



WHEN RECORDED MAIL TO:

RECEIVED

Sonia Cuello  
City Clerk  
City of San Luis  
P.O. Box 1170  
San Luis, AZ 85349

2009 NOV 12 AM 8:16

CITY OF SAN LUIS  
OFFICE OF THE CITY CLERK

**FEE #: 2009 - 29206**

10/30/2009 01:38 PAGES: 0012  
FEES: 6.50 8.00 1.00 .00 .00  
REQ BY: CITY OF SAN LUIS  
REC BY: Olga Nunez

\*\*\*\*\*

**CAPTION HEADING:**

City of San Luis  
\*Resolution No. 841-Street Lighting Las Brisas  
\*Petition, Waiver and Consent to formation of a Street Lighting Improvement  
District by the City of San Luis-Las Brisas



# *Resolution*

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

## RESOLUTION NO.841

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, DECLARING ITS INTENTION TO PURCHASE ELECTRICITY, AND MAINTAIN POLES, LUMINARIES, AND UNDERGROUND CONDUIT, TOGETHER WITH A CHARGE FOR USE OF LIGHTING FACILITIES, FOR LIGHTING PUBLIC STREETS WITHIN AN AREA DESCRIBED AS LAS BRISAS, CITY OF SAN LUIS, YUMA COUNTY, ARIZONA.**

**WHEREAS**, a petition for the street lighting improvement district has been presented by all of the real property owners of record for the real property described as Las Brisas Subdivision, City of San Luis, Yuma County, Arizona.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of San Luis, Arizona, as follows:

**Section 1:** The City of San Luis hereby creates a street lighting improvement district to be tentatively known as Las Brisas Street Lighting Improvement District for the area described as Las Brisas Subdivision, Yuma County, Arizona, and as further described as:

See Exhibit "A" attached hereto.

**Section 2:** That the public interest and convenience requires, and it is the intention of the governing body of the City of San Luis to order the purchase of electricity which includes a charge for the maintenance and use of the lighting facilities. That the maintenance and purchase of electricity is of more than local or ordinary public benefit, and the cost is hereby made chargeable upon the District, and the District benefited by said streetlights is legally described as set forth in Section 1 hereinabove.

**Section 3:** That the cost of the electricity shall be the established rate of Arizona Public Service for street lighting service.

**Section 4:** That the lighting of the streets in the area described shall be in accordance with the lighting location plan hereby approved and adopted by the Council of the City of San Luis, Arizona, and on file in the office of the City Engineer, tentatively known as Las Brisas Street Lighting Improvement District.

**Section 5:** In no event will the City of San Luis or any officer thereof be liable for any portion of the cost of supplying electricity to said Improvement District, nor for any delinquency of persons or property assessed, unless the assessment for district purposes against the property within such district exceeds the maximum contained in A.R.S. § 48-616.D, in which event the City of San Luis shall be liable for the cost of supplying electricity in excess of said statutory maximums.

**Section 6:** The City Council shall make an annual statement of the expenses relative to the District which shall be provided for by the levy and collection of the ad valorem taxes of the assessed value of all property, real and personal, in the District as provided in Title 48 of the Arizona Revised Statutes, which taxes shall be collected in the amount shown by the statement adopted by the City Council.

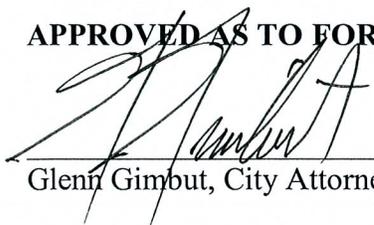
**PASSED AND ADOPTED** by the Mayor and City Council of the City of San Luis, Arizona, this 28<sup>th</sup>, day of October, 2009

