

WHEN RECORDED MAIL TO:

**Sonia Cuello
City Clerk
City of San Luis
P.O. Box 1170
San Luis, AZ 85349**

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2009 NOV 12 AM 8:17
CITY OF SAN LUIS
OFFICE OF THE CITY CLERK

FEE #: 2009 - 29222
10/30/2009 01:53 PAGES: 0010
FEES: 5.50 8.00 1.00 .00 .00
REQ BY: CITY OF SAN LUIS
REC BY: Olga Nunez

CAPTION HEADING:

City of San Luis

***Resolution No. 857-Enhanced Municipal District Bienestar Estates 9A
(Phase 2)**

***Petition, waiver and consent to Formation of an Enhanced Municipal
Services Improvement District by the City of San Luis-Bienestar
Estates 9A (Phase 2)**



Resolution

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

RESOLUTION NO. 857

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA DECLARING ITS INTENTION TO PROVIDE THE ENHANCED MUNICIPAL SERVICES OF OPERATING AND MAINTAINING CERTAIN RETENTION BASINS WITHIN THE AREA DESCRIBED AS BIENESTAR ESTATES 9A (PHASE 2) SUBDIVISION, CITY OF SAN LUIS, YUMA COUNTY, 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 Bienestar Estates 9A (Phase 2) Subdivision, Yuma County, Arizona; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City 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 Bienestar Estates 9A (Phase 2) Municipal Services Improvement District for the area described as Bienestar Estates 9A (Phase 2) Subdivision, City of San Luis, Yuma County, Arizona, and as further shown on the subdivision plat or plats of record for Bienestar Estates 9A (Phase 2) 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:

A subdivision of the NE Corner of Section 10, Township 11S, Range 24 West, Gila and Salt River Base and Meridian, Yuma County, Arizona. See also maps attached as exhibits hereto.

Section 2: That the public interest requires, and it is the intention of the governing body of the City of San Luis to provide, for the enhanced municipal services of the operation and maintenance of retention basins described as Bienestar Estates 9A (Phase 2), City of San Luis, Yuma County, Arizona.

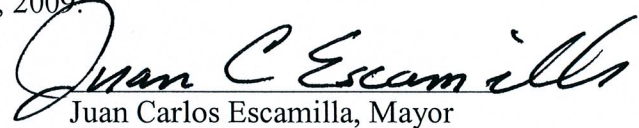
Section 3: That the operation and maintenance of said retention basins shall be in accordance with the plan showing location, dimensions, and construction of said basins.

improvement District which is 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 Bienestar Estates 9A (Phase 2) 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 grater degree than provided in the remainder of the City of San Luis that is not included in the Improvement District.

Section 5: 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 valued 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 October, 2009.

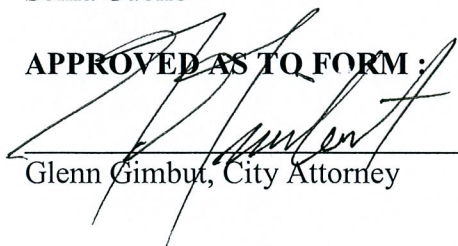

Juan Carlos Escamilla, Mayor

ATTEST:



Sonia Cuello

APPROVED AS TO FORM:



Glenn Gimbut, City Attorney

PETITION, WAIVER AND CONSENT TO FORMATION
OF AN ENHANCED MUNICIPAL SERVICES IMPROVEMENT DISTRICT
BY THE CITY OF SAN LUIS FOR THE NEW SUBDIVISION BIENSTAR ESTATES 9A,
(PHASE 2)
(OWNER: COMITE DE BIENSTAR, INC)

To: Honorable Mayor and Council
City of San Luis, Arizona

[MID_____]

Pursuant to Arizona Revised Statutes, Section 48-571 to 48-617, as amended, and specifically A.R.S. §548-616 AND 548-617 the undersigned property owner respectfully petitions the City Council of the City of San Luis, Arizona (City Council) to order the formation of an Enhancement Municipal Service 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.

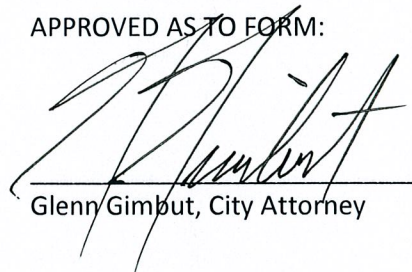
1. Area of District. The proposed district is described by a map and by a legal description of Exhibit "A" which is attached hereto and incorporated herein by reference. The proposed district consists of approximately 29.23 acres and is entirely within the corporate boundaries of the City of San Luis.
2. Ownership. The undersigned (is) (are) the sole owner(s) of the real property within the proposed district.
3. Purpose. The district is proposed to be formed for the purpose of the operation, maintenance, repair and improvements of retention basins described in Bienestar Estates 9A (Phase 2).
4. Public Convenience and Necessity. The necessity for the proposed district is for the operation, maintenance, repair and improvements of retention basins within the proposed district by the levying of special assessments in the proposed district.
5. Waiver and Consent.
6. The petitioners with full knowledge of their rights being waived hereunder, hereby expressly waive;
 - (a) Any and all irregularities, illegalities or deficiencies which may exist in adoption of

By Juan C Escamilla
Juan Carlos Escamilla, Mayor

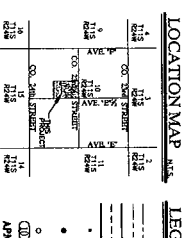
ATTEST:


City Clerk

APPROVED AS TO FORM:


Glenn Gimbut, City Attorney

A SUBDIVISION OF THE NE COR. OF SECTION 10, T11S, R24W, G. & S. R. B. & M. YUMA COUNTY, ARIZONA
AUGUST 2007 ACREAGE = 29.23 Acres (gross)



DEDICATION:

THE COURT IN *REYES* WAS DIVIDED 5-4. JUSTICE BRENNAN, WRITING FOR THE MAJORITY, STATED THAT THE COURT'S PREVIOUS DECISIONS IN *ROSEN* AND *SMITH* HAD BEEN "REVERSED" BY THE COURT IN *BRANDENBURG*. JUSTICE BRENNAN STATED THAT THE COURT IN *BRANDENBURG* HAD "REVERSED" THE COURT'S PREVIOUS DECISIONS IN *ROSEN* AND *SMITH* BECAUSE THE COURT IN *BRANDENBURG* HAD FOUND THAT THE COURT'S PREVIOUS DECISIONS IN *ROSEN* AND *SMITH* HAD BEEN "REVERSED" BY THE COURT IN *BRANDENBURG*. JUSTICE BRENNAN STATED THAT THE COURT IN *BRANDENBURG* HAD "REVERSED" THE COURT'S PREVIOUS DECISIONS IN *ROSEN* AND *SMITH* BECAUSE THE COURT IN *BRANDENBURG* HAD FOUND THAT THE COURT'S PREVIOUS DECISIONS IN *ROSEN* AND *SMITH* HAD BEEN "REVERSED" BY THE COURT IN *BRANDENBURG*.

STATE OF ARIZONA)	SS
COUNTY OF YUMA)	
I, _____, County Clerk of said County of Yuma, do hereby certify that the foregoing is a true and correct copy of the original as the same appears from the records of said County of Yuma. In testimony whereof, I have hereunto set my hand and the seal of said County at Yuma, Arizona, this _____ day of _____, 19____.	

On June 16, 2007 before me, the undersigned officer personally appeared JOSE L. SANCHEZ who acknowledged himself to be the Chairman of the Board of Directors of the Corporation known as INDIAN CROWN CORPORATION, INC., AN ARIZONA CORPORATION, and he is duly qualified to make statements authorized by its board. He executed the foregoing instrument for the purposes herein expressed, for signing the name of the Corporation of INDIAN CROWN.

In witness whereof, I have set my hand and official seal.

JOHN P. FRIEDEL
Notary Public
for the State of Arizona

STATE OF ARIZONA)
)
CITY OF SAN LUIS) SS
)

THIS SUBDIVISION AS PLATTED HEREON HAS BEEN APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA.

