



# *Resolution*

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

NO. 2022

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, CREATING AN ENHANCED MUNICIPAL SERVICES IMPROVEMENT DISTRICT AND DECLARING ITS INTENTION TO PROVIDE THE ENHANCED MUNICIPAL SERVICES OF OPERATING AND MAINTAINING CERTAIN RETENTION BASINS WITHIN THE AREA DESCRIBED AS SAN LUIS PORT SUBDIVISION, 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 San Luis Port Subdivision, 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 an enhanced municipal services district to be tentatively known as San Luis Port Municipal Services Improvement District for the area described as San Luis Port Subdivision, City of San Luis, Yuma County, Arizona, and as further shown on the subdivision plat or plats of record for San Luis Port 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 and convenience 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 San Luis Port Subdivision, 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 City Council of the City of San Luis, Arizona, and on file in the office of the City Engineer, tentatively known as San Luis Port 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 greater 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 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 10<sup>th</sup> day of January, 2018.



Gerardo Sanchez, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Sonia Cornelio, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Kay Marion Macuil, City Attorney

PETITION, WAIVER AND CONSENT TO FORMATION  
OF AN ENHANCED MUNICIPAL SERVICES IMPROVEMENT DISTRICT  
BY THE CITY OF SAN LUIS FOR THE NEW SUBDIVISION,  
SAN LUIS PORT  
(OWNER: SAN LUIS PORT L.L.C.)

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

Pursuant to Arizona Revised Statutes, Section 48-571 to 48-617, as amended, and specifically A.R.S. §48-575 and §48-576 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 228 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 by the City of 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. 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;
  - (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.

Further the improvements described above are of more than local or ordinary public benefit.

In Witness whereof the parties have executed this Petition and waiver agreement  
as of the 19th day of December 20 17.

PROPERTY OWNER

NAME, ADDRESS AND

SIGNATURE

DATE

PROPERTY

(Tax Parcel Nos.)

SAN LUIS PORT L.L.C.  
833 E. Plaza Circle, Suite 200  
Yuma, Arizona 85365

By: Stephen P. Shadle  
Stephen P. Shadle, Manager

APN 227-11-004

APN 227-11-005

Accepted and approved by:

CITY OF SAN LUIS, ARIZONA an  
ARIZONA MUNICIPAL CORPORATION

By: Gerardo Sanchez  
Gerardo Sanchez, Mayor

ATTEST:

Sonia Cornelio  
Sonia Cornelio, City Clerk

APPROVED AS TO FORM:

Kay Marion Macaul  
Kay Marion Macaul, City Attorney

