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Sonia Cuello
City Clerk
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CITY OF SAN LUIS
OFFICE OF THE CITY CLERK

FEE #: 2009 – 29218

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FEES: 5.00 8.00 1.00 .00 .00
REQ BY: CITY OF SAN LUIS
REC BY: Olga Nunez

CAPTION HEADING:

City of San Luis

***Resolution No. 853-Enhanced Municipal District Las Brisas**

***Petition, waiver and consent to Formation of an Enhanced Municipal
Services Improvement District by the City of San Luis-Las Brisas**



Resolution

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

RESOLUTION NO. 853

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA DECLARING ITS INTENTION TO PROVIDE THE ENHANCED MUNICIPAL SERVICES OF OPERATING AND MAINTAINING CERTAIN RETENTION BASINS WITHIN THE AREA DESCRIBED AS LAS BRISAS SUBDIVISION, CITY OF SAN LUIS, YUMA COUNTY, ARIZONA.

WHEREAS, a petition for enhanced municipal services has been presented by all of the real property owners of record for the real property described as Las Brisas Subdivision, Yuma County, Arizona; and

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 an enhanced municipal services district to be tentatively known as Las Brisas Municipal Services Improvement District for the area described as Las Brisas Subdivision, City of San Luis, Yuma County, Arizona, and as further shown on the subdivision plat or plats of record for Las Brisas Subdivision with the Office of Public Works Director and the Office of City Engineer of the City of San Luis, Arizona. The legal description for the district is as follows:

See Exhibit "A" attached hereto.

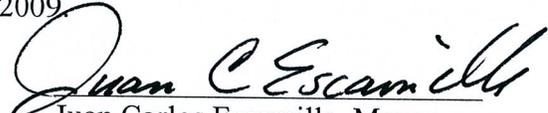
Section 2: That the public interest requires, and it is the intention of the governing body of the City of San Luis to provide, for the enhance municipal services of the operation and maintenance of retention basins described as Las Brisas, City of San Luis, Yuma County, Arizona.

Section 3: That the operation and maintenance of said retention basins shall be in accordance with the plan showing location, type and character of the enhanced municipal services, as well as duplicate diagrams of the property contained within the improvement District which is 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 Municipal Services Improvement District.

Section 4: That all lots within the Improvement District will benefit by the enhanced municipal services of the operation and maintenance of said retention basins at a higher level or grater degree than provided in the remainder of the City of San Luis that is not included in the Improvement District.

Section 5: That the City Council shall make an annual statement and/or statements of the expenses relative to the District for the operation and maintenance of said retention basins which shall be provided by the levy and collection of the ad valorem taxes of the assessed valued 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 25th day of October, 2009.

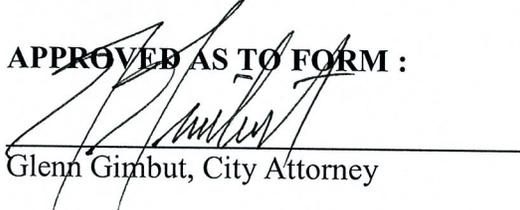

Juan Carlos Escamilla, Mayor

ATTEST:



Sonia Cuello

APPROVED AS TO FORM :



Glenn Gimbut, City Attorney

PETITION, WAIVER AND CONSENT TO FORMATION
OF AN ENHANCED MUNICIPAL SERVICES IMPROVEMENT DISTRICT
BY THE CITY OF SAN LUIS

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

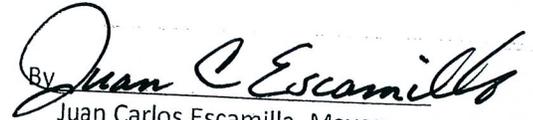
[MID ____]

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 an Enhancement Municipal Service 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 23.98 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 operation, maintenance, repair and improvements of retention basins described in Las Brisas De San Luis
4. Public Convenience and Necessity. The necessity for the proposed district is for the operation, maintenance, repair and improvements of retention basins within the proposed district by the levying of special assessments in the proposed district.
5. Waiver and Consent.
6. The petitioners with 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;

Accepted and approved by:

CITY OF SAN LUIS, ARIZONA an
ARIZONA MUNICIPAL CORPORATION

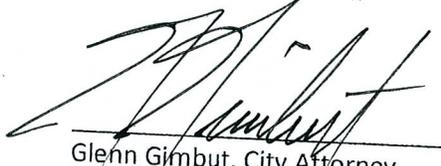
By 
Juan Carlos Escamilla, Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



Glenn Gimbut, City Attorney

MID _____ PET Pg 3

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.

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