

RESOLUTION NO. 408

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SAN LUIS, ARIZONA AUTHORIZING THE EXECUTION OF A PETITION FOR ADOPTION OF A RESOLUTION ORDERING AND DECLARING FORMATION OF SAN LUIS PUBLIC HEALTH COMMUNITY FACILITIES DISTRICT (CITY OF SAN LUIS, ARIZONA)

BE IT RESOLVED by the Common Council of the City of San Luis, Arizona, as follows:

WHEREAS, it is the desire of the City of San Luis to execute a Petition for Adoption of a Resolution Ordering and Declaring Formation of San Luis Public Health Community Facilities District (City of San Luis, Arizona) for land legally described as:

Lots 139, 140, 174, 175 and 176, LAS VILLAS DE SAN LUIS PHASE 2, according to the plat of record in the office of the County Recorder of Yuma County, Arizona in Book 15 of Plats, page 98;

EXCEPT all oil, gas, other hydrocarbon substances, helium or other substances of a gaseous nature, coal, metals, minerals, fossils, fertilizers of every name and description, together with all uranium, thorium or any other material which is or may be determined by the laws of the United States, or of this State, or Decisions of Court, to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, as reserved to the State of Arizona, pursuant to Arizona Revised Statutes and Patent recorded in Fee No. 1997-28682, records of Yuma County, Arizona.

A copy of said Petition is attached hereto and incorporated by reference in its entirety; and

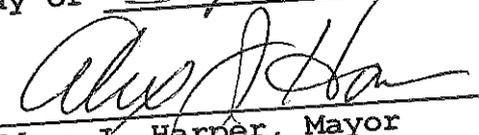
WHEREAS, the purpose of said Petition is to provide for the construction, operation and maintenance of a facility for the dissemination of health care and preventive health care services in San Luis, Arizona.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of San Luis, Arizona as follows:

That the Mayor is authorized to execute and the City Manager to attest on behalf of the City of San Luis, Arizona that certain Petition for Adoption of a Resolution Ordering and

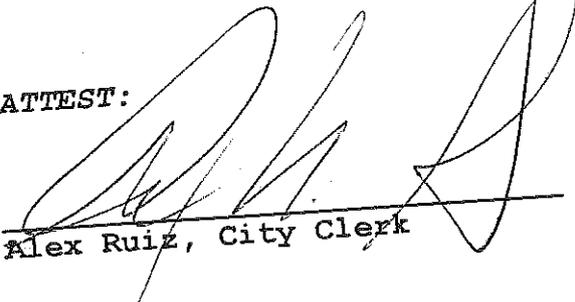
Declaring Formation of San Luis Public Health Community Facilities District (City of San Luis, Arizona) and any additional documents necessary to carry out the spirit and intent of said agreement.

PASSED AND ADOPTED by the Mayor and Council of the City of San Luis, Arizona this 1st day of September, 1999.



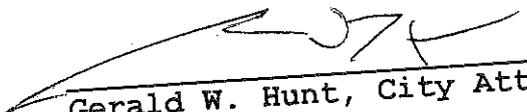
Alex J. Harper, Mayor

ATTEST:



Alex Ruiz, City Clerk

APPROVED AS TO FORM:



Gerald W. Hunt, City Attorney

II.

The District is to be formed, and shall exist, pursuant to the terms and provisions of the Act.

III.

The District is to contain an area of approximately five (5) city blocks of land, more or less, wholly within the corporate boundaries of the Municipality, and is to be composed of the land included in the parcel described as:

Lots 139, 140, 174, 175 and 176, LAS VILLAS DE SAN LUIS PHASE 2, according to the plat of record in the office of the County Recorder of Yuma County, Arizona in Book 15 of Plats, page 98;

EXCEPT all oil, gas, other hydrocarbon substances, helium or other substances of a gaseous nature, coal, metals, minerals, fossils, fertilizers of every name and description, together with all uranium, thorium or any other material which is or may be determined by the laws of the United States, or of this State, or Decisions of Court, to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, as reserved to the State of Arizona, pursuant to Arizona Revised Statutes and Patent recorded in Fee No. 1997-28682, records of Yuma County, Arizona.

IV.

The District is to be a special purpose district for purposes of Article IX, section 19, Constitution of Arizona, a tax-levying public improvement district for the purposes of Article XIII, Section 7, Constitution of Arizona, and a municipal corporation for all purposes of Title 35, Chapter 3, Articles 3, 3.1, 3.2, 4 and 5, Arizona Revised Statutes, as amended; is, except as otherwise provided in the Act, to be considered a municipal corporation and political subdivision of the State of Arizona, separate and apart from the Municipality, and is to be formed for, and to have, all for the purposes of a "district" as such term is defined, and as provided, in the Act.

V.

The formation of the District may result in the levy of ad valorem taxes to pay costs of improvements constructed by the District and for their operation and maintenance.

VI.

Before the Resolution is adopted, a "general plan" (as such term is defined in the Act) for the District shall be filed with the Clerk of the Municipality setting out a general description of the improvements for which the District is proposed to be formed and the general areas to be improved, and

VII.

Public convenience and necessity require the adoption of the Resolution.

WHEREFORE, Petitioner attests and declares that on the date hereof, as shown on the assessment roll for state and county taxes in Yuma County, Arizona, all of the land to be in the District is owned by Petitioner or, if a person listed on such assessment roll is no longer the owner of land in the District, that the name of the successor owner has become known and has been verified by recorded deed or other similar evidence of transfer of ownership to the Petitioner and that there are no residents on the land to be in the District; and

WHEREFORE, Petitioner attests and declares that the land to be included in the District shall be benefitted from the improvements for which the District is proposed to be formed; and

WHEREFORE, as this Petition is signed on behalf of the owner of all the land to be in the District, any requirements of posting, publication, mailing, notice, hearing and election otherwise required by the Act in connection with adoption of the Resolution are waived and the Council shall, on receipt of this Petition, declare the District formed without being required to comply with such provisions for posting, publication, mailing, notice, hearing or election; and

WHEREFORE, Petitioner respectfully prays that this Petition be properly filed as provided by law, that the Council adopt the Resolution and declare and order the District formed without being required to comply with the provisions for posting, publication, mailing, notice, hearing and election otherwise required by the Act in connection with the Resolution; and that such other orders, acts, procedure and relief as are proper, necessary and appropriate to the purposes of organizing the District and to the execution of the purposes for which the District shall be organized be granted as the Council shall deem proper and necessary.

RESPECTFULLY SUBMITTED this 1st day of Sept., 1999.

CITY OF SAN LUIS, ARIZONA, a municipal corporation incorporated and existing pursuant to the laws of the State of Arizona as owner of the herein-described real property

By Alex J. Harper
ALEX J. HARPER, MAYOR

ATTEST:

Alex Ruiz
Alex Ruiz, City Manager

APPROVED AS TO FORM:

Gerald W. Hunt
Gerald W. Hunt
City Attorney

RIEDEL CONSTRUCTION, INC.

By Nieves G. Riedel
Nieves G. Riedel, President

The foregoing acknowledged before me this 1st day of September, 1999 by ALEX J. HARPER, Mayor of the City of San Luis, Arizona, an Arizona municipal corporation.

[Signature]
Notary Public

My Commission Expires:
My Commission Expires Oct. 2, 1999

The foregoing acknowledged before me this 1st day of Sept., 1999 by Nieves G. Riedel, President of Riedel Construction, Inc., an Arizona corporation, on behalf of the corporation.

[Signature]
Notary Public

My Commission Expires:
My Commission Expires Oct. 2, 1999