

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. 2272

Declaring its intention to provide the Enhanced Municipal Services Improvement District of operating and maintaining certain retention basins within the area described as Plaza Colibri Commercial Subdivision, San Luis, Arizona.



Resolution

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 2272

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, DECLARING ITS INTENTION TO PROVIDE THE ENHANCED MUNICIPAL SERVICE IMPROVEMENT DISTRICT OF OPERATING AND MAINTAINING CERTAIN RETENTION BASINS WITHIN THE AREA DESCRIBED AS PLAZA COLIBRI COMMERCIAL SUBDIVISION, SAN LUIS, 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 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 an enhanced municipal services district to be tentatively known as Plaza Colibri Commercial Subdivision Municipal Services Improvement District for the area described as Plaza Colibri Commercial Subdivision, City of San Luis, Arizona, and as further shown on the subdivision plat or plats of record for Plaza Colibri Commercial 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 require, 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 Plaza Colibri Commercial Subdivision, City of San Luis, Arizona.

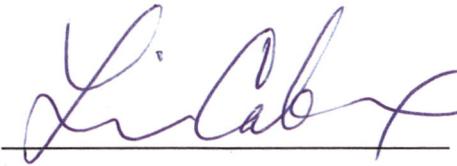
Section 3: That the operation and maintenance of said retention basins shall be in accordance with the plan showing location, type and character of the enhanced municipal services, as well as duplicate diagrams of the property contained within the improvement district which is here by approved and adopted 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 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.

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 28th day of June 2023.



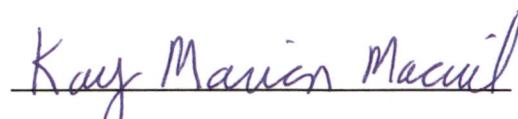
Luis E. Cabrera, Vice Mayor

ATTEST:



Sonia Cornelio, City Clerk

APPROVED AS TO FORM:



Kay Marion Macuil, City Attorney

**PETITION, WAIVER, AND CONSENT TO FORMATION
OF AN ENHANCED MUNICIPAL SERVICES IMPROVEMENT DISTRICT
BY THE CITY OF SAN LUIS**

Plaza Colibri Commercial Subdivision Municipal Services 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. §48-575 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 Enhanced Municipal Service District ("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/diagram and by a legal description on "Exhibit A" that is attached hereto and incorporated herein by reference. The proposed District consists of 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, operation, maintenance, repair, and improvements of retention basins serving plaza Colibri Commercial Subdivision.
4. **Public Convenience and Necessity.** The necessity for the proposed District is for the installation, operation, maintenance, repair, and improvements of retention basins serving 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.

- (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.

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

Riedel Holdings LLC
P.O. Box 1649
San Luis, Arizona 85349

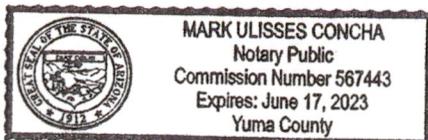
By: *Nieves Riedel* 5/17/2023 APN 227-11-012
Nieves Riedel, Owner Date Parcel ID

STATE OF ARIZONA)
)ss.
County of Yuma)

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

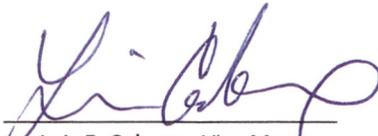
My Commission Expires

Mark Concha
Notary Public

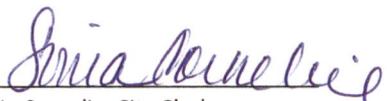


ACCEPTED AND APPROVED BY:

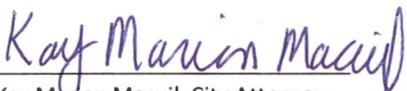
CITY OF SAN LUIS, ARIZONA AN
ARIZONA MUNICIPAL CORPORATION

By: 
Luis E. Cabrera, Vice Mayor

ATTEST:


