

WHEN RECORDED MAIL TO:

CYNTHIA SALCIDO  
P.O. BOX 1170  
SAN LUIS, ARIZONA 85349

**ORDINANCE NO. 148**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AMENDING ORDINANCE NO. 69, AS AMENDED, BY CHANGING THE CLASSIFICATION OF CERTAIN LAND OWNED BY S.L. BIENESTAR DEVELOPMENT, L.L.C. FROM RURAL AREA (RA-40) TO INTERMEDIATE DENSITY RESIDENTIAL (R-2), MANUFACTURED HOUSING SUBDIVISION (MHS), HIGH DENSITY RESIDENTIAL (R-3), COMMERCIAL GENERAL (C-2) AND INTERMEDIATE DENSITY RESIDENTIAL (R-2) AND AMENDING THE ZONING MAP TO CONFORM THERETO.

**WHEREAS**, the Planning and Zoning Commission has recommended that the properties described below be reclassified from RA-40 to the classifications provided in the Sections that follow, subject to the conditions described being satisfied, and

**WHEREAS**, said recommendation was made in conformance with the Ordinances and Code of the City of San Luis, Arizona,

**NOW, THEREFORE**, be it ordained by the City Council of the City of San Luis, Arizona as follows:

**SECTION 1:** The zoning classification of the property described in Exhibit "A" as Parcel A from Rural Area (RA-40) to Intermediate Density Residential District (R-2).

**SECTION 2:** The zoning classification of the property described in Exhibit "B" as Parcel B from Rural Area (RA-40) to Manufactured Housing Subdivision (MHS) subject to the following conditions:

- A. Dedication of 50 feet of right-of-way along the eastern boundary (10th Street alignment); and
- B. Minimum lot size of 5000 square feet.

**SECTION 3:** The zoning classification of the property described in Exhibit "C" as Parcel C-1 from Rural Area (RA-40) to High Density Residential (R-3) subject to the following condition:

- A. Dedication of 50 feet of right-of-way along the eastern boundary (10th Street alignment).

**SECTION 4:** The zoning classification of the property described in Exhibit "D" as Parcel C-2 from Rural Area (RA-40) to Commercial General (C-2) subject to the following conditions:

- A. Dedication of 50 feet of right-of-way along the eastern boundary (10th Street alignment) and along the southern boundary ("A" Street alignment).

**SECTION 5:** The zoning classification of the property described in Exhibit "E" as Parcel C-3 from Rural Area (RA-40) to Intermediate Density Residential (R-2) subject to the following condition:

A. Dedication of 50 feet of right-of-way along the eastern boundary (10th Street alignment) and the southern boundary ("A" Street alignment).

**SECTION 6.** That attached hereto as Exhibit "F" is a graphic representation of each of the above parcels.

**SECTION 7.** That as additional conditions for rezoning, the owner, S. L. Bienestar Development, L.L.C. agrees to the following:

A. Participate in "fair share" costs of water and sewer expansion for the development at the time of development;

B. Provide a site for a well and water storage facility at the time of development of Parcel C-3; and

C. Provide a multi-use retention basin to serve as a neighborhood park, including a soccer field, at the time of development of Parcel C-3.

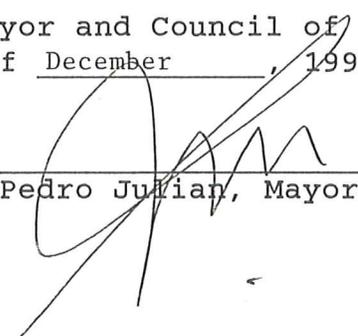
**SECTION 8.** That the property as rezoned shall be subject to all rules, regulations and requirements pertaining to the classification of said property as rezoned.

**SECTION 9.** That the zoning map adopted under said Ordinance No. 69, as amended, is hereby ordered to be changed and amended so as to show that said real property described in this Ordinance is located within the district herein provided.

**PASSED AND ADOPTED** by the Mayor and Council of the City of San Luis, Arizona this 17 day of December, 1997.

**ATTEST:**

  
\_\_\_\_\_  
Alex Ruiz, City Manager

  
\_\_\_\_\_  
Pedro Julian, Mayor

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Gerald W. Hunt, City Attorney

LEGAL DESCRIPTION

PARCEL A

The South 1319.91 feet of the North 1724.61 feet of the W $\frac{1}{2}$ NE $\frac{1}{4}$  Section 7, T.11S.,R.24W., G.&S.R.M., Yuma County, Arizona more particularly described as follows:

Beginning at the northwest corner of said NE $\frac{1}{4}$  Section 7; thence S00°33'48"W along the west line of said NE $\frac{1}{4}$  Section 7 a distance of 404.70 feet to the TRUE POINT OF BEGINNING; thence S89°38'47"E parallel to and 404.70 feet southerly of the north line of said NE $\frac{1}{4}$  Section 7 a distance of 1319.78 feet to a point on the east line of said W $\frac{1}{2}$ NE $\frac{1}{4}$  Section 7; thence S00°32'08"W along said east line of the W $\frac{1}{2}$ NE $\frac{1}{4}$  Section 7 a distance of 1319.91 feet; thence N89°38'47"W a distance of 1320.42 feet to a point on the west line of said NE $\frac{1}{4}$  Section 7; thence N00°33'48"E a distance of 1319.91 feet to the TRUE POINT OF BEGINNING.

Parcel contains 40.0000 acres more or less.



00582

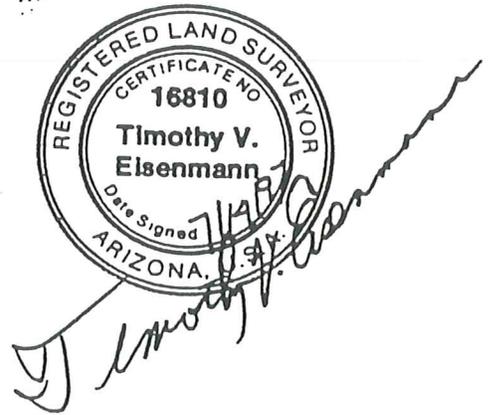
LEGAL DESCRIPTION

PARCEL B

The South 867.62 feet of the North 1272.32 feet of the E $\frac{1}{2}$ NE $\frac{1}{4}$  Section 7, T.11S.,R.24W., G.&S.R.M., Yuma County, Arizona more particularly described as follows:

Beginning at the northwest corner of said NE $\frac{1}{4}$  Section 7; thence S00°33'48"W along the west line of said NE $\frac{1}{4}$  Section 7 a distance of 404.70 feet; thence S89°38'47"E parallel to and 404.70 feet southerly of the north line of said NE $\frac{1}{4}$  Section 7 a distance of 1319.78 feet to a point on the west line of said E $\frac{1}{2}$ NE $\frac{1}{4}$  Section 7, said point is the TRUE POINT OF BEGINNING; thence continuing S89°38'47"E a distance of 1319.79 feet to a point on the east line of said NE $\frac{1}{4}$  Section 7; thence S00°30'30"W along said east line of the NE $\frac{1}{4}$  Section 7 a distance of 858.00 feet; thence N89°38'47"W a distance of 1320.20 feet to a point on the west line of said E $\frac{1}{2}$ NE $\frac{1}{4}$  Section 7; thence N00°32'08"E a distance of 858.00 feet to the TRUE POINT OF BEGINNING.

Parcel contains 26.0000 acres more or less.



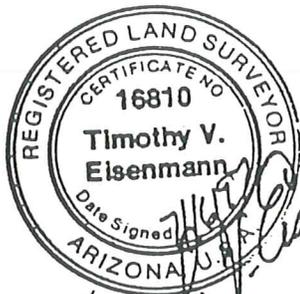
LEGAL DESCRIPTION

PARCEL C-1

The South 461.91 feet of the North 1724.61 feet of the E $\frac{1}{2}$ NE $\frac{1}{4}$  Section 7, T.11S.,R.24W., G.&S.R.M., Yuma County, Arizona more particularly described as follows:

Beginning at the northwest corner of said NE $\frac{1}{4}$  Section 7; thence S00°33'48"W along the west line of said NE $\frac{1}{4}$  Section 7 a distance of 1724.61 feet; thence S89°38'47"E parallel to and 1724.61 feet southerly of the north line of said NE $\frac{1}{4}$  Section 7 a distance of 1320.42 feet to a point on the west line of said E $\frac{1}{2}$ NE $\frac{1}{4}$  Section 7, said point is the TRUE POINT OF BEGINNING; thence N00°32'08"E along said west line of the E $\frac{1}{2}$ NE $\frac{1}{4}$  Section 7 a distance of 461.91 feet; thence S89°38'47"E a distance of 1320.20 feet to a point on the east line of said NE $\frac{1}{4}$  Section 7; thence S00°30'30"W along said east line of the NE $\frac{1}{4}$  Section 7 a distance of 461.91 feet; thence N89°38'47"W a distance of 1320.42 feet to the TRUE POINT OF BEGINNING.

Parcel contains 14.0005 acres more or less.



Timothy V. Eisenmann

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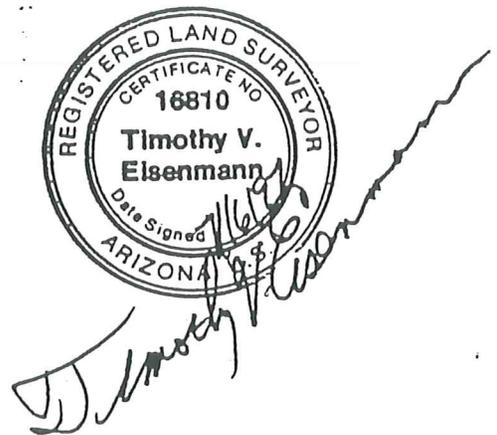
LEGAL DESCRIPTION

PARCEL C-2

The North 500.0 feet of the East 435.60 feet of Lot 1 Section 7, T.11S., R.24W., G. & S.R.M., Yuma County, Arizona more particularly described as follows:

Beginning at the northeast corner of said Lot 1, said corner being the East one-quarter corner of said Section 7; thence S00°27'52"W along the east line of said Lot 1 a distance of 500.0 feet; thence N89°35'11"W a distance of 435.60 feet; thence N00°27'52"E a distance of 500.0 feet to a point on the north line of said Lot 1; thence S89°35'11"E along the north line of said Lot 1 a distance of 435.60 feet to the point of beginning.

Parcel contains 5.0000 acres more or less.



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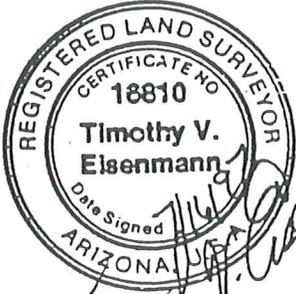
LEGAL DESCRIPTION

PARCEL C-3

That portion of the North 500.0 feet of Lots 1 and 2 and that portion of the NE¼ all in Section 7, T.11S.,R.24W., G.&S.R.M., Yuma County, Arizona more particularly described as follows:

Beginning at the northwest corner of said NE¼ Section 7; thence S00°33'48"W along the west line of said NE¼ Section 7 a distance of 1724.61 feet to the TRUE POINT OF BEGINNING; thence S89°38'47"E parallel to and 1724.61 feet southerly of the north line of said NE¼ Section 7 a distance of 2640.84 feet to a point on the east line of said NE¼ Section 7; thence S00°30'30"W along said east line of the NE¼ Section 7 a distance of 924.23 feet to the southeast corner of said NE¼ Section 7, said corner is also the northeast corner of said Lot 1 Section 7; thence N89°35'11"W along the north line of said Lot 1 Section 7 a distance of 435.60 feet; thence S00°27'52"W parallel to and 435.60 feet westerly of the east line of said Lot 1 Section 7 a distance of 500.0 feet to a point; thence N89°35'11"W a distance of 2206.98 feet to a point on the west line of said Lot 2 Section 7; thence N00°33'48"E along said west line of Lot 2 Section 7 a distance of 500.0 feet to the northwest corner of said Lot 2 Section 7, said corner is also the southwest corner of said NE¼ Section 7; thence continuing N00°33'48"E a distance of 921.47 feet to the TRUE POINT OF BEGINNING.

Parcel contains 81.2849 acres more or less.



Timothy V. Eisenmann

N 1/4 COR SEC 7  
FB 1-1/2" IRON PIPE  
IN HANDHOLE

NE COR SEC  
FB 1-1/2" IRON PH

### "G" STREET (COUNTY 23RD STREET)

BIENESTAR ESTATES No. 2

☐ "D" STREET  
APS ELECTRIC  
LINE R/V PENDING  
U.S.B.R. TRANSMISSION  
LINE R/V  
APS ELECTRIC  
LINE R/V (18-32658)

☐ "C" STREET

☐ "B" STREET

BIENESTAR ESTATES No. 2  
BIENESTAR ESTATES No. 3

U.S.B.R. TRANSMISSION  
LINE R/V  
APS ELECTRIC  
LINE R/V (18-32658)  
APS ELECTRIC  
LINE R/V PENDING

☐ SAN LUIS LANE

CTR 1/4 COR  
SEC. 7  
FB BRASS CAP  
IN HANDHOLE

☐ "A" STREET

FB BRASS CAP  
IN HANDHOLE

#### LEGEND

- FB BRASS CAP IN HANDHOLE (UNLESS OTHERWISE NOTED)
- SET 1/2" REBAR W/CAP "LS 1689" (UNLESS OTHERWISE NOTED)
- PROPERTY BOUNDARY LINE
- - - RIGHT-OF WAY (R/W) LINE
- CENTERLINE

PARCEL A  
40.0000 AC.

PARCEL B  
26.0000 AC.

PARCEL C-1  
14.0005 AC.

PARCEL C-3  
81.2849 AC.

LOT 2  
(15.1638 AC.)

LOT 1  
(15.1639 AC.)

PARCEL C-2  
5.0000 AC.



S.L. BIENESTAR DEVELOPMENT, LLC

PARCEL SPLIT BOLIVARIAN BLVD  
IN SEC. 7 T.11S. R. 34W GAMBEL  
YUMA COUNTY, ARIZONA

**NICKLAUS**  
ENGINEERING

1034 West 24th STREET P.O. BOX 6888  
YUMA, ARIZONA 85304 (928) 344-6374

N

SCALE:  
1" = 200'

COMMON CORNER  
SEC. 7 & 17  
FB 1928 GLD  
BRASS CAP

00582

# Exhibit "F"