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**CITY OF SAN LUIS  
ATTN: CITY CLERK  
P.O. BOX 1170  
SAN LUIS, ARIZONA 85349**

**2022-38740 RESOLUTION**  
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Requested By: SAN LUIS CITY CLERK'S OFFICE

Richard Colwell County Recorder, YUMA County AZ



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**CAPTION HEADING:**

**RESOLUTION**

Resolution No. 2249

Authorizing and ordering the operation, maintenance and repair of certain landscape improvements included within, near and adjacent to the retention and detention basins, parking, parkways and related facilities together with appurtenant structures – Bienestar Estates 12 Phase 1



# *Resolution*

No. 2249

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 BIENESTAR ESTATES 12 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 BIENESTAR ESTATES 12 PHASE 1 LANDSCAPE IMPROVEMENT DISTRICT.**

**WHEREAS**, the Mayor and City Council did pass Resolution of intention No. 2246 declaring the intention to create Bienestar Estates 12 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 Bienestar Estates 12 Phase 1 Subdivision;

**WHEREAS**, the petition to form Bienestar Estates 12 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 Bienestar Estates 12 Phase 1 Landscape Improvement District and a diagram for Bienestar Estates 12 Phase 1 Landscape Improvement District has been presented to City Council for consideration in this declaration of intention to order Bienestar Estates 12 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 Bienestar Estates 12 Phase 1 Landscape Improvement District serving Bienestar Estates 12 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 Bienestar Estates 12 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 Bienestar Estates 12 Phase 1 Landscape Improvement District. City Council orders the cost and expense for the Landscape Improvements of Bienestar Estates 12 Phase 1 Landscape Improvement District be chargeable upon the real and personal property within Bienestar Estates 12 Phase 1 Landscape Improvement District, as described in Exhibits A attached. City Council declares that Bienestar Estates 12 Phase 1 Landscape Improvement District is benefited by the Landscape Improvements and the real and personal properties within Bienestar Estates 12 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 Bienestar Estates 12 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 Bienestar Estates 12 Phase 1 Landscape Improvement District are omitted from the real and personal property of Bienestar Estates 12 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 Bienestar Estates 12 Phase 1 Landscape Improvement District as provided in A.R.S. § 48- 574, as amended.

**PASSED AND ADOPTED** by the Mayor and City Council of the City of San Luis, Arizona, this 28<sup>th</sup> day of December 2022.



Nieves Riedel, Mayor

**ATTEST:**

Sonia Cornelio

Sonia Cornelio, City Clerk

**APPROVED AS TO FORM:**

Kay Marion Macuil

Kay Marion Macuil, City Attorney

