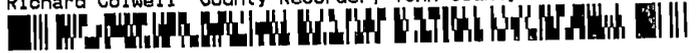


CONFORMED COPY
2023-15823 RESOLUTION
07/03/2023 11:05:00 AM Pages: 7 Fees: \$15.00
Requested By: SAN LUIS CITY CLERK'S OFFICE

Richard Colwell County Recorder, YUMA County AZ



WHEN RECORDED, MAIL TO:

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

The above area is to be reserved for recording information

CAPTION HEADING:

RESOLUTION

Resolution No. 2270

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 the use of lighting facilities, for lighting public streets within the area described as Plaza Colibri Commercial Subdivision, San Luis, Arizona.



Resolution

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 2270

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 THE AREA DESCRIBED AS PLAZA COLIBRI COMMERCIAL SUBDIVISION, SAN LUIS, 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 Plaza Colibri Commercial Subdivision, San Luis, 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 plaza Colibri Commercial Subdivision Street Lighting Improvement District for the area described as Plaza Colibri Commercial Subdivision, San Luis, 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 street lights is legally described as set forth in Section 1 hereinabove.

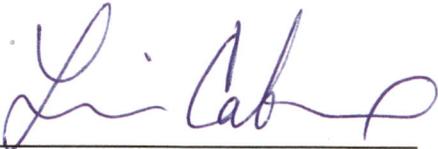
Section 3: That the cost of the electricity shall be the established rate of Arizona Public Service for street lighting service.

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 Plaza Colibri Commercial Subdivision 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.

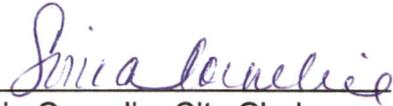
Section 6: The City Council shall make an annual statement of the expenses relative to the District which shall be provided for by the levy and collection of the ad valorem taxes of the assessed value of all property, real and personal, in the District as provided in Title 48 of the Arizona Revised Statutes, 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 **28th** day of **June 2023**.



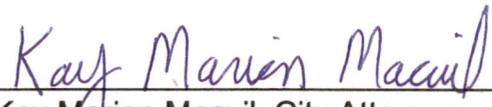
Luis E. Cabrera, Vice Mayor

ATTEST:



Sonia Cornelio, City Clerk

APPROVED AS TO FORM:



Kay Marion Macuil, City Attorney

**PETITION, WAIVER AND CONSENT TO FORMATION
OF A STREET LIGHTING IMPROVEMENT DISTRICT
BY THE CITY OF SAN LUIS**

Plaza Colibri Commercial Subdivision Street Lighting Improvement District

MID Name

Plaza Colibri Commercial Subdivision

Subdivision Name

**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 ("District") under Arizona Revised Statutes, Title 48 Chapter 4, Article 2. In support of this petition, the undersigned agree 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 30.7495 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 installation of light poles and luminaries together with purchasing the electricity for lighting of public streets within plaza Colibri Commercial 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 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 protest rights, whatsoever under A.R.S. §48-579 (A) and (B) as amended, which provide for protests against the work;
- (d) All rights to petition to dissolve the district pursuant to A.R.S. §48-574(N);
- (e) 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, and not a general public benefit.

IN WITNESS WHEREOF, the parties have executed this Petition and Waiver Agreement as of the 17 day of May, 2023.

Riedel Holdings LLC
P.O. Box 1649
SAN LUIS, AZ 85349

By: [Signature] _____ Date 5/17/23 _____ Parcel ID APN 227-11-012

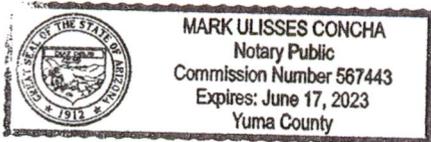
Nieves Riedel, Owner

STATE OF ARIZONA)
)ss.
County of Yuma)

The foregoing acknowledged before me this 17 day of May, 2023 by Nieves Riedel, Riedel Holdings LLC, an Arizona Limited Liability Corporation, on behalf of said Corporation.