  
Juan Carlos Escamilla, Mayor

**ATTEST:**

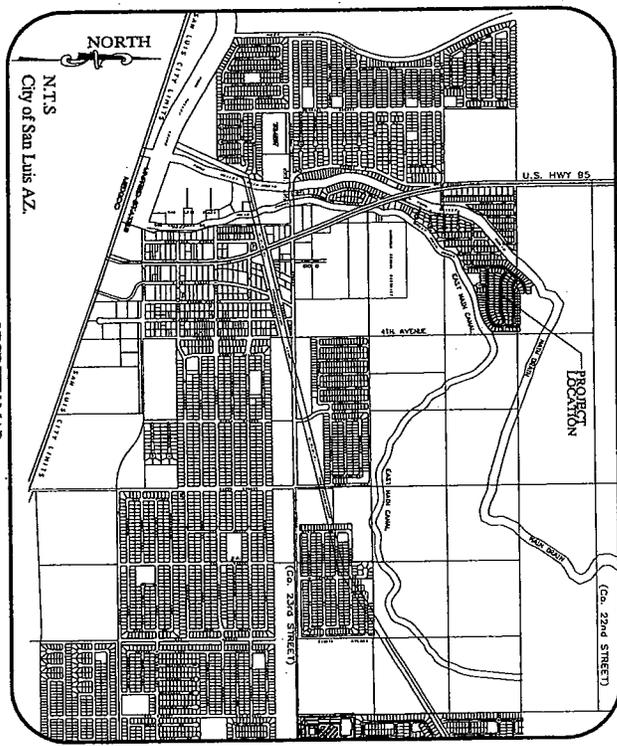
  
\_\_\_\_\_  
Sonia Cuello, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Glenn Gimbut, City Attorney

CITY OF SAN LUIS, YUMA COUNTY, ARIZONA  
**LAS BRISAS DE  
 SAN LUIS**

OF A PORTION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 11 SOUTH, RANGE 25 WEST,  
 GILA AND SALT RIVER BASIN AND MERIDIAN, YUMA COUNTY ARIZONA  
 AUGUST 2007  
 ACREAGE = 23.98 Acres



VICINITY MAP

OFFICE OF YUMA COUNTY RECORDER  
 YUMA COUNTY RECORDER  
 YUMA COUNTY, ARIZONA  
 FEE #: 2007-42329  
 REC'D BY: [Signature]  
 DATE: 8/23/07  
 TIME: 10:00 AM  
 BOOK 24 of 26  
 PAGE 23-24

**LOT AREAS**

LOT	AREA	LOT	AREA	LOT	AREA
1	0.10	101	0.10	201	0.10
2	0.10	102	0.10	202	0.10
3	0.10	103	0.10	203	0.10
4	0.10	104	0.10	204	0.10
5	0.10	105	0.10	205	0.10
6	0.10	106	0.10	206	0.10
7	0.10	107	0.10	207	0.10
8	0.10	108	0.10	208	0.10
9	0.10	109	0.10	209	0.10
10	0.10	110	0.10	210	0.10
11	0.10	111	0.10	211	0.10
12	0.10	112	0.10	212	0.10
13	0.10	113	0.10	213	0.10
14	0.10	114	0.10	214	0.10
15	0.10	115	0.10	215	0.10
16	0.10	116	0.10	216	0.10
17	0.10	117	0.10	217	0.10
18	0.10	118	0.10	218	0.10
19	0.10	119	0.10	219	0.10
20	0.10	120	0.10	220	0.10
21	0.10	121	0.10	221	0.10
22	0.10	122	0.10	222	0.10
23	0.10	123	0.10	223	0.10
24	0.10	124	0.10	224	0.10
25	0.10	125	0.10	225	0.10
26	0.10	126	0.10	226	0.10
27	0.10	127	0.10	227	0.10
28	0.10	128	0.10	228	0.10
29	0.10	129	0.10	229	0.10
30	0.10	130	0.10	230	0.10
31	0.10	131	0.10	231	0.10
32	0.10	132	0.10	232	0.10
33	0.10	133	0.10	233	0.10
34	0.10	134	0.10	234	0.10
35	0.10	135	0.10	235	0.10
36	0.10	136	0.10	236	0.10
37	0.10	137	0.10	237	0.10
38	0.10	138	0.10	238	0.10
39	0.10	139	0.10	239	0.10
40	0.10	140	0.10	240	0.10
41	0.10	141	0.10	241	0.10
42	0.10	142	0.10	242	0.10
43	0.10	143	0.10	243	0.10
44	0.10	144	0.10	244	0.10
45	0.10	145	0.10	245	0.10
46	0.10	146	0.10	246	0.10
47	0.10	147	0.10	247	0.10
48	0.10	148	0.10	248	0.10
49	0.10	149	0.10	249	0.10
50	0.10	150	0.10	250	0.10
51	0.10	151	0.10	251	0.10
52	0.10	152	0.10	252	0.10
53	0.10	153	0.10	253	0.10
54	0.10	154	0.10	254	0.10
55	0.10	155	0.10	255	0.10
56	0.10	156	0.10	256	0.10
57	0.10	157	0.10	257	0.10
58	0.10	158	0.10	258	0.10
59	0.10	159	0.10	259	0.10
60	0.10	160	0.10	260	0.10
61	0.10	161	0.10	261	0.10
62	0.10	162	0.10	262	0.10
63	0.10	163	0.10	263	0.10
64	0.10	164	0.10	264	0.10
65	0.10	165	0.10	265	0.10
66	0.10	166	0.10	266	0.10
67	0.10	167	0.10	267	0.10
68	0.10	168	0.10	268	0.10
69	0.10	169	0.10	269	0.10
70	0.10	170	0.10	270	0.10
71	0.10	171	0.10	271	0.10
72	0.10	172	0.10	272	0.10
73	0.10	173	0.10	273	0.10
74	0.10	174	0.10	274	0.10
75	0.10	175	0.10	275	0.10
76	0.10	176	0.10	276	0.10
77	0.10	177	0.10	277	0.10
78	0.10	178	0.10	278	0.10
79	0.10	179	0.10	279	0.10
80	0.10	180	0.10	280	0.10
81	0.10	181	0.10	281	0.10
82	0.10	182	0.10	282	0.10
83	0.10	183	0.10	283	0.10
84	0.10	184	0.10	284	0.10
85	0.10	185	0.10	285	0.10
86	0.10	186	0.10	286	0.10
87	0.10	187	0.10	287	0.10
88	0.10	188	0.10	288	0.10
89	0.10	189	0.10	289	0.10
90	0.10	190	0.10	290	0.10
91	0.10	191	0.10	291	0.10
92	0.10	192	0.10	292	0.10
93	0.10	193	0.10	293	0.10
94	0.10	194	0.10	294	0.10
95	0.10	195	0.10	295	0.10
96	0.10	196	0.10	296	0.10
97	0.10	197	0.10	297	0.10
98	0.10	198	0.10	298	0.10
99	0.10	199	0.10	299	0.10
100	0.10	200	0.10	300	0.10

