

RESOLUTION NO. 2024-17

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. 1285, VILLAGE H AT VISTANCIA, PARCEL H-7/8/9 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. 1285.

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. 1285 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. 1285 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. 1285 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. 1285.

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. 1285 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

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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 2nd day of April, 2024.

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: _____

EXHIBIT
LEGAL DESCRIPTION FOR
VILLAGE H AT VISTANCIA, PARCEL H-7/8/9
MAINTENANCE IMPROVEMENT DISTRICT NO. 1285

All that certain lot, tract, or parcel of land, situated in a portion of the South half of Section 10 and a portion of the North half of Section 15, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more completely described as follows, to-wit:

COMMENCING at a GLO cap on a 2" iron pipe stamped "1922 S.9,10,15,16" for the Southwest corner of said Section 10, the Northwest corner of Section 15, the Northeast corner of Section 16, Township 5 North, Range 1 West, and the Southeast corner of Section 9, Township 5 North, Range 1 West, from which a GLO cap on a 1" iron pipe stamped "1922 S.9,10-1/4" for the West Quarter corner of said Section 10 bears North 00 deg. 10 min. 47 sec. East (Basis of Bearings) – 2,632.19 feet;

THENCE North 00 deg. 10 min. 47 sec. East along the East line of said Section 9 and the West line of Section 10, a distance of 370.96 feet;

THENCE South 89 deg. 49 min. 13 sec. East departing said East and West lines, a distance of 1,034.78 feet to the **TRUE POINT OF BEGINNING**;

THENCE North 38 deg. 51 min. 22 sec. East, a distance of 565.25 feet;

THENCE North 29 deg. 17 min. 34 sec. East, a distance of 229.50 feet;

THENCE North 33 deg. 23 min. 14 sec. West, a distance of 192.26 feet;

THENCE North 00 deg. 51 min. 10 sec. East, a distance of 108.38 feet;

THENCE North 42 deg. 09 min. 47 sec. West, a distance of 144.62 feet;

THENCE North 16 deg. 35 min. 50 sec. West, a distance of 88.67 feet;

THENCE North 56 deg. 50 min. 54 sec. West, a distance of 162.30 feet;

THENCE North 14 deg. 05 min. 00 sec. West, a distance of 139.77 feet;

THENCE North 44 deg. 00 min. 34 sec. East, a distance of 243.06 feet;

THENCE North 62 deg. 02 min. 34 sec. East, a distance of 259.89 feet;

THENCE North 74 deg. 25 min. 41 sec. East, a distance of 195.57 feet;

THENCE South 80 deg. 13 min. 49 sec. East, a distance of 104.39 feet;

THENCE North 61 deg. 49 min. 05 sec. East, a distance of 152.75 feet;

THENCE South 60 deg. 01 min. 07 sec. East, a distance of 67.44 feet;

THENCE South 86 deg. 34 min. 01 sec. East, a distance of 40.00 feet to a Point of Curvature of a non-tangent circular curve to the left, having a radius of 670.00 feet, a central angle of 45 deg. 29 min. 37 sec., and being subtended by a chord which bears South 19 deg. 18 min. 50 sec. East - 518.12 feet;

THENCE in a southerly direction along said curve to the left, a distance of 531.99 feet;

THENCE South 42 deg. 03 min. 39 sec. East tangent to said curve, a distance of 394.32 feet to a Point of Curvature of a circular curve to the right, having a radius of 700.00 feet, a central angle of 16 deg. 47 min. 55 sec., and being subtended by a chord which bears South 33 deg. 39 min. 41 sec. East - 204.50 feet;

THENCE in a southeasterly direction along said curve to the right, a distance of 205.23 feet;

THENCE South 25 deg. 15 min. 43 sec. East tangent to said curve, a distance of 305.16 feet to a Point of Curvature of a circular curve to the left, having a radius of 700.00 feet, a central angle of 44 deg. 22 min. 24 sec., and being subtended by a chord which bears South 47 deg. 26 min. 55 sec. East - 528.67 feet;

THENCE in a southeasterly direction along said curve to the left, a distance of 542.12 feet;

THENCE South 69 deg. 38 min. 07 sec. East tangent to said curve, a distance of 530.07 feet to a Point of Curvature of a circular curve to the right, having a radius of 670.00 feet, a central angle of 14 deg. 41 min. 50 sec., and being subtended by a chord which bears South 62 deg. 17 min. 12 sec. East - 171.40 feet;

THENCE in a southeasterly direction along said curve to the right, a distance of 171.87 feet;

THENCE South 40 deg. 43 min. 04 sec. West non-tangent to said curve, a distance of 347.40 feet to a Point of Curvature of a non-tangent circular curve to the right, having a radius of 54.00 feet, a central angle of 171 deg. 10 min. 12 sec., and being subtended by a chord which bears South 05 deg. 50 min. 19 sec. East - 107.68 feet;

THENCE in a southerly direction along said curve to the right, a distance of 161.32 feet;

THENCE South 10 deg. 15 min. 13 sec. East non-tangent to said curve, a distance of 33.29 feet;

THENCE South 41 deg. 31 min. 50 sec. West, a distance of 125.00 feet;

THENCE North 48 deg. 28 min. 10 sec. West, a distance of 102.28 feet;

THENCE South 40 deg. 43 min. 04 sec. West, a distance of 85.81 feet;

THENCE North 50 deg. 48 min. 45 sec. West, a distance of 269.04 feet;

THENCE North 49 deg. 13 min. 20 sec. West, a distance of 239.46 feet;

THENCE South 54 deg. 16 min. 52 sec. West, a distance of 270.80 feet;

THENCE North 84 deg. 00 min. 00 sec. West, a distance of 532.90 feet;

THENCE North 75 deg. 00 min. 05 sec. West, a distance of 265.16 feet;

THENCE North 47 deg. 34 min. 11 sec. West, a distance of 339.89 feet;

THENCE South 74 deg. 40 min. 42 sec. West, a distance of 325.16 feet;

THENCE North 85 deg. 43 min. 07 sec. West, a distance of 102.85 feet;

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THENCE North 47 deg. 05 min. 33 sec. West, a distance of 303.53 feet to the **POINT OF BEGINNING**, containing 2,959,680 square feet or 67.945 acres of land, more or less.



EXHIBIT "B"

IS ON FILE IN THE

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

