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CITY OF SAN LUIS  
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**FEE #: 2009 - 29214**

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FEES: 5.50 8.00 1.00 .00 .00  
REQ BY: CITY OF SAN LUIS  
REC BY: Olga Nunez

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

\*\*\*\*\*

**CAPTION HEADING:**

City of San Luis  
\*Resolution No. 849-Street Lighting Bienestar Estates 9B  
\*Petition, Waiver and Consent to formation of a Street Lighting Improvement  
District by the City of San Luis-Bienestar Estates 9B



# *Resolution*

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

## RESOLUTION NO. 849

**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 BIENESTAR ESTATES 9B, 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 Bienestar Estates 9B 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 Bienestar Estates 9B Street Lighting Improvement District for the area described as Bienestar Estates 9B Subdivision, Yuma County, Arizona, and as further described as:

The southeast quarter of section 9, township 11 south, range 24 west of the Gila and Salt River base and meridian, Yuma County Arizona. Except the south 330 feet of the East 330 feet & the North 540 feet of the East 800 feet & South 1023 feet of the West 660 feet.

**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 Bienestar Estates 9B 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.

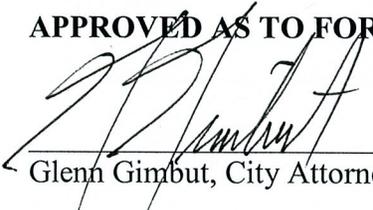
**PASSED AND ADOPTED** by the Mayor and City Council of the City of San Luis, Arizona, this 28<sup>th</sup>, day of October, 2009

  
Juan Carlos Escamilla, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

**PETITION, WAIVER AND CONSENT TO FORMATION  
OF A STREET LIGHTING IMPROVEMENT DISTRICT  
BY THE CITY OF SAN LUIS NEW SUBDIVISION ,BIENESTAR ESTATES 9B  
(OWNER: COMITE DE BIENESTAR, INC.)**

**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 134.76 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 Bienestar Estates 9B.
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



Accepted and approved by:

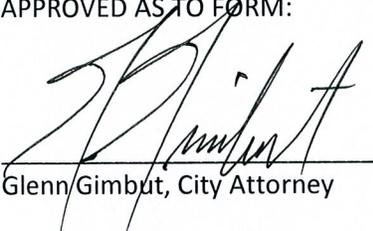
CITY OF SAN LUIS, ARIZONA an  
ARIZONA MUNICIPAL CORPORATION

By   
Juan Carols Escamilla, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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







N00°01'49" W  
WEST LINE OF QUARTER (3)

**BASIS OF BEARING**  
THE WEST LINE OF SECTION 10, AS PER BORDER RANCHES PARCEL MAP BY EDMS ENGINEERING, INC. SIGNED BY MICHAEL E. JONES DATED JULY 21, 2004. BEARING N00°02'42" E

**OWNER**  
**COMITE DE BIENESTAR, INC.**  
963 E 8<sup>TH</sup> STREET  
P.O. BOX 7170  
SAN LUIS, AZ 85349  
(928) 627-8559

**LEGEND**

- CENTRELINE
- RIGHT-OF-WAY (ROW) LINE
- NEW PROPERTY LINE
- EASEMENT (TYPE AS NOTED)
- BOUNDARY LINE
- NEW STREET MONUMENT AS PER YUMA COUNTY STD. DETAIL NO. 4-080
- NEW SUBDIVISION BOUNDARY MONUMENT PER YUMA COUNTY STD. DETAIL NO. 04-030
- EXISTING MONUMENT (TYPE AS SHOWN)
- NEW LOT NUMBER
- FUTURE LOT NUMBER
- BRASS CAP
- H.H. HAND HOLE
- (M) MEASURED DATA
- (1) DATA REFER TO BORDER RANCHES PARCEL MAP BY EDMS ENGINEERING, INC. SIGNED BY MICHAEL E. JONES DATED JULY 21, 2004
- (2) DATA REFER TO G.L.O. PLAN OF SECTION 9, T11S, R24E, OFFICIALLY FILED ON 3-12-1922.
- (3) YUMA COUNTY RECORDS, YUMA COUNTY, AZ. TOPOGRAPHIC SURVEY OF THE NM1/4 & SW1/4, NE1/4 SECTION 15, T11S, R24W, BY EDMS ENGINEERING INC. DATED MAY 12, 2006.
- (4) DATA REFER TO RECORD DATA AS PER DOCKET 674, PAGE 182, YUMA COUNTY RECORDS, YUMA COUNTY, AZ.
- (5) DATA REFER TO RECORD DATA AS PER FILE # 2007-00312 YUMA COUNTY RECORDS, YUMA COUNTY, AZ.

SV COR. SEC. 9, T11S, R24W  
ED. B.C. STEW

660.00'  
124.99'  
300.00'  
NEW 17' R.O.W. TO BE DEDICATED  
S89°35'57" W 1982.01'  
241ft  
1557.02'

**RIEDEL CONSTRUCTION**  
777-51-005  
(UNDIVIDED LAND)

**NEVES GARCIA RIEDEL**  
777-51-003  
(UNDIVIDED LAND)

**BORDER RANCHES**  
777-51-006  
(UNDIVIDED LAND)