My Commission Expires

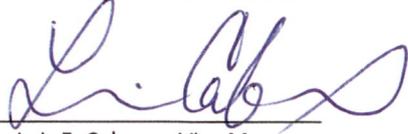
[Signature]
Notary Public



ACCEPTED AND APPROVED BY:

CITY OF SAN LUIS, ARIZONA AN
ARIZONA MUNICIPAL CORPORATION

By



Luis E. Cabrera, Vice Mayor

ATTEST:



Sonia Cornelio, City Clerk

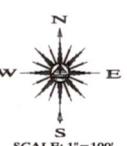
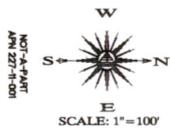
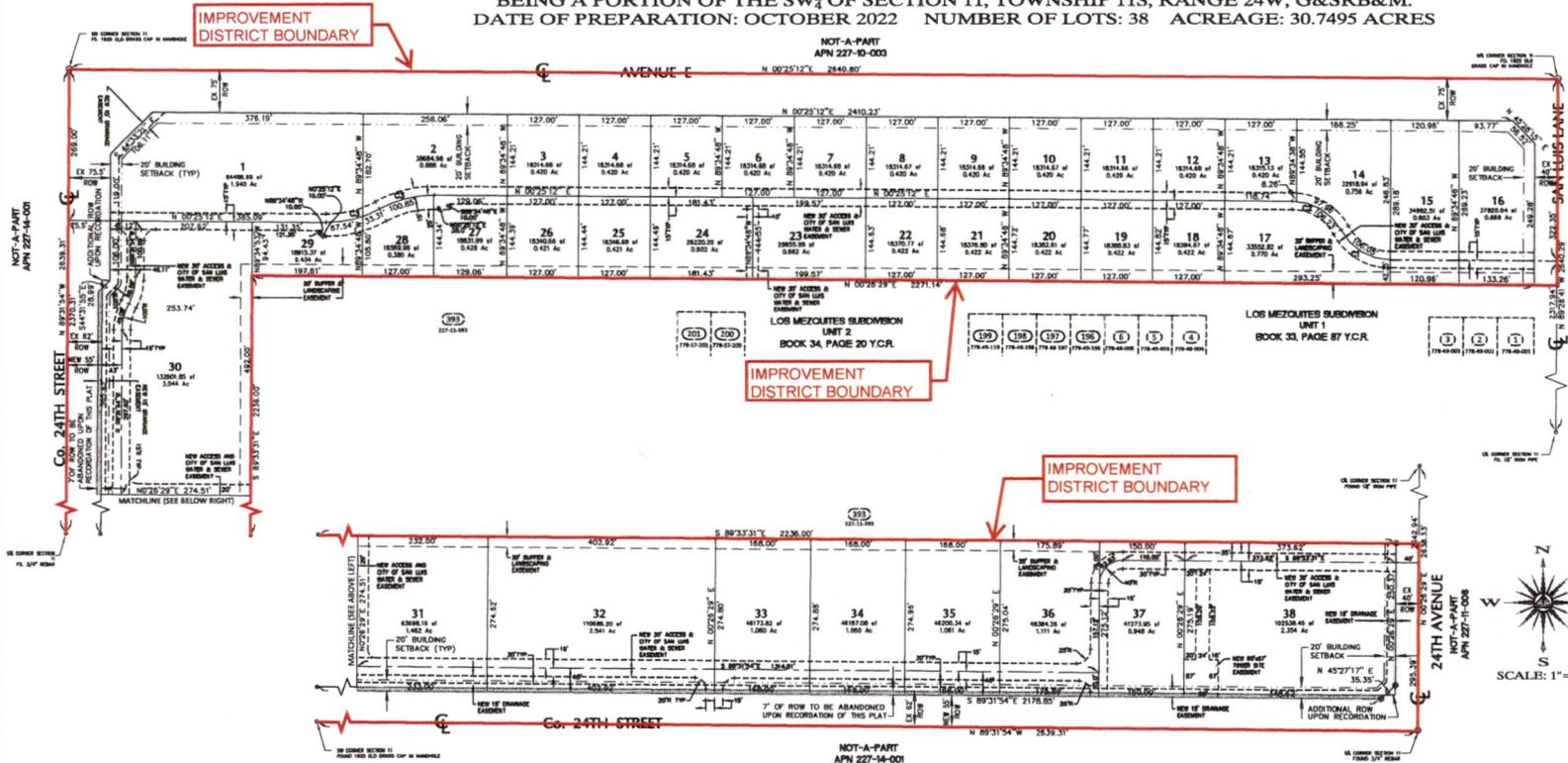
APPROVED AS TO FORM:



Kay Marion Macuil, City Attorney

PLAZA COLIBRI COMMERCIAL SUBDIVISION

A SUBDIVISION OF "PARCEL C" OF THE AMENDED SAN LUIS PORT LOT SPLIT,
AS RECORDED IN BOOK 33, PAGE 64, YUMA COUNTY RECORDS.
BEING A PORTION OF THE SW₄ OF SECTION 11, TOWNSHIP 11S, RANGE 24W, G&SRB&M.
DATE OF PREPARATION: OCTOBER 2022 NUMBER OF LOTS: 38 ACREAGE: 30.7495 ACRES