Sonia Cornelio, City Clerk

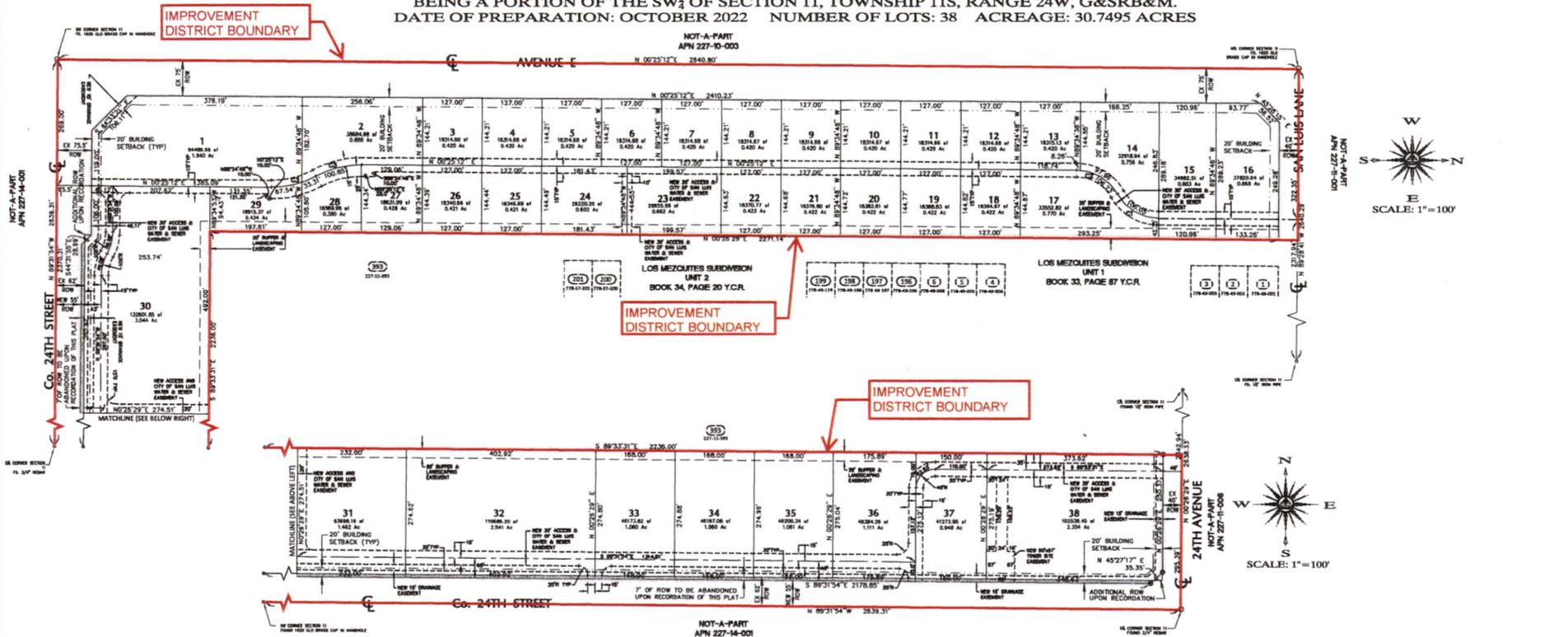
APPROVED AS TO FORM:


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 SW $\frac{1}{4}$ 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 SPEC. REG. 4-115
- CURVE DATA

OWNER/SUBDIVIDER
RIEDEL HOLDINGS AZ LLC
P.O. BOX 1849
SRM LUIS, AZ 85349

NEVES RIEDEL, OWNER
CURRENT ZONING
C-2 COMMERCIAL
APN: 227-11-012

BASIS OF BEARING
THE NORTH-SOUTH MIDSECTION LINE OF SECTION 11, TOWNSHIP 11 SOUTH, RANGE 24 WEST OF THE G1A AND SALT RIVER BASIN, MERCER, YUMA COUNTY, ARIZONA, NAMED N00°26'29"E AS SHOWN ON AMENDED SAN LUIS PORT LOT SPLIT OF THE SW $\frac{1}{4}$ OF SECTION 11 1111S, 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 UNDERSIGNED, PERSONALLY APPEARED, NEVES 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
BY 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

MAYOR _____ 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 TECHNICAL 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.

[Signature]
JAHN N. LOWME
LAND SURVEYOR
R.L.S. 22787

CURVE DATA

NUMBER	DELTA	RADIUS	LENGTH
C1	80°45'40"	100.00'	106.00'
C2	80°21'47"	100.00'	106.32'
C3	89°53'32"	200.00'	100.89'

SURVEYOR'S NOTE
ALL NEW PROPERTY CORNERS TO BE SET WITH A 1/2" REBAR WITH CAP STAMPED "L.S. 22787"

DAHL, ROBINS & ASSOCIATES, INC.
1800 E. 9th Avenue
Suite 4200
Phoenix, AZ 85016
Phone: (602) 818-0823
Fax: (602) 818-0824
www.dra-inc.com
DRA-ARB-2018

Engineering, Inc.
3070 S. ARIZONA AVE
YUMA, ARIZONA 85305
(928) 344-3066