

RESOLUTION NO. 2024-57

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. 1181, ALORAVITA SOUTH PARCEL 4A; 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 18th day of June, 2024, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2024-56, 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. 1181; 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. 2024-56 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. 2024-56, 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. 2024-56 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. 2024-56 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. 2024-56; 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. 2024-56 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 18th day of June, 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.

Resolution No. 2024-57
SLID 1181 Aloravita South Parcel 4A
June 18, 2024
Page 3 of 9 Pages

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;

Page 1 of 4

**Title: ALORAVITA SOUTH PARCEL 4A
STREET LIGHT 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;

Page 2 of 4

**Title: ALORAVITA SOUTH PARCEL 4A
STREET LIGHT 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 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;

Page 3 of 4

**Title: ALORAVITA SOUTH PARCEL 4A
STREET LIGHT 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

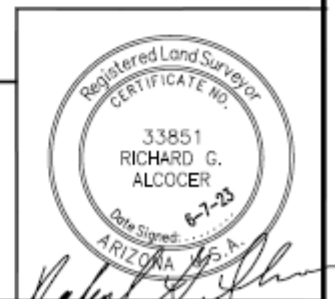




EXHIBIT A LEGAL DESCRIPTION

THENCE 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.

Page 4 of 4

**Title: ALORAVITA SOUTH PARCEL 4A
STREET LIGHT IMPROVEMENT DISTRICT**

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

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

Phone: 602-264-6831

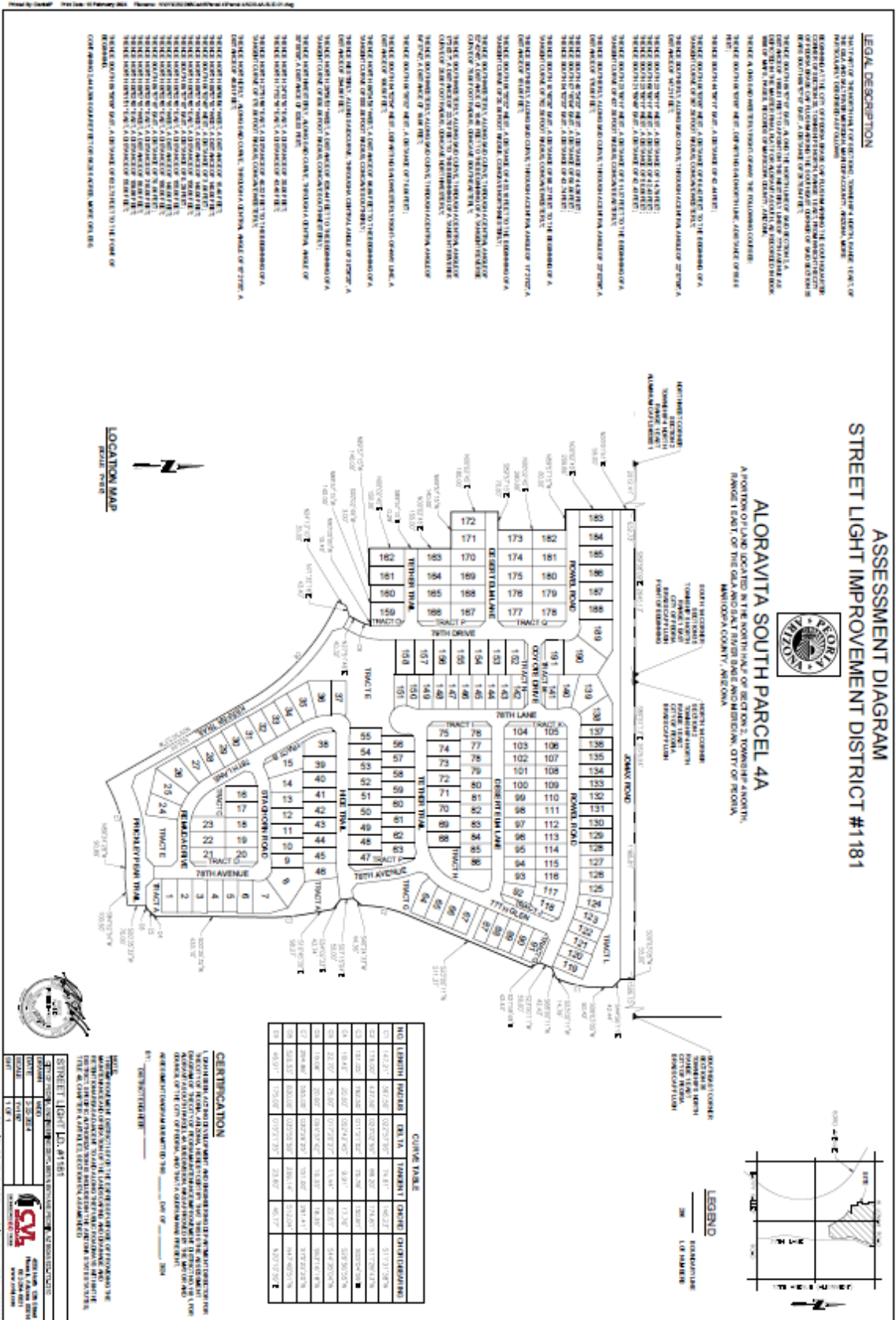
Fax: 602-264-0928



EXHIBIT "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. 1181, ALORAVITA SOUTH PARCEL 4A.

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 18th day of June, 2024, the Mayor and Council of the City of Peoria adopted Resolution No. 2024-57; 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. 1181, 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. 1181 may be obtained by contacting Mr. Jeff Curran, Development & Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7249.

DATED AND SIGNED this _____ day of _____, 2024.

Jeff Curran, P.E.
Superintendent of Streets
City of Peoria, Arizona