management Corporation Print Property Owner Name Andrew Dubill/Executive Vice President Print Name/Title 923 N. Pennsylvania Ave., Winter Park, FL 32789 Address Signature</p>	<p>Date: <u>6/29/23</u></p>	<p>Property (Tax Parcel Numbers) <u>503-97-968</u></p>
<p>LAKE PLEASANT (PHOENIX) ASLI VIII, LLC By: Avanti Strategic Land Investors VIII, L.L.L.P. By: APG ASLI VIII GP, LLC By: Avanti Properties Group III, L.L.L.P. By: APG III GP, LLC By: Avanti Management Corporation Print Property Owner Name Andrew Dubill/Executive Vice President Print Name/Title 923 N. Pennsylvania Ave., Winter Park, FL 32789 Address Signature</p>	<p>Date: <u>6/29/23</u></p>	<p>Property (Tax Parcel Numbers) <u>503-97-975</u></p>

Accepted and approved by:

CITY OF PEORIA, ARIZONA, an  
ARIZONA MUNICIPAL CORPORATION

ATTEST:

By \_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney