

WHEN RECORDED, MAIL TO:

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

CONFORMED COPY
2024-30018 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. 2340
Belleza Del Desierto Unit III Subdivision
Intention to provide the Enhanced Municipal Service Improvement District



Resolution

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 2340

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 BELLEZA DEL DESIERTO UNIT III 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 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 an enhanced municipal services district to be tentatively known as Belleza del Desierto Unit III Subdivision Municipal Services Improvement District for the area described as Belleza del Desierto Unit III Subdivision, City of San Luis, Arizona, and as further shown on the subdivision plat or plats of record for Belleza del Desierto Unit III 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.

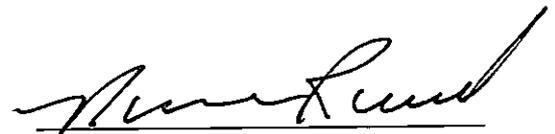
Section 2: That the public interest and convenience require, and it is the intention of the governing body of the City of San Luis to provide, for the enhance municipal services of the operation and maintenance of retention basins described as Belleza del Desierto Unit III Subdivision, City of San Luis, 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 Belleza del Desierto Unit III Subdivision Enhanced 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 11th day of December 2024.



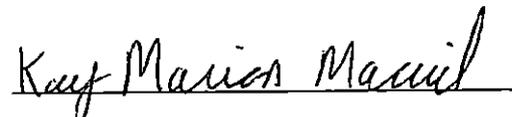
Nieves Riedel, Mayor

ATTEST:



Sonia Cornelio, City Clerk

APPROVED AS TO FORM:



Kay Marion Macuil, City Attorney

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

Belleza del Desierto Unit III Subdivision Municipal Services 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. §48-575 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 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, operation, maintenance, repair, and improvements of retention basins serving Belleza del Desierto Unit III 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.

- (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 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:

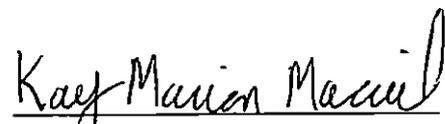
**CITY OF SAN LUIS, ARIZONA AN
ARIZONA MUNICIPAL CORPORATION**

By: 
Nieves Riedel, Mayor

ATTEST:


Sonia Cornelio, City Clerk

APPROVED AS TO FORM:

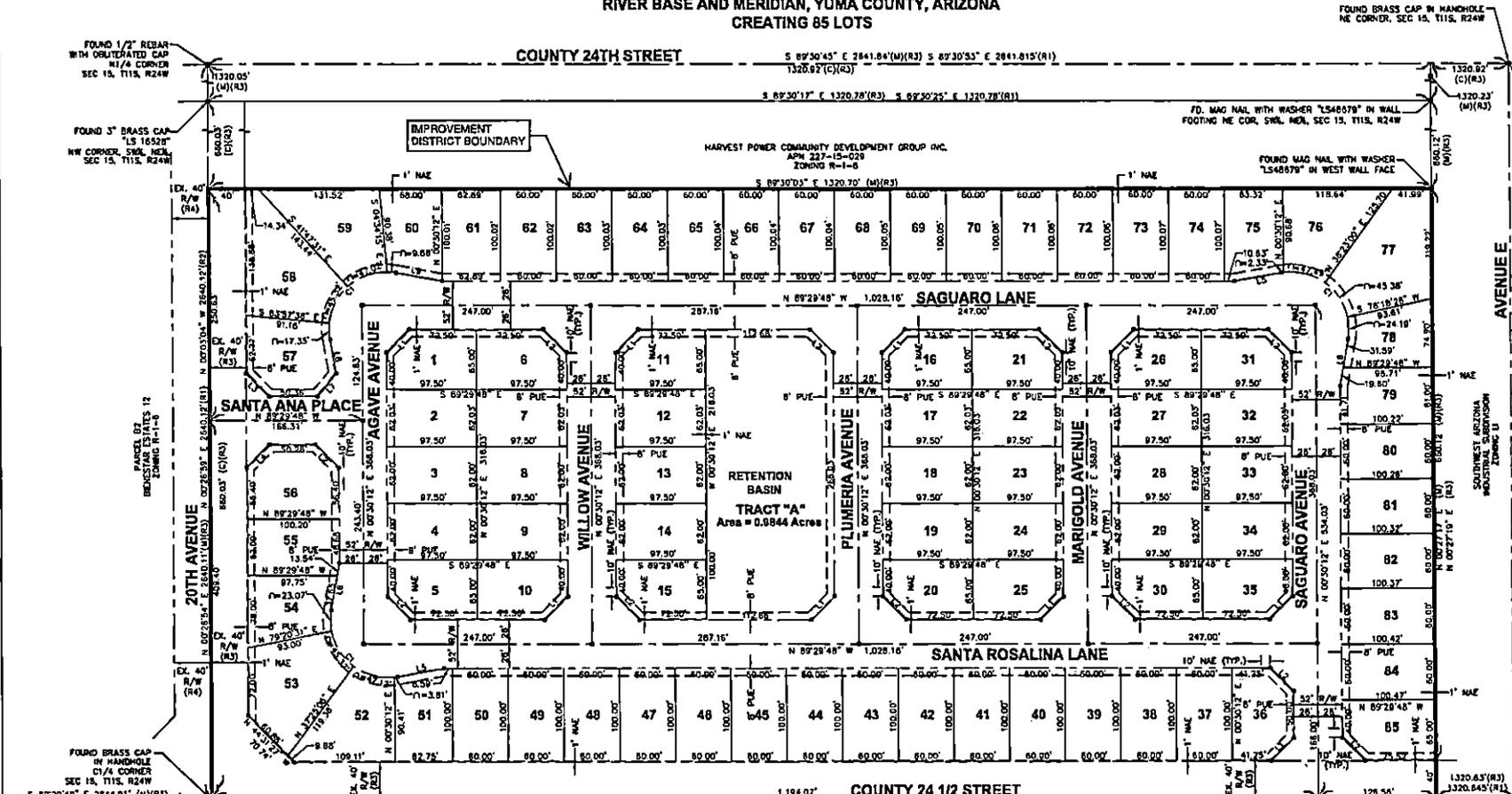

Kay Marion Macuil, City Attorney

Belleza del Desierto Unit III Enhanced Municipal Service 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 SAM, LLP
10022 S. CAMINO DEL SOL
YUMA, AZ 85367

CITY OF SAN LUIS ZONING
APN 227-15-030
CURRENT ZONING: MEDIUM DENSITY RESIDENTIAL (R1-6)

FLOOD ZONE
THE SUBJECT PROPERTY LIES WITHIN ZONE "X" AREA OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON RFW AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE "X" IS THE AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD AND PROTECTED BY LEVEE FROM 100-YEAR FLOOD PER FEMA SOURCE 040272150E DATED 8-25-2003.

BASIS OF BEARINGS
THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 15, T11S, R24W, G.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 #2020-08982, Y.C.R.
NAD83: N 00°27'41" E

LEGEND

- CENTERLINE
- EXISTING 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.Y. STD. NO. 4-030
- MEASURED
- (M) PER SOUTHWEST ARIZONA INDUSTRIAL SUBDIVISION - PHASE 1 AS RECORDED IN AMENDED PLAT AT BOOK 31 OF PLATS PAGES 49 & 50, FEE #2020-08982, Y.C.R.
- (R2) RECORDED PER DISTRICT ESTATES 10 AS RECORDED IN BOOK 31 OF PLATS PAGE 21, FEE #2019-27117, Y.C.R.
- (R3) RECORDED PER BORDER RANCHES 8 LOT SPLIT AS RECORDED IN BOOK 33 OF PLATS PAGE 8, FEE #2021-20450, Y.C.R.
- (R4) RECORDED PER DISTRICT ESTATES 12 LOT SPLIT AS RECORDED IN BOOK 34 OF PLATS PAGE 7, FEE #2022-20851, 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 777-05-000
- ARC LENGTH

U.S.A.
APN 227-15-004
ZONING RA-10

OPEN SPACE CALCULATIONS

OPEN SPACE PROVIDED
OS = % OF PROJECT AREA
PROJECT AREA = 18.2015 ACRES OR 792,857 Sq.Ft.
OS = (0.05)(792,857) = 39,643 Sq.Ft.

OPEN SPACE PROVIDED
OS = RET. BASIN AREA = 0.9844 Acres OR 42,880 Sq.Ft.

CURVE DATA

CURVE NUMBER	DELTA	LENGTH
CL 1	119°18'00"	118.57'

LINE DATA

LINE NO.	BEARING	LENGTH
1	N 89°30'45" E	2841.84'
2	S 89°30'53" E	2841.815'
3	S 89°30'11" E	1320.78'
4	S 89°30'25" E	1320.78'
5	N 89°29'48" W	2641.28'
6	N 89°29'30" W	2641.29'

LOT AREA

LOT#	ACRE#	LOF	ACRE#	LOF	ACRE#	LOF	ACRE#								
1	0.025	12	0.046	23	0.023	34	0.043	41	0.020	55	7.838	67	0.002	78	0.001
2	0.048	13	0.046	24	0.046	36	0.028	44	0.022	67	7.851	68	0.002	79	0.001
3	0.045	14	0.045	24	0.023	36	0.023	47	0.023	48	12.001	63	0.003	69	0.004
4	0.045	15	0.025	26	0.025	37	0.025	46	0.020	56	8.841	70	0.003	81	0.001
5	0.025	16	0.025	27	0.040	38	0.040	45	0.020	61	0.041	71	0.003	82	0.001
6	0.024	17	0.048	28	0.043	39	0.020	50	0.020	61	0.250	72	0.004	83	0.004
7	0.048	18	0.046	29	0.043	40	0.020	51	0.024	64	0.001	73	0.004	84	0.001
8	0.045	19	0.045	30	0.028	41	0.023	52	0.043	63	0.001	74	0.004	85	0.001
9	0.045	20	0.025	31	0.048	42	0.020	54	0.255	64	0.002	75	0.008	86	0.001
10	0.025	21	0.045	32	0.025	43	0.020	54	0.255	65	0.002	76	7.841	87	0.001
11	0.025	22	0.048	33	0.043	44	0.020	55	0.190	68	0.002	77	10.904	88	0.001



PREPARED BY
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