



**WHEN RECORDED MAIL TO:**

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

The above area is to be reserved for recording information

\*\*\*\*\*

**CAPTION HEADING:**

**Resolution No. 2101**

Ordering improvements for the municipal improvement district, serving Belleza Del Desierto Phase 1, to operate, maintain and repair landscaping improvements included within, near and adjacent to the retention and detention basins and parkings and parkways and related facilities together with the appurtenant structures of Belleza Del Desierto Phase 1 landscape improvement district



# City of San Luis

P.O. Box 1170  
1090 E. Union Street  
San Luis, AZ 85349-1170  
Phone (928) 341-8520 • Fax (928) 341-8539  
www.cityofsanluis.org

## Certification

I do hereby certify that I am a duly appointed City Clerk of the City of San Luis, Arizona, and that the attached is a true and correct copy of **Resolution No. 2101 – Ordering the Municipal Improvement District/Landscape Improvement District – Belleza Del Desierto Phase 1 Subdivision** which is/are on file in the City Clerk's Office, City Hall, San Luis, Arizona.

Dated this 28<sup>th</sup> day of October 2019.

*Sonia Cornelio*

Sonia Cornelio, City Clerk





# *Resolution*

No. 2101

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, ORDERING IMPROVEMENTS FOR THE MUNICIPAL IMPROVEMENT DISTRICT, SERVING BELLEZA DEL DESIERTO PHASE 1, TO OPERATE, MAINTAIN AND REPAIR LANDSCAPING IMPROVEMENTS INCLUDED WITHIN, NEAR AND ADJACENT TO THE RETENTION AND DETENTION BASINS AND PARKINGS AND PARKWAYS AND RELATED FACILITIES TOGETHER WITH THE APPURTENANT STRUCTURES OF BELLEZA DEL DESIERTO PHASE 1 LANDSCAPE IMPROVEMENT DISTRICT.**

**WHEREAS**, the Mayor and City Council did pass Resolution of intention No. 2098 declaring the intention to create Belleza Del Desierto Phase 1 Landscape Improvement District to operate, maintain, and repair certain landscape improvements within, near, and adjacent to the retention and detention basins and the parkings and parkways and related improvements (Landscape Improvements) in the Belleza Del Desierto Phase 1 Subdivision;

**WHEREAS**, the petition to form Belleza Del Desierto Phase 1 Landscape Improvement District was signed by all of the real property owners within the proposed District and A.R.S. § 574(C) authorizes City Council to adopt the resolution ordering the improvements, pursuant to the provision of A.R.S. § 48-581, without the necessity of publication and positing of the resolution of intention provided for in A.R.S. § 48-578.

**WHEREAS**, a legal description of the boundary for Belleza Del Desierto Phase 1 Landscape Improvement District and a diagram for Belleza Del Desierto Phase 1 Landscape Improvement District has been presented to City Council for consideration in this declaration of intention to order Belleza Del Desierto Phase 1 Landscape Improvement District as provided in A.R.S. § 48-576.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of San Luis, Arizona, as follows:

**SECTION 1:** City Council orders Landscape Improvements for Belleza Del Desierto Phase 1 Landscape Improvement District serving Belleza Del Desierto Phase 1 Subdivision. Once the Landscape Improvements are approved and constructed by the developer, the estimate of the cost and expenses shall be placed on file with the City

Clerk and presented to City Council in accordance with the provisions of A.R.S. § 48-574.

**SECTION 2:** City Council finds the Landscape Improvements for Belleza Del Desierto Phase 1 Landscape Improvement District are of more than local or ordinary public benefit, and are of special benefit to the respective lots, parcels and pieces of land within the described real property of Belleza Del Desierto Phase 1 Landscape Improvement District. City Council orders the cost and expense for the Landscape Improvements of Belleza Del Desierto Phase 1 Landscape Improvement District be chargeable upon the real and personal property within Belleza Del Desierto Phase 1 Landscape Improvement District, as described in Exhibits A and B attached. City Council declares that Belleza Del Desierto Phase 1 Landscape Improvement District is benefited by the Landscape Improvements and the real and personal properties within Belleza Del Desierto Phase 1 Landscape Improvement District are to be assessed the proportional share of the costs and expenses of the Landscape Improvements.

**SECTION 3:** All proceedings concerning the Landscape Improvements for Belleza Del Desierto Phase 1 Landscape Improvement District, including the calculations for the costs and expenses and all assessments to pay the costs and expenses of the Landscape Improvements, shall be made in accordance with the provisions of Title 48, Chapter 4, Article 2 of the A.R.S., as amended.

**SECTION 4:** Any public street or alley within the boundaries of Belleza Del Desierto Phase 1 Landscape Improvement District are omitted from the real and personal property of Belleza Del Desierto Phase 1 Landscape Improvement District and shall not be included in the assessment.

**SECTION 5:** In no event will the City of San Luis or any officer thereof be liable for any portion of the cost of said Improvement District nor any delinquency of persons or property assessed.

**SECTION 6:** City Council shall make annual statements and estimates of the expenses of the District which shall be provided for by the levy and collection of ad valorem taxes upon the assessed value of all real and personal property within Belleza Del Desierto Phase 1 Landscape Improvement District as provided in A.R.S. § 48- 574, as amended.

[Remainder of page left intentionally blank. Signature page follows.]

**PASSED AND ADOPTED** by the Mayor and City Council of the City of San Luis, Arizona, this 17<sup>th</sup> day of September, 2019.



Gerardo Sanchez, Mayor

**ATTEST:**



Sonia Cornelio, City Clerk

**APPROVED AS TO FORM:**



Kay Marion Macuil, City Attorney

**PETITION, WAIVER AND CONSENT TO FORMATION  
OF A MUNICIPAL IMPROVEMENT DISTRICT  
BY THE CITY OF SAN LUIS NEW SUBDIVISION,  
BELLEZA DEL DESIERTO PHASE 1  
(OWNER: SAM GROUP INVESTMENTS CO. LIMITED PARTNERSHIP)**

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

Pursuant to Arizona Revised Statutes ("A.R.S.") §48-574, the undersigned property owner respectfully petitions the Mayor and City Council of the City of San Luis, Arizona (the "City Council") to order the formation of a Municipal Improvement District (the "District") under A.R.S., Title 48, Chapter 4, Article 2. In support of this petition, the undersigned agrees to waive certain rights under 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/diagram and by a legal description on "Exhibit A" that is attached hereto and incorporated herein by reference. The proposed District consists of 18.69 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 (the "Petitioner(s)") including any required public dedications of property.
3. Purpose. The District is proposed to be formed for the purpose of the operation, maintenance, repair and improvements of pedestrian malls, off-street parking facilities, retention and detention basins and parkings and parkways adjacent to designated public roadways within the proposed District.
4. Public Convenience and Necessity. The necessity for the proposed District is for the operation, maintenance, repair and improvements of landscape, irrigation, and hardscape in parkways and parkings adjacent to designated public roadways 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 all of the following:
  - (a) Any and all irregularities, illegalities or deficiencies which may exist in the acts or proceedings resulting in the adoption of the Resolution of Intention and the Resolution Ordering the Work relating to the District.
  - (b) Any necessity for publication and posting of the Resolution of Intention and the Notice of Proposed Improvements pursuant to A.R.S §48-578.
  - (c) All rights to petition to dissolve the district pursuant to A.R.S. §48-574(N).

(d) All protest rights whatsoever under A.R.S. §48-579(A) and (B) as amended, which provide for protests against the work; and

(e) All objections to the filing of and legislative adoption by the City Council 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, and not a general public benefit.

In Witness whereof the parties have executed this Petition and waiver agreement as of the 10<sup>th</sup> day of Oct 2019.

PROPERTY OWNER

NAME, ADDRESS AND

SIGNATURE

DATE

PROPERTY

(Tax Parcel Nos.)

Sam Group Investments Co. Limited Partnership  
10602 S. Camino Del Sol  
Yuma, AZ 85367

By: \_\_\_\_\_

*Eddie Loo*

Eddie Loo, Manager

PORTION OF APN 227-15-019

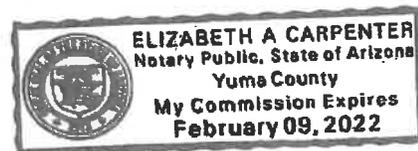
STATE OF ARIZONA    )  
                                  )ss.  
County of Yuma        )

The foregoing acknowledged before me this 10<sup>th</sup> day of Oct 2019 by Eddie Loo, Manager of DSA Investment Company, L.L.C., General Partner, Sam Group Investment Co. Limited Partnership an Arizona Private Corporation, on behalf of said Corporation.

My Commission Expires

2-9-22

*Elizabeth A. Carpenter*  
Notary Public



**ACCEPTED AND APPROVED BY:**

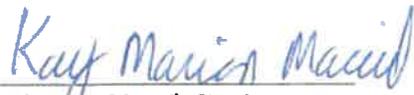
**CITY OF SAN LUIS, ARIZONA AN  
ARIZONA PRIVATE CORPORATION**

By   
Gerardo Sanchez, Mayor

**ATTEST:**

  
Sonia Cornelio, City Clerk

**APPROVED AS TO FORM:**

  
Kay Marion Macuil, City Attorney



