

RESOLUTION NO. 2024-19

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. 1184, VILLAGE H AT VISTANCIA, PARCEL H-7/8/9 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 2nd day of April, 2024, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2024-18, 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. 1184; 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. 2024-18 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. 2024-18, 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. 2024-18 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. 2024-18 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. 2024-18; 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. 2024-18 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 2nd day of April, 2024, 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.

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SLID 1184, Village H at Vistancia, Parcel H-7/8/9
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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
STREET LIGHT IMPROVEMENT DISTRICT NO. 1184

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**

**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. 1184, VILLAGE H AT VISTANCIA,
PARCEL H-7/8/9.

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 2nd day of April, 2024, the Mayor and Council of the City of Peoria adopted Resolution No. 2024-19; 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. 1184, 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. 1184 may be obtained by contacting Mr. Dan Nissen, Acting Development & Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7214.

DATED AND SIGNED this _____ day of _____, 2024.

Dan Nissen, P.E.
Superintendent of Streets
City of Peoria, Arizona