LEGEND

- PROPERTY LINE
- 20' BUILDING SETBACK
- RIGHT OF WAY LINE
- CENTER LINE
- NEW EASEMENT LINE
- EXISTING LOT NUMBER
- NEW LOT NUMBER
- RIGHT OF WAY
- APN
- ASSESSOR PARCEL NUMBER
- EXISTING MONUMENT (TYPE AS SHOWN)
- NEW SUBDIVISION BOUNDARY MONUMENT AS PER CITY OF YUMA STD. REC. 4-115
- CURVE DATA

SURVEYOR'S NOTE

ALL NEW PROPERTY CORNERS TO BE SET WITH A 1/2" REBAR WITH CAP STAMPED "LS 22787"

OWNER/SUBDIVIDER

RIEDEL HOLDINGS AZ LLC
P.O. BOX 1849
SAN LUIS, AZ 85349

NIEVES RIEDEL, OWNER

CURRENT ZONING

C-2 COMMERCIAL
APN: 227-11-012

BASIS OF BEARING

THE NORTH-SOUTH MIDDLESECTION LINE OF SECTION 11, TOWNSHIP 11 SOUTH, RANGE 24 WEST OF THE GRA AND SALT RIVER BASIN, MCDONALD, YUMA COUNTY, ARIZONA, NAMED N00726'29"E AS SHOWN ON AMENDED SAN LUIS PORT LOT SPLIT OF THE SW₄ OF SECTION 11 11T1S, R24W, RECORDED AT FEE # 2022-00417 IN BK. 33, PG. 64, YUMA Co. RECORDS.

ACKNOWLEDGMENT

STATE OF ARIZONA) SS
COUNTY OF YUMA) SS
ON THIS ____ DAY OF _____ 2022, BEFORE ME, THE UNBESWEARED, PERSONALLY APPEARED, NIEVES RIEDEL, WHO ACKNOWLEDGED HERSELF TO BE OWNER AND THAT SHE AS OWNER BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING HER NAME.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL

MY COMMISSION EXPIRES _____

BY _____

APPROVALS

- STATE OF ARIZONA) SS
COUNTY OF YUMA) SS
THE SUBDIVISION AS PLATTED HEREON HAS BEEN APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SAN LUIS ARIZONA
- WAVEN _____ DATE _____
CITY MANAGER _____ DATE _____
DIRECTOR OF PLANNING AND ZONING _____ DATE _____
CITY ENGINEER _____ DATE _____
CITY PUBLIC WORKS DIRECTOR _____ DATE _____

EASEMENTS

ALL EASEMENTS SHOWN ON THIS MAP SHALL BE DEDICATED FOR THE PURPOSES SHOWN AND SET FORTH HEREON AND SHALL BECOME EFFECTIVE UPON RECORDED OF THIS MAP.

- THE EASEMENTS SHOWN AS "ACCESS EASEMENT" SHALL BE DEDICATED AS GENERAL ACCESS TO LOTS 1-41. EMERGENCY VEHICLES ACCESS AND REFUSE COLLECTION.
- THE EASEMENTS SHOWN AS "CITY OF SAN LUIS WATER AND SEWER EASEMENT" SHALL BE DEDICATED FOR THE BENEFIT OF THE CITY OF SAN LUIS. THIS EASEMENT GRANTS UNTO THE CITY OF SAN LUIS THE RIGHT, PRIVILEGE AND EASEMENT TO ENTER UPON, SURVEY, TRAVEL ALONG, CONSTRUCT, RECONSTRUCT, LAY, RELAY, INCREASE THE SIZE OF, OPERATE, MAINTAIN AND REMOVE WATER PIPE LINES AND SEWER PIPE LINES INCLUDING DEVICES AND APPURTENANCE USES OR USEFUL IN THE OPERATION OF SAID PIPELINES, AND TO REMOVE OBJECTS INTERFERING THEREWITH, AT ANY AND ALL POINTS WITHIN, THROUGH, OVER AND ACROSS SAID EASEMENT SHOWN HERewith.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A LAND SURVEYOR LISTED ON THE ROSTER OF ACTIVE REGISTRARS BY THE STATE BOARD OF TECHNOLOGICAL REGISTRATION OF ARIZONA AND THAT THIS MAP CONSISTING OF ONE (1) SHEET CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION DURING OCTOBER 2022. THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR POSITIONS ARE CORRECTLY SHOWN.



AIMEE R. LOMELE

RLS 22787

LAND SURVEYOR



CURVE DATA

NUMBER	BELTA	RADIUS	LENGTH
C1	80°45'48"	100.00'	106.00'
C2	80°51'47"	100.00'	106.33'
C3	89°53'32"	200.00'	100.89'

