

RESOLUTION NO. 2024-51

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. 1282, ALORAVITA SOUTH PARCEL 4A 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. 1282.

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. 1282 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. 1282 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. 1282 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. 1282.

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. 1282 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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MID 1282 Aloravita South Parcel 4A
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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 18th day of June, 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 A LEGAL DESCRIPTION

THAT PART OF THE NORTH HALF OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTH QUARTER CORNER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 1 EAST, FROM WHICH THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTHEAST CORNER OF SAID SECTION 35 BEARS SOUTH 89°57'13" EAST, A DISTANCE OF 2675.54 FEET;

THENCE SOUTH 89°57'13" EAST, ALONG THE NORTH LINE OF SAID SECTION 2, A DISTANCE OF 1168.81 FEET TO A POINT ON THE WESTERLY LINE OF 77TH AVENUE AS DEPICTED IN THE MASTER FINAL PLAT FOR ALORAVITA SOUTH, AS RECORDED IN BOOK 1698 OF MAPS, PAGE 8, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY THE FOLLOWING COURSES:

THENCE SOUTH 00°03'05" WEST, DEPARTING SAID NORTH LINE, A DISTANCE OF 55.00 FEET;

THENCE SOUTH 44°56'11" EAST, A DISTANCE OF 42.44 FEET;

THENCE SOUTH 00°03'05" WEST, A DISTANCE OF 60.42 FEET TO THE BEGINNING OF A TANGENT CURVE OF 367.50 FOOT RADIUS, CONCAVE WESTERLY;

THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 22°57'06", A DISTANCE OF 147.21 FEET;

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**Title: ALORAVITA SOUTH PARCEL 4A
MAINTENANCE IMPROVEMENT DISTRICT**

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831

Fax: 602-264-0928





EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTH 23°00'11" WEST, A DISTANCE OF 14.79 FEET;
THENCE SOUTH 68°00'11" WEST, A DISTANCE OF 42.43 FEET;
THENCE SOUTH 23°00'11" WEST, A DISTANCE OF 50.00 FEET;
THENCE SOUTH 21°59'49" EAST, A DISTANCE OF 42.43 FEET;

THENCE SOUTH 23°00'11" WEST, A DISTANCE OF 511.37 FEET TO THE BEGINNING
OF A TANGENT CURVE OF 437.50 FOOT RADIUS, CONCAVE EASTERLY;

THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF
23°02'56", A DISTANCE OF 176.00 FEET;

THENCE SOUTH 40°24'33" WEST, A DISTANCE OF 44.36 FEET;
THENCE SOUTH 07°15'04" EAST, A DISTANCE OF 50.00 FEET;
THENCE SOUTH 54°02'33" EAST, A DISTANCE OF 43.74 FEET;

THENCE SOUTH 10°45'30" EAST, A DISTANCE OF 98.27 FEET TO THE BEGINNING
OF A TANGENT CURVE OF 762.50 FOOT RADIUS, CONCAVE WESTERLY;

THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF
11°21'02", A DISTANCE OF 151.05 FEET;

THENCE SOUTH 00°35'32" WEST, A DISTANCE OF 433.10 FEET TO THE BEGINNING
OF A TANGENT CURVE OF 20.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE
OF 52°42'45", A DISTANCE OF 18.40 FEET TO THE BEGINNING OF A TANGENT
REVERSE CURVE OF 75.00 FOOT RADIUS, CONCAVE SOUTHEASTERLY;

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THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°20'27", A DISTANCE OF 22.70 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 20.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 54°37'42", A DISTANCE OF 19.06 FEET;

THENCE SOUTH 00°35'32" WEST, A DISTANCE OF 70.00 FEET;

THENCE SOUTH 84°52'54" WEST, DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 100.50 FEET;

THENCE NORTH 89°24'28" WEST, A DISTANCE OF 90.89 FEET TO THE BEGINNING OF A TANGENT CURVE OF 555.00 FOOT RADIUS, CONCAVE SOUTHERLY;

THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 30°26'25", A DISTANCE OF 294.86 FEET;

THENCE NORTH 29°50'53" WEST, A DISTANCE OF 626.44 FEET TO THE BEGINNING OF A TANGENT CURVE OF 830.00 FOOT RADIUS, CONCAVE SOUTHWESTERLY;

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 35°55'58", A DISTANCE OF 520.53 FEET;

THENCE NORTH 24°13'10" EAST, A DISTANCE OF 35.00 FEET;
THENCE NORTH 71°32'16" EAST, A DISTANCE OF 43.40 FEET;

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EXHIBIT A LEGAL DESCRIPTION

THENCE NORTH 27°51'46" EAST, A DISTANCE OF 40.32 FEET TO THE BEGINNING OF A TANGENT CURVE OF 175.00 FOOT RADIUS, CONCAVE WESTERLY;

THENCE NORTHERLY , ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°21'35", A DISTANCE OF 46.91 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 15.40 FEET;
THENCE NORTH 89°57'15" WEST, A DISTANCE OF 140.00 FEET;
THENCE SOUTH 00°02'45" WEST, A DISTANCE OF 3.00 FEET;
THENCE NORTH 89°57'15" WEST, A DISTANCE OF 140.00 FEET;
THENCE NORTH 00°02'45" EAST, A DISTANCE OF 158.00 FEET;
THENCE SOUTH 89°57'15" EAST, A DISTANCE OF 0.29 FEET;
THENCE NORTH 00°02'45" EAST, A DISTANCE OF 155.00 FEET;
THENCE NORTH 89°57'15" WEST, A DISTANCE OF 140.00 FEET;
THENCE NORTH 00°02'45" EAST, A DISTANCE OF 180.00 FEET;
THENCE SOUTH 89°57'15" EAST, A DISTANCE OF 70.00 FEET;
THENCE NORTH 00°02'45" EAST, A DISTANCE OF 260.00 FEET;
THENCE NORTH 89°57'15" WEST, A DISTANCE OF 80.00 FEET;
THENCE NORTH 00°02'45" EAST, A DISTANCE OF 209.86 FEET;
THENCE NORTH 00°01'51" EAST, A DISTANCE OF 55.00 FEET;

THENCE SOUTH 89°58'09" EAST, A DISTANCE OF 632.73 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,452,309 SQUARE FEET OR 56.297 ACRES, MORE OR LESS.

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EXHIBIT "B"

IS ON FILE IN THE

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



