

RESOLUTION NO. 2024-90

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. 1189, VILLAGE F AT VISTANCIA PARCEL F-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 19th day of November, 2024, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2024-89, 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. 1189; 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. 2024-89 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. 2024-89, 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. 2024-89 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. 2024-89 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. 2024-89; 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. 2024-89 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 19th day of November, 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. 2024-90
SLID 1189, Village F at Vistancia Parcel F-9
November 19, 2024
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PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 19th day of November, 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
STREET LIGHT IMPROVEMENT DISTRICT NO. 1189

All that certain lot, tract, or parcel of land, situated in a portion of the Northeast Quarter of Section 14, 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:

BEGINNING at a brass cap flush found for the East quarter corner of said Section 14;

THENCE North 89 deg. 46 min. 02 sec. West, a distance of 1,173.24 feet;

THENCE North 00 deg. 13 min. 58 sec. East, a distance of 65.00 feet;

THENCE North 66 deg. 02 min. 48 sec. East, a distance of 73.05 feet;

THENCE North 76 deg. 57 min. 16 sec. East, a distance of 86.98 feet;

THENCE North 74 deg. 50 min. 23 sec. East, a distance of 139.36 feet;

THENCE South 88 deg. 12 min. 24 sec. East, a distance of 25.47 feet;

THENCE South 11 deg. 39 min. 21 sec. East, a distance of 10.62 feet;

THENCE South 34 deg. 21 min. 33 sec. East, a distance of 27.81 feet;

THENCE South 66 deg. 49 min. 09 sec. East, a distance of 31.96 feet;

THENCE North 89 deg. 49 min. 06 sec. East, a distance of 43.69 feet;

THENCE North 71 deg. 28 min. 29 sec. East, a distance of 55.09 feet;

THENCE North 55 deg. 49 min. 28 sec. East, a distance of 96.22 feet;

THENCE North 15 deg. 24 min. 57 sec. East, a distance of 41.02 feet;

THENCE North 66 deg. 55 min. 41 sec. East, a distance of 45.22 feet;

THENCE North 49 deg. 55 min. 25 sec. East, a distance of 99.15 feet;

THENCE North 31 deg. 13 min. 24 sec. East, a distance of 65.21 feet;

THENCE North 22 deg. 01 min. 17 sec. East, a distance of 85.70 feet;

THENCE North 05 deg. 30 min. 36 sec. West, a distance of 47.23 feet;

THENCE North 06 deg. 52 min. 21 sec. East, a distance of 111.20 feet;

THENCE North 49 deg. 08 min. 31 sec. East, a distance of 129.43 feet to a 5/8" rebar found with a 1-1/2" aluminum cap (no R.L.S. ID);

THENCE North 16 deg. 03 min. 54 sec. East, a distance of 477.17 feet to a U.S. Department of Interior – Bureau of Reclamation brass cap flush found in concrete;

THENCE North 49 deg. 06 min. 30 sec. East, a distance of 274.10 feet;

THENCE South 00 deg. 03 min. 51 sec. West, a distance of 1,316.83 feet to the **POINT OF BEGINNING**, containing 560,092 square feet or 12.858 acres of land, more or less.

