



Resolution

NO. 2021

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

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 AN AREA DESCRIBED AS SAN LUIS PORT SUBDIVISION, YUMA COUNTY, 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 San Luis Port Subdivision, Yuma County, 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 San Luis Port Street Lighting Improvement District for the area described as San Luis Port Subdivision, Yuma County, 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 streetlights 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 City Council of the City of San Luis, Arizona, and on file in the office of the City Engineer, tentatively known as San Luis Port 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, nor for any delinquency of persons or property assessed, unless the 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, ADOPTED and APPROVED by the Mayor and City Council of the City of San Luis, Arizona, this _____ day of _____, 2018.

Gerardo Sanchez, 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 NEW SUBDIVISION, SAN LUIS PORT
(OWNER: SAN LUIS PORT L.L.C.)**

**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 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 228 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 installation of light poles and luminaries together with purchasing the electricity for lighting of public streets within San Luis Port 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. Waiver and Consent. 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 Resolution Ordering the work;
 - (b) Any necessity for publication and posting of the Resolution of Intention and the Note of Proposed Improvements;
 - (c) All protest rights, whatsoever under A.R.S. §48-579 (A) and (B), which provide for protests against the work; and

(d) 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.

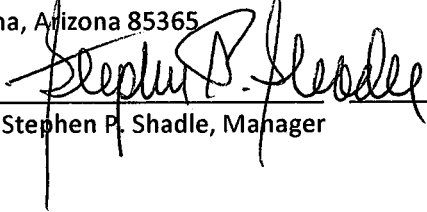
In Witness whereof the parties have executed this petition and waiver agreement as of the 19th day of December 2017.

PROPERTY OWNER
NAME, ADDRESS AND
SIGNATURE

DATE

PROPERTY
(Tax Parcel Nos.)

SAN LUIS PORT L.L.C.
833 E. Plaza Circle, Suite 200
Yuma, Arizona 85365

By: 
Stephen P. Shadle, Manager

APN 227-11-004

APN 227-11-005

Accepted and approved by:

CITY OF SAN LUIS, ARIZONA an
ARIZONA MUNICIPAL CORPORATION

By _____
Gerardo Sanchez, Mayor

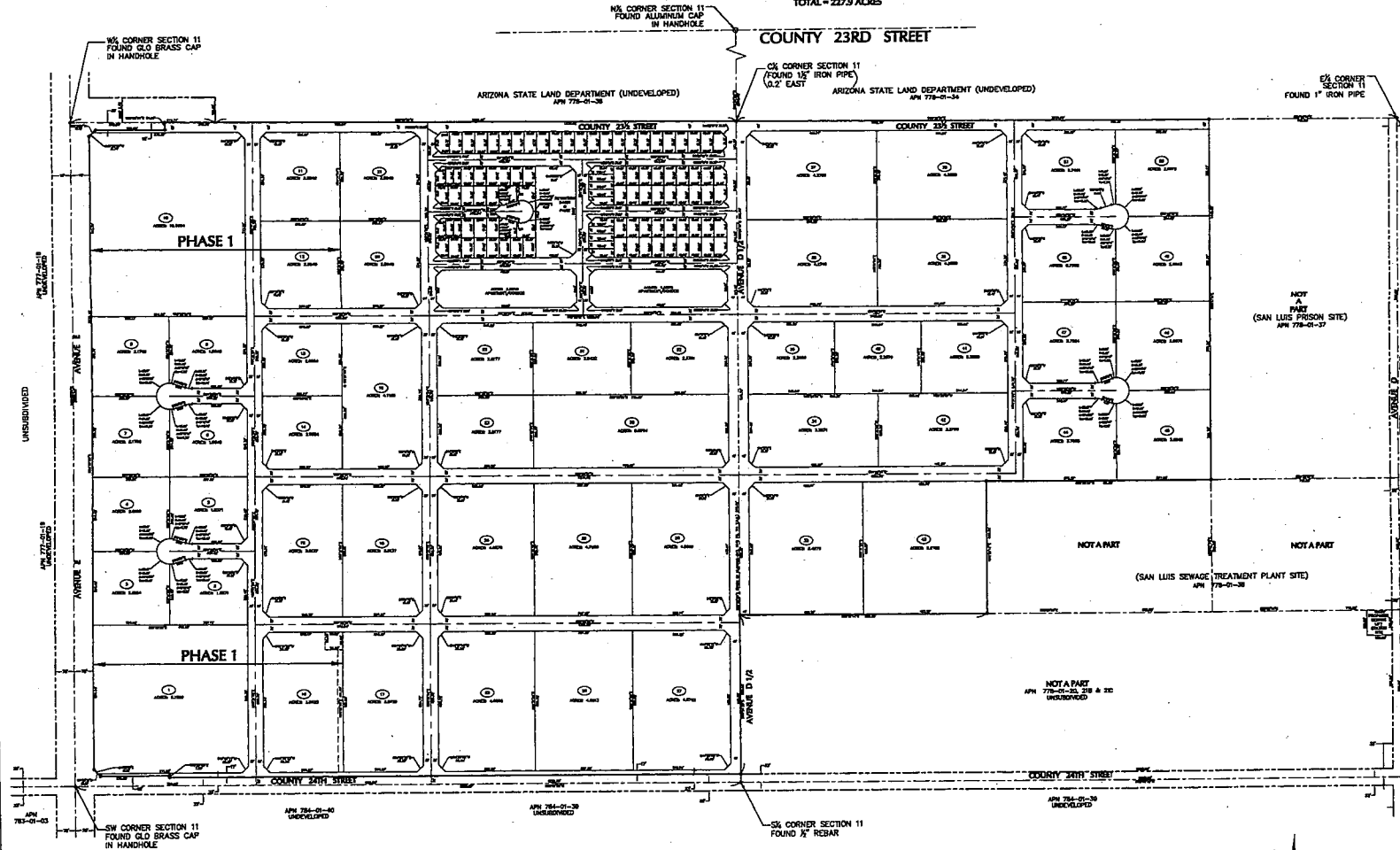
ATTEST:

Sonia Cornelio, City Clerk

APPROVED AS TO FORM:

Kay Marion Macuil, City Attorney

PRELIMINARY PLAT
SAN LUIS PORT SUBDIVISION
 A SUBDIVISION OF A PORTION OF THE SOUTH HALF OF SECTION 11, TOWNSHIP 11 SOUTH, RANGE 24 WEST
 OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA
 TOTAL = 227.9 ACRES



LEGAL DESCRIPTION

The South half of Section 11, Township 11 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona;

EXCEPT the East 33 feet; and

EXCEPT the South 33 feet; and

EXCEPT the West 75 feet; and

EXCEPT beginning at the Southeast corner of the Southeast quarter of Section 11;

Thence North 0 degrees 26 minutes 29 seconds East, a distance of 33 feet along the West line of the Southeast quarter to the TRUE POINT OF BEGINNING;

Thence North 0 degrees 26 minutes 29 seconds East, a distance of 828.00 feet to a point;

Thence South 88 degrees 31 minutes 30 seconds East, a distance of 2008.18 feet to a point;

Thence South 0 degrees 27 minutes 38 seconds West, a distance of 825.94 feet to a point;

Thence North 89 degrees 32 minutes 25 seconds East, a distance of 2005.95 feet to the TRUE POINT OF BEGINNING; and

EXCEPT beginning at the center quarter corner of Section 11, at a found iron pin;

Thence South 89 degrees 56 minutes 51 seconds East along the East-West Mid Section line of Section 11, a distance of 1883.23 feet to the TRUE POINT OF BEGINNING;

Thence South 89 degrees 56 minutes 51 seconds East, continuing along the East-West Mid Section line of Section 11, a distance of 733.25 feet to a found 1" pipe, said pipe being the East quarter corner of Section 11;

Thence South 00 degrees 01 minutes 00 seconds East, a distance of 1448.58 feet to a set iron pin & cap (R.L.S. #18528);

Thence North 89 degrees 56 minutes 51 seconds West, a distance of 733.25 feet to a point for corner;

Thence North 00 degrees 01 minutes 00 seconds West, a distance of 1448.58 feet to the TRUE POINT OF BEGINNING; and

EXCEPT beginning at the SW corner of said Section 11;

Thence South 89 degrees 56 minutes 51 seconds East along the East-West Mid Section line of Section 11, a distance of 898.72 feet to a point;

Thence South 00 degrees 01 minutes 00 seconds East a distance of 1448.58 feet to the TRUE POINT OF BEGINNING;

Thence South 89 degrees 56 minutes 51 seconds East a distance of 1852.76 feet to a point on the East line of said Section 11;

Thence South 00 degrees 01 minutes 00 seconds East along the East line of said Section 11, a distance of 328.11 feet to a point;

Thence South 89 degrees 56 minutes 00 seconds West a distance of 1852.76 feet to a point;

Thence North 00 degrees 01 minutes 00 seconds West a distance of 328.10 feet to the TRUE POINT OF BEGINNING.

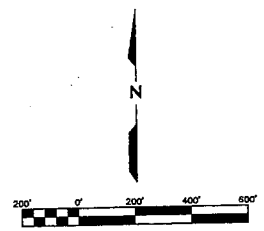


PRELIMINARY PLAN
NOT FOR CONSTRUCTION

OWNER/SUBDIVIDER
 SAN LUIS PORT L.L.C., AN
 ARIZONA LIMITED LIABILITY COMPANY
 833 E. PLAZA CIRCLE
 YUMA, AZ 85365

PRELIMINARY PLAT PREPARER
 NICKLAUS ENGINEERING, INC.
 1851 W. 24TH STREET
 YUMA, AZ 85364
 TIMOTHY V. ESSEMMANN - CIVIL ENGINEER/LAND SURVEYOR

- LEGEND**
- FOUND SURVEY MONUMENT AS NOTED
 - EXISTING SECTIONAL LINE/PROPOSED CENTERLINE
 - EXISTING SUBDIVISION BOUNDARY LINE
 - EXISTING RIGHT OF WAY LINE
 - NEW LOT LINE
 - ① NEW LOT NUMBER



SAN LUIS PORT SUBDