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2018-05634 RESOLUTION  
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**WHEN RECORDED MAIL TO:**

**CITY OF SAN L UIS  
P.O. BOX 1170  
SAN LUIS, ARIZONA  
ATTN: CITY CLERK**

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**CAPTION HEADING:**

**Resolution No. 2031**

Santa Cecilia No. 2 Subdivision – creating Street Lighting Improvement District and 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



# *Resolution*

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

NO. 2031

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, CREATING A STREET LIGHTING IMPROVEMENT DISTRICT AND 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 SANTA CECILIA NO. 2 SUBDIVISION, 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 Santa Cecilia No. 2 Subdivision, Yuma County, Arizona.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and 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 Santa Cecilia No. 2 Street Lighting Improvement District for the area described as Santa Cecilia No. 2 Subdivision, Yuma County, Arizona, and as further shown on Exhibit "A" attached hereto.

**Section 2:** That the public interest and convenience require, 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 Santa Cecilia No. 2 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, no 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 day of February, 2018.

  
Gerardo Sanchez, Mayor

**ATTEST:**

Umthaps, Deputy City Clerk  
for Sonia Cornelio, City Clerk

**APPROVED AS TO FORM:**

Kay Marion Macuil  
Kay Marion Macuil, City Attorney

**PETITION, WAIVER AND CONSENT TO FORMATION  
OF A STREET LIGHTING IMPROVEMENT DISTRICT  
BY THE CITY OF SAN LUIS NEW SUBDIVISION, SANTA CECILIA No. 2  
(OWNER: RIEDEL HOLDINGS, LLC)**

**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. §48-572(A)(7), §48-616 and §48-617 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 32.92 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 streets within Santa Cecilia No. 2 Subdivision.
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 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 21<sup>st</sup> day of February 20 18.

Commission Expires 03/15/2019  
PROPERTY OWNER  
NAME, ADDRESS AND  
SIGNATURE

Notary

PROPERTY  
(Tax Parcel Nos.)

RIEDEL HOLDINGS, LLC  
P.O. BOX 1649  
San Luis, AZ 85349

By: [Signature] 2/21/18 APN 227-10-012  
Nieves Riedel, Agent



Accepted and approved by:

CITY OF SAN LUIS, ARIZONA an  
ARIZONA MUNICIPAL CORPORATION

By: [Signature]  
Gerardo Sanchez, Mayor

ATTEST:

[Signature] Deputy City Clerk  
for Sonia Cornelio, City Clerk

APPROVED AS TO FORM:

[Signature]  
Kay Marion Macuil, City Attorney