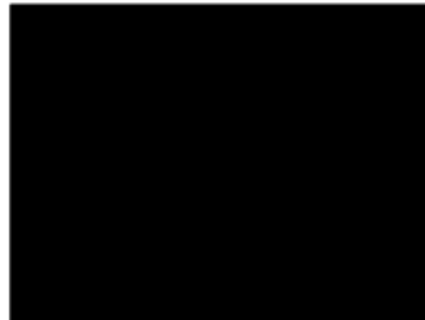
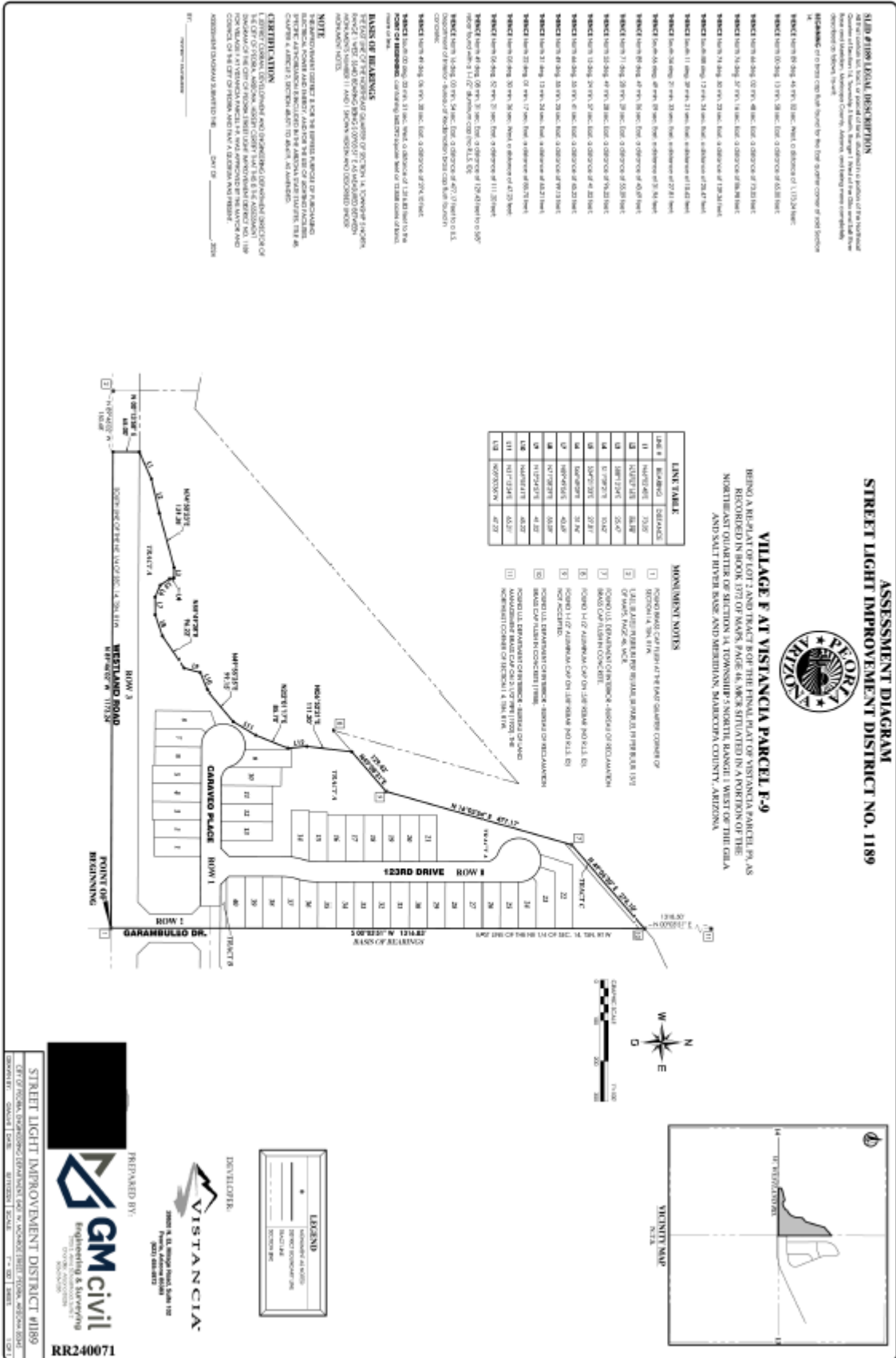


EXHIBIT "B"

IS ON FILE IN THE

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



RR240071

**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. 1189, VILLAGE F AT VISTANCIA PARCEL F-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 19th day of November, 2024, the Mayor and Council of the City of Peoria adopted Resolution No. 2024-90; 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. 1189, 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. 1189 may be obtained by contacting Mr. Jeff Curan, Development & Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7691.

DATED AND SIGNED this _____ day of _____, 2024.

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