

RESOLUTION NO. 2024-53

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. 1283, ALORAVITA SOUTH PARCEL 4B 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. 1283.

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. 1283 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. 1283 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. 1283 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. 1283.

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. 1283 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 1283 Aloravita South Parcel 4B
June 18, 2024
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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 NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE ALUMINUM CAP MARKED LS#33851 MARKING THE NORTHWEST CORNER OF SAID SECTION 2, FROM WHICH THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTH QUARTER CORNER OF SECTION 35 TOWNSHIP 5 NORTH, RANGE 1 EAST BEARS SOUTH 89°58'09" EAST, A DISTANCE OF 2645.13 FEET;

THENCE SOUTH 89°58'09" EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1401.37 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89°58'09" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 611.04 FEET;

THENCE SOUTH 00°01'51" WEST, DEPARTING SAID NORTH LINE, A DISTANCE OF 55.00 FEET;

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

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**Title: ALORAVITA SOUTH PARCEL 4B
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 89°57'15" EAST, A DISTANCE OF 140.00 FEET;
THENCE NORTH 00°02'45" EAST, A DISTANCE OF 3.00 FEET;
THENCE SOUTH 89°57'15" EAST, A DISTANCE OF 140.00 FEET;

THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 15.40 FEET TO A POINT ON A
175.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH
77°29'49" WEST;

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

THENCE SOUTH 27°51'46" WEST, A DISTANCE OF 40.32 FEET;
THENCE SOUTH 71°32'16" WEST, A DISTANCE OF 43.40 FEET;

THENCE SOUTH 24°13'10" WEST, A DISTANCE OF 35.00 FEET TO A POINT ON A
830.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH
24°13'10" WEST;

THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF
62°24'30", A DISTANCE OF 904.06 FEET;

THENCE SOUTH 51°48'40" WEST, A DISTANCE OF 532.53 FEET TO A POINT ON A
2900.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH
51°58'49" WEST;

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE
OF 01°15'35", A DISTANCE OF 63.76 FEET;

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EXHIBIT A LEGAL DESCRIPTION

THENCE NORTH 50°43'13" EAST, A DISTANCE OF 65.00 FEET;
THENCE SOUTH 83°35'22" EAST, A DISTANCE OF 42.72 FEET;

THENCE NORTH 51°48'40" EAST, A DISTANCE OF 437.64 FEET TO THE BEGINNING
OF A TANGENT CURVE OF 865.00 FOOT RADIUS, CONCAVE SOUTHEASTERLY;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE
OF 13°22'19", A DISTANCE OF 201.88 FEET;

THENCE NORTH 13°13'01" WEST, A DISTANCE OF 1142.84 FEET TO THE POINT OF
BEGINNING.

CONTAINING 657,807 SQUARE FEET OR 15.101 ACRES, MORE OR LESS.

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Phone: 602-264-6831

Fax: 602-264-0928



EXHIBIT "B"

IS ON FILE IN THE

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