NAME	DATE
CITY MANAGER	DATE
CITY PLANNING & ZONING COMMISSION	DATE
CITY ENGINEER	DATE
CITY PUBLIC WORKS DIRECTOR	DATE

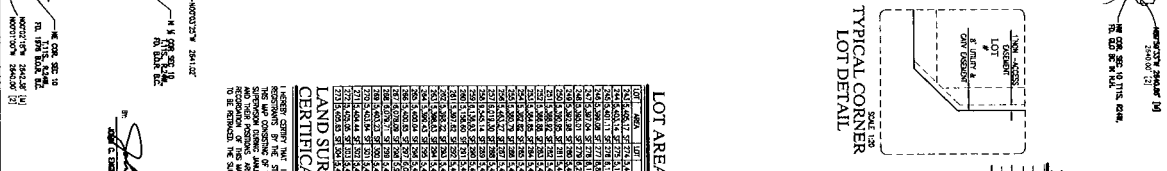
WAVE BEEN RECORDED CONJUNCTLY AND ARE A PART OF THIS PLAT

I HEREBY CERTIFY THAT I AM A LAND SURVEYOR LICENSED ON THE SECTOR OF AGRICULTURAL MEASUREMENTS BY THE STATE BOARD OF TECHNICAL REGULATION OF AGRICULTURE AND THAT THE MAP COMPOSED OF THE TWO SHEETS CORRECTLY REPRESENTS A SURVEY MADE ACCORDING TO SUPERSEDED FEDERAL LAWS AND 1907 THAT ALL MEASUREMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR POSITIONS ARE CORRECTLY SHOWN, OR WILL BE IN PLACE WITHIN THE YEAR FROM REGISTRATION OF THIS MAP. THE MEASUREMENTS WILL BE SUPERSEDED BY THE FINAL REGISTRATION OF THIS MAP. THE MEASUREMENTS WILL BE SUPERSEDED BY THE FINAL REGISTRATION OF THIS MAP. THE MEASUREMENTS WILL BE SUPERSEDED BY THE FINAL REGISTRATION OF THIS MAP.

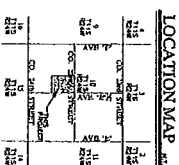
DR. *Shirley*
JENNIFER C. DUNSTON III
ALLS. No. 10-1038

A SUBDIVISION OF A PORTION OF THE N½ OF THE SW¼ OF SECTION 10, T11S, R24W, G. & S. R. B. & M. YUMA COUNTY, ARIZONA
AUGUST 2007 ACREAGE = 29.23 Acres (gross)

ACREAGE= 29.23 Acres (gross)



A SUBDIVISION OF THE NE COR. OF SECTION 10, T11S, R24W, G. & S. R. B. & M. YUMA COUNTY, ARIZONA
AUGUST 2007 ACREAGE = 29.23 Acres (gross)



LEC

DR. JOSE L. RODRIGUEZ
CHAIRMAN OF THE BOARD

RE: John Edgar Hoover Hoover

ADD: C. BRIDGES, JR.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

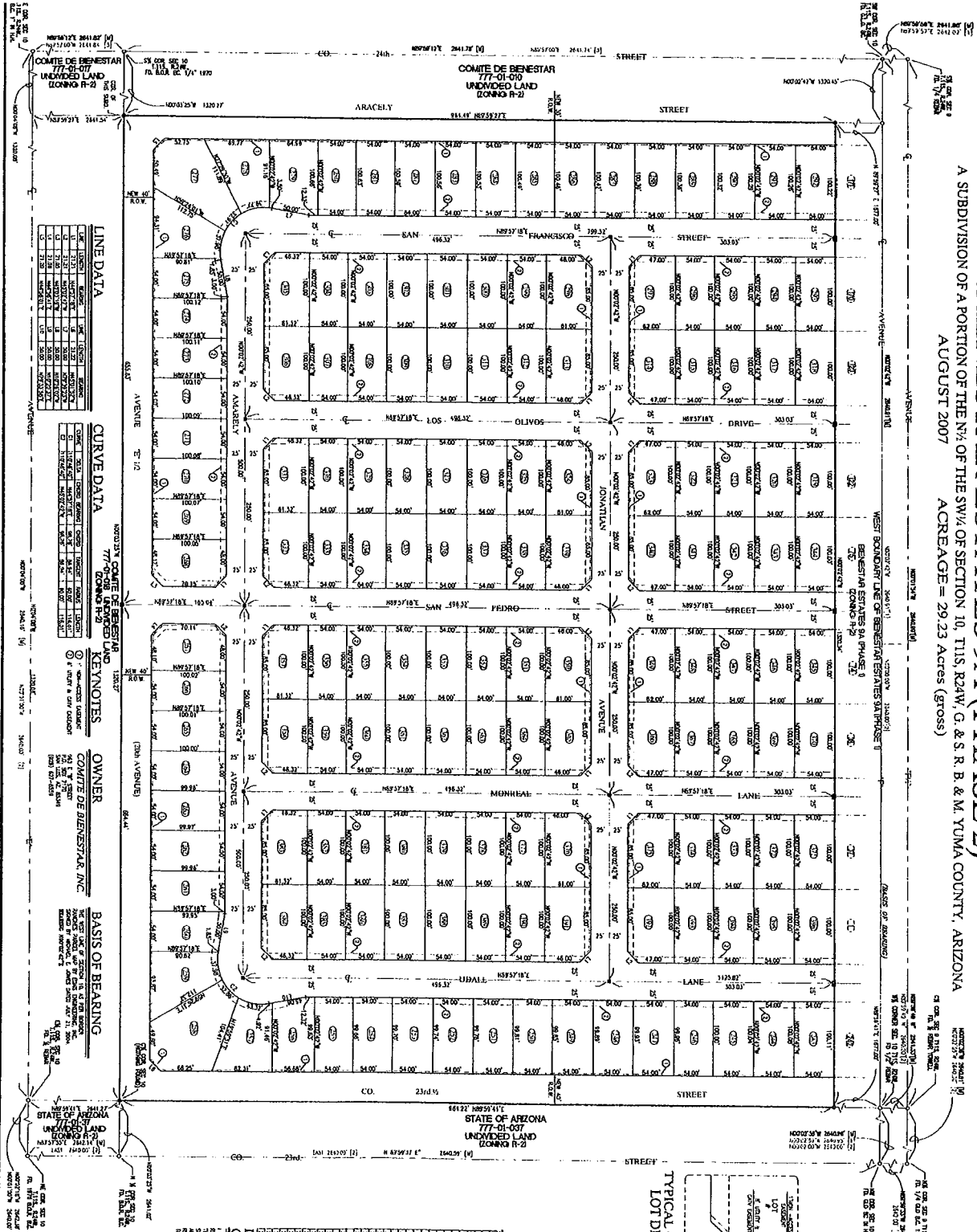
DATE 11-11-2009 BY 60322 UCBAW

BIENESTAR ESTATES 9A (PHASE 2)

A SUBDIVISION OF A PORTION OF THE NW 1/4 OF THE SW 1/4 OF SECTION 10, T11S, R24W, G. & S. R. B. & M. YUMA COUNTY, ARIZONA

AUGUST 2007

ACREAGE = 29.23 Acres (gross)



LINE DATA

LINE	BEARING	DISTANCE	AREA	PERIMETER
1	N 0° 0' 0" E	100.00	100.00	100.00
2	N 0° 0' 0" E	100.00	100.00	100.00
3	N 0° 0' 0" E	100.00	100.00	100.00
4	N 0° 0' 0" E	100.00	100.00	100.00
5	N 0° 0' 0" E	100.00	100.00	100.00
6	N 0° 0' 0" E	100.00	100.00	100.00
7	N 0° 0' 0" E	100.00	100.00	100.00
8	N 0° 0' 0" E	100.00	100.00	100.00
9	N 0° 0' 0" E	100.00	100.00	100.00
10	N 0° 0' 0" E	100.00	100.00	100.00

CURVE DATA

STATION	CHORD BEARING	CHORD DISTANCE	ARC BEARING	ARC DISTANCE	AREA	PERIMETER
1	N 0° 0' 0" E	100.00	N 0° 0' 0" E	100.00	100.00	100.00
2	N 0° 0' 0" E	100.00	N 0° 0' 0" E	100.00	100.00	100.00
3	N 0° 0' 0" E	100.00	N 0° 0' 0" E	100.00	100.00	100.00
4	N 0° 0' 0" E	100.00	N 0° 0' 0" E	100.00	100.00	100.00
5	N 0° 0' 0" E	100.00	N 0° 0' 0" E	100.00	100.00	100.00
6	N 0° 0' 0" E	100.00	N 0° 0' 0" E	100.00	100.00	100.00
7	N 0° 0' 0" E	100.00	N 0° 0' 0" E	100.00	100.00	100.00
8	N 0° 0' 0" E	100.00	N 0° 0' 0" E	100.00	100.00	100.00
9	N 0° 0' 0" E	100.00	N 0° 0' 0" E	100.00	100.00	100.00
10	N 0° 0' 0" E	100.00	N 0° 0' 0" E	100.00	100.00	100.00

KEYNOTES

KEYNOTE	DESCRIPTION
1	See Note 1
2	See Note 2
3	See Note 3
4	See Note 4
5	See Note 5
6	See Note 6
7	See Note 7
8	See Note 8
9	See Note 9
10	See Note 10

OWNER

COMTE DE BIENESTAR, INC.

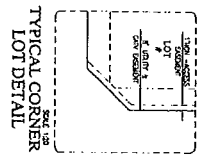
10000 N. 10th Street, Suite 100, Phoenix, AZ 85020

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10000 N. 10th Street, Suite 100, Phoenix, AZ 85020

LOT AREAS

LOT	AREA
1	1.00
2	1.00
3	1.00
4	1.00
5	1.00
6	1.00
7	1.00
8	1.00
9	1.00
10	1.00



LAND SURVAY CERTIFICATE

I, the undersigned, being a duly qualified and licensed Surveyor in the State of Arizona, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the land described in the foregoing, and that the same is in accordance with the laws of the State of Arizona.

Surveyor's Name: [Signature]

Surveyor's License No.: [Number]

Date: [Date]