29206

**RESTRICTIVE COVENANTS**

THE RESTRICTIVE COVENANTS ARE SET FORTH IN THE PLAN

**AREA LOTS**

23.98 ACRES LOTS 1 TO 300

PREPARED BY:



SHEET 1 OF 2

**SURVEYOR'S CERTIFICATE**

I, the undersigned, being a duly licensed Surveyor of the State of Arizona, do hereby certify that I am the author of the foregoing plat and that I am a duly licensed Surveyor of the State of Arizona.



**APPROVED**

City of San Luis, Arizona  
 Mayor: [Signature]  
 City Clerk: [Signature]  
 Date: 8-23-07

**ACKNOWLEDGMENT**

I, the undersigned, being a duly licensed Surveyor of the State of Arizona, do hereby certify that I am the author of the foregoing plat and that I am a duly licensed Surveyor of the State of Arizona.

**DEDICATION:**

BEFORE ALL MEN BY THESE PRESENTS, I, the undersigned, do hereby dedicate to the public use of the City of San Luis, Arizona, the following described land, to-wit: [Description of land]

[Signature]  
 JOHN S. MORGAN  
 YUMA COUNTY SURVEYOR, L.L.C.



LEGAL DESCRIPTION

Order No: 176009 YUM

A portion of the Northwest quarter of Section 1, Township 11 South, Range 25 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, being more particularly described as follows:

Commencing at the North quarter corner of said Section 1;  
 Thence South 00°17'14" West along the North-South mid Section line of said Section, a distance of 1,277.99 feet to a point;  
 Thence North 89°42'46" West, a distance of 40.00 feet to a point on the West right of way line of Fourth Avenue also being THE TRUE POINT OF BEGINNING;  
 Thence South 00°17'14" West, along the West right of way line of Fourth Avenue, a distance of 488.02 feet to a point on the North right of way line of the East Main Canal;  
 Thence continuing on the North right of way line of the East Main Canal, on a curve to the left with a delta of 08°35'06", a tangent of 40.03, a Radius of 533.30 feet, a chord bearing South 51°07'48" West, a chord distance of 79.83 feet and an arc length of 79.91 feet to a point;  
 Thence continuing South 46°50'15" West, on the North right of way line of the East main Canal, a distance of 31.70 feet to a point;  
 Thence continuing on the North right of way line of the East Main Canal, on a curve to the right with a delta of 19°53'00", a tangent of 74.19 feet, a radius of 423.30 feet, a chord bearing South 56°46'45" West, a chord distance of 146.16 feet and an arc length of 146.90 feet to a point;  
 Thence continuing South 66°43'15" West, on the North right of way line of the East Main Canal, a distance of 61.70 feet to a point;  
 Thence continuing on the North right of way line of the East main Canal, on a curve to the right with a delta of 12°40'00", a tangent of 73.45, a radius of 661.80 feet, a chord bearing South 73°03'15" West, a chord distance of 146.01 feet and an arc length of 146.31 feet to a point;  
 Thence continuing South 79°23'15" West, on the North right of way line of the East Main Canal, a distance of 208.00 feet to a point;  
 Thence continuing on the North right of way line of the East Main Canal, on a curve to the left with a delta of 20°35'00", a tangent of 140.14 feet, a radius of 771.80 feet, a chord bearing South 69°05'45" West, a chord distance of 275.78 feet and an arc length of 277.27 feet to a point;  
 Thence continuing South 58°48'15" West, on the North right of way line of the East Main Canal, a distance of 246.48 feet to a point;  
 Thence continuing on the North right of way line of the East Main Canal, on a curve to the right with a delta of 14°15'00", a tangent of 112.55 feet, a radius of 900.40 feet, a chord bearing South 65°55'45" West, a chord distance of 223.36 feet and an arc length of 223.94 feet to a point;  
 Thence continuing South 73°03'15" West, on the North right of way line of the East Main Canal, a distance of 2.61 feet to a point;  
 Thence North 00°21'28" East, a distance of 806.90 feet to a point on the South right of way line of the U.S.R.S. Drainage Canal;  
 Thence North 38°56'04" East, on the South right of way line of the U.S.R.S. Drainage Canal, a distance of 535.19 feet to a point;  
 Thence continuing North 51°08'34" East, on the South right of way line of the U.S.R.S. Drainage Canal, a distance of 143.37 feet to a point;  
 Thence South 38°51'26" East, a distance of 55.32 feet to a point;  
 Thence South 89°42'46" East, a distance of 120.00 feet to a point;  
 Thence South 00°17'14" West, a distance of 66.50 feet to a point;  
 Thence on a curve to the right with a delta of 90°00'00", a tangent of 15.00 feet, a radius of 15.00 feet, a chord bearing South 45°17'14" West, a chord distance of 21.21 feet and an arc length of 23.56 feet to a point;  
 Thence South 00°17'14" West, a distance of 32.00 feet to a point;  
 Thence South 89°42'46" East, a distance of 7.00 feet to a point;  
 Thence South 00°17'14" West, a distance of 81.50 feet to a point;  
 Thence South 89°42'46" East, a distance of 560.00 feet to a point;  
 Thence South 00°17'14" West, a distance of 8.00 feet to a point;  
 Thence South 89°42'46" East, a distance of 127.00 feet to THE TRUE POINT OF BEGINNING.

24704

29206

**PETITION, WAIVER AND CONSENT TO FORMATION  
OF A STREET LIGHTING IMPROVEMENT DISTRICT  
BY THE CITY OF SAN LUIS**

**To:                   Honorable Mayor and Council  
                          City of San Luis, Arizona**

**[MID\_\_\_\_\_]**

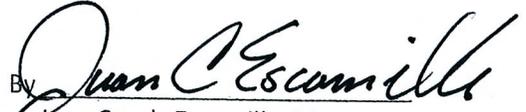
Pursuant to Arizona Revised Statutes, Section 48-571 to 48-617, as amended , and specifically A.R.S. §548-616 AND 548-617 the undersigned property owner respectfully petitions the City Council of the City of San Luis, Arizona ( City Council) to order the formation of Street Lighting Improvement District under Arizona Revised Statutes, title 48 Chapter 4, Article 2. In support of this petition, the undersigned agrees to waive certain rights under the Arizona Improvement District Law and to consent to the formation and completion of the District.

1. Area of District.     The proposed district is described by a map and by a legal description of Exhibit "A" which is attached hereto and incorporated herein by reference. The proposed district consists of approximately 23.90<sup>0</sup> acres and is entirely within the corporate boundaries of the City of San Luis.
  
2. Ownership.           The undersigned (is) (are) the sole owner(s) of the real property within the proposed district.
  
3. Purpose.           The district is proposed to be formed for the purpose of the installation of light poles and luminaries together with purchasing the electricity for lighting of public street within Las Brisas de San Luis
  
4. Public Convenience and Necessity.   The necessity for the proposed district is for the installation of light poles and luminaries with purchasing the electricity for lighting public streets within the proposed district by the levying of special assessments in the proposed district.
  
5. Waiver and Consent.           The petitioners will full knowledge of their rights being waived hereunder, hereby expressly waive.
  - (a) Any and all irregularities, illegalities or deficiencies which may exist in adoption of Resolution Ordering the work;
  - (b) Any necessity for publication and posting of the Resolution of Intention and the Note of Proposed Improvements;
  - (c) All protest rights, whatsoever under A.R.S. §48-579 (A) and (B), which provide for protests against the work; and
  - (d) All objections to the filing of and adoption by the City of the plans and specifications, the Engineer's estimate and the Assessment Diagram, all of which provide for the completion of the District.



Accepted and approved by:

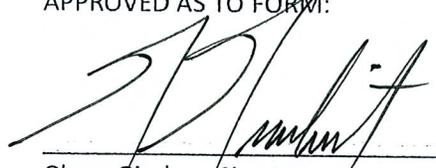
CITY OF SAN LUIS, ARIZONA an  
ARIZONA MUNICIPAL CORPORATION

By   
Juan Carols Escamilla, Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Glenn Gimbut, City Attorney





LEGAL DESCRIPTION

Order No: 176009 YUM

A portion of the Northwest quarter of Section 1, Township 11 South, Range 25 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, being more particularly described as follows:

Commencing at the North quarter corner of said Section 1;  
Thence South 00°17'14" West along the North-South mid section line of said Section, a distance of 1,277.99 feet to a point;  
Thence North 89°42'46" West, a distance of 40.00 feet to a point on the West right of way line of Fourth Avenue also being THE TRUE POINT OF BEGINNING;  
Thence South 00°17'14" West, along the West right of way line of Fourth Avenue, a distance of 488.02 feet to a point on the North right of way line of the East Main Canal;  
Thence continuing on the North right of way line of the East Main Canal, on a curve to the left with a delta of 08°35'06", a tangent of 40.03, a Radius of 533.30 feet, a chord bearing South 51°07'48" West, a chord distance of 79.83 feet and an arc length of 79.91 feet to a point;  
Thence continuing South 46°50'15" West, on the North right of way line of the East main Canal, a distance of 31.70 feet to a point;  
Thence continuing on the North right of way line of the East Main Canal, on a curve to the right with a delta of 19°53'00", a tangent of 74.19 feet, a radius of 423.30 feet, a chord bearing South 56°46'45" West, a chord distance of 146.16 feet and an arc length of 146.90 feet to a point;  
Thence continuing South 66°43'15" West, on the North right of way line of the East Main Canal, a distance of 61.70 feet to a point;  
Thence continuing on the North right of way line of the East main Canal, on a curve to the right with a delta of 12°40'00", a tangent of 73.45, a radius of 661.80 feet, a chord bearing South 73°03'15" West, a chord distance of 146.01 feet and an arc length of 146.31 feet to a point;  
Thence continuing South 79°23'15" West, on the North right of way line of the East Main Canal, a distance of 208.00 feet to a point;  
Thence continuing on the North right of way line of the East Main Canal, on a curve to the left with a delta of 20°35'00", a tangent of 140.14 feet, a radius of 771.80 feet, a chord bearing South 69°05'45" West, a chord distance of 275.78 feet and an arc length of 277.27 feet to a point;  
Thence continuing South 58°48'15" West, on the North right of way line of the East Main Canal, a distance of 246.48 feet to a point;  
Thence continuing on the North right of way line of the East Main Canal, on a curve to the right with a delta of 14°15'00", a tangent of 112.55 feet, a radius of 900.40 feet, a chord bearing South 65°55'45" West, a chord distance of 223.36 feet and an arc length of 223.94 feet to a point;  
Thence continuing South 73°03'15" West, on the North right of way line of the East Main Canal, a distance of 2.61 feet to a point;  
Thence North 00°21'28" East, a distance of 806.90 feet to a point on the South right of way line of the U.S.R.S. Drainage Canal;  
Thence North 38°56'04" East, on the South right of way line of the U.S.R.S. Drainage Canal, a distance of 535.19 feet to a point;  
Thence continuing North 51°08'34" East, on the South right of way line of the U.S.R.S. Drainage Canal, a distance of 143.37 feet to a point;  
Thence South 38°51'26" East, a distance of 55.32 feet to a point;  
Thence South 89°42'46" East, a distance of 120.00 feet to a point;  
Thence South 00°17'14" West, a distance of 66.50 feet to a point;  
Thence on a curve to the right with a delta of 90°00'00", a tangent of 15.00 feet, a radius of 15.00 feet, a chord bearing South 45°17'14" West, a chord distance of 21.21 feet and an arc length of 23.56 feet to a point;  
Thence South 00°17'14" West, a distance of 32.00 feet to a point;  
Thence South 89°42'46" East, a distance of 7.00 feet to a point;  
Thence South 00°17'14" West, a distance of 81.50 feet to a point;  
Thence South 89°42'46" East, a distance of 560.00 feet to a point;  
Thence South 00°17'14" West, a distance of 8.00 feet to a point;  
Thence South 89°42'46" East, a distance of 127.00 feet to THE TRUE POINT OF BEGINNING.

24704

29206