

WHEN RECORDED, MAIL TO:

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

CONFORMED COPY
2024-30016 RESOLUTION
12/16/2024 02:58:25 PM Pages: 7 Fees: \$15.00
Requested By: SAN LUIS CITY CLERK'S OFFICE

Richard Colwell County Recorder, YUMA County AZ



The above area is to be reserved for recording information.

CAPTION HEADING:

RESOLUTION

Resolution No. 2338
Belleza Del Desierto Unit III Subdivision
Creation of Street Lighting Improvement District



Resolution

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 2338

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 BELLEZA DEL DESIERTO UNIT III 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 Belleza del Desierto Unit III 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 Belleza del Desierto Unit III Subdivision Street Lighting Improvement District for the area described as Belleza del Desierto Unit III 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 Belleza del Desierto Unit III 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.

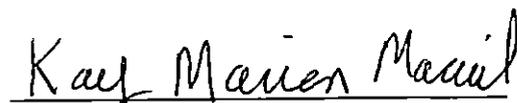
PASSED AND ADOPTED by the Mayor and City Council of the City of San Luis, Arizona, this **11th** day of **December 2024**.


Nieves Riedel, 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**

Belleza del Desierto Unit III Subdivision Street Lighting Improvement District

MID Name

Belleza del Desierto Unit III 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.

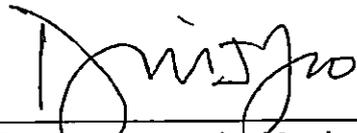
1. Area of District. The proposed district is described by a map and by a legal description of "Exhibit A" which is attached hereto and incorporated herein by reference. The proposed District consists of approximately 20.01 acres and is entirely within the corporate boundaries of the City of San Luis.
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 Belleza del Desierto Unit III 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. Wavier 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.

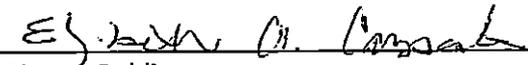
IN WITNESS WHEREOF, the parties have executed this Petition and Waiver Agreement as of the 6th day of September, 2024.

Border Sam, LLLP
10602 S. Camino del Sol
Yuma, AZ 85367

By:  9/6/2024 APN 227-15-030
 David Loo, Managing Member Date Parcel ID

STATE OF ARIZONA)
)ss.
 County of Yuma)

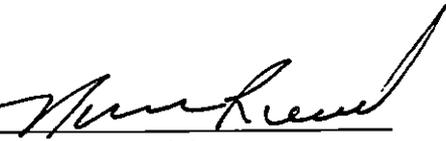
The foregoing acknowledged before me this 6th day of September, 2024 by David Loo, Border Sam LLLP, an Arizona Limited Liability Limited Partnership, on behalf of said Partnership.

My Commission Expires 2-9-2026 
 Notary Public

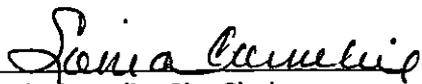


ACCEPTED AND APPROVED BY:

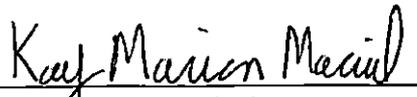
CITY OF SAN LUIS, ARIZONA AN
ARIZONA MUNICIPAL CORPORATION

By 
Nieves Riedel, Mayor

ATTEST:

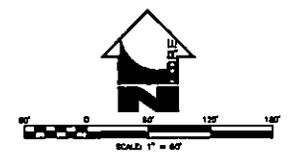
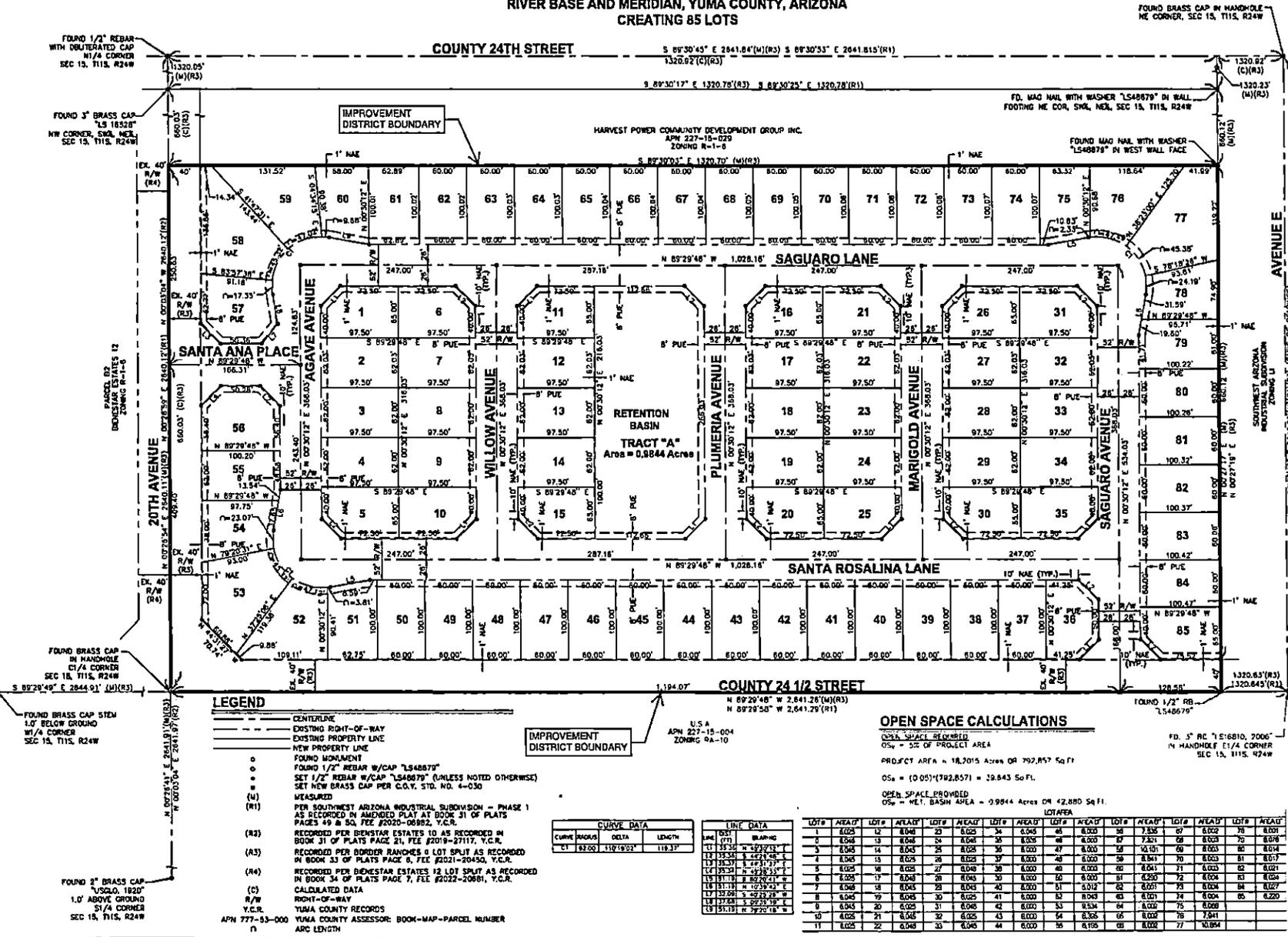

Sonia Cornelio, City Clerk

APPROVED AS TO FORM:


Kay Marion Macuil, City Attorney

Belleza del Desierto Unit III Street Light Improvement District Petition
Exhibit A

FINAL PLAT BELLEZA DEL DESIERTO UNIT III
A SUBDIVISION OF PARCEL B, FEE #2021-20450, Y.C.R., LOCATED IN THE SOUTH HALF OF THE SOUTHWEST
QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 24 WEST, GILA AND SALT
RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA
CREATING 85 LOTS



AREA = 18.2015 ± ACRES

OWNER OF RECORD
APN 227-15-030
BORDER S&L LLP
10022 S. CAMINO DEL SOL
YUMA, AZ 85307

CITY OF SAN LUIS ZONING
APN 227-15-030
CURRENT ZONING MEDIUM DENSITY RESIDENTIAL (M1-6)

FLOOD ZONE
THE SUBJECT PROPERTY LIES WITHIN ZONE "X-1" AREA OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE X IS THE AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PER FEMA SOURCE 0402721035E DATED 6-28-2006.

BASIS OF BEARINGS
THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 15, T11S, R24W, G.E.S.A.M., YUMA COUNTY, ARIZONA (THIS LINE BEING THE CENTERLINE OF AVENUE E) AS SHOWN PER SOUTHWEST ARIZONA INDUSTRIAL SUBDIVISION - PHASE 1 AS RECORDED IN AMENDED PLAT AT BOOK 31 OF PLATS PAGES 49 & 50, FEE #2020-08822, Y.C.R.
NAMELY: N 0027240° E



LEGEND

- CENTERLINE
- - - - - DISTING RIGHT-OF-WAY
- EXISTING PROPERTY LINE
- NEW PROPERTY LINE
- FOUND MONUMENT
- FOUND 1/2" REBAR W/CAP "LS48879"
- SET 1/2" REBAR W/CAP "LS48879" (UNLESS NOTED OTHERWISE)
- SET NEW BRASS CAP PER C.O.V. STD. NO. 4-030
- (M) MEASURED
- (R1) PER SOUTHWEST ARIZONA INDUSTRIAL SUBDIVISION - PHASE 1 AS RECORDED IN AMENDED PLAT AT BOOK 31 OF PLATS PAGES 49 & 50, FEE #2020-08822, Y.C.R.
- (R2) RECORDED PER BENSSTAR ESTATES 10 AS RECORDED IN BOOK 31 OF PLATS PAGE 21, FEE #2019-27117, Y.C.R.
- (R3) RECORDED PER BORDER RANCHES 0 LOT SPLIT AS RECORDED IN BOOK 33 OF PLATS PAGE 6, FEE #2021-20450, Y.C.R.
- (R4) RECORDED PER BENSSTAR ESTATES 12 LOT SPLIT AS RECORDED IN BOOK 34 OF PLATS PAGE 7, FEE #2022-20881, Y.C.R.
- (C) CALCULATED DATA
- R/W RIGHT-OF-WAY
- Y.C.R. YUMA COUNTY RECORDS
- YUMA COUNTY ASSESSOR: BOOK-MAP-PARCEL NUMBER
- APN 777-53-000
- n ARC LENGTH

CURVE DATA

CURVE	BEARING	DATA	LENGTH
1	119.193°	119.37'	

LINE DATA

LINE	BEARING	LENGTH
1	119.193°	119.37'

OPEN SPACE CALCULATIONS

OPEN SPACE PROVIDED
OS% = 5% OF PROJECT AREA
PROJECT AREA = 18,201.5 Acres OR 792,857 Sq Ft
OS% = (0.005)(792,857) = 3,964.28 Sq Ft

OPEN SPACE REQUIRED
OS% = NET BASH AREA = 9,984.4 Acres OR 42,880 Sq Ft

LOT#	AREAF												
1	0.023	12	0.048	23	0.023	34	0.043	45	0.033	56	7.336	67	0.022
2	0.048	13	0.048	24	0.048	35	0.025	46	0.033	57	7.321	68	0.022
3	0.043	14	0.043	25	0.025	36	0.033	47	0.033	58	6.531	69	0.022
4	0.043	15	0.025	26	0.025	37	0.033	48	0.033	59	6.544	70	0.022
5	0.025	16	0.022	27	0.043	38	0.033	49	0.033	60	6.041	71	0.022
6	0.025	17	0.043	28	0.043	39	0.033	50	0.033	61	6.250	72	0.022
7	0.043	18	0.043	29	0.043	40	0.033	51	0.033	62	6.037	73	0.022
8	0.043	19	0.043	30	0.022	41	0.033	52	0.033	63	6.151	74	0.022
9	0.043	20	0.022	31	0.043	42	0.033	53	0.033	64	6.022	75	0.022
10	0.022	21	0.043	32	0.022	43	0.033	54	0.033	65	6.000	76	7.941
11	0.022	22	0.043	33	0.043	44	0.033	55	0.033	66	6.000	77	10.854

PREPARED BY
CORE ENGINEERING GROUP, PLLC
208 East 16th Street, Suite 100
Yuma, AZ 85304
Y. 923.343551 F. 923.3442823
www.CoreEngineeringGroup.com
CoreProjectNo. 22-028
SHEET 2 OF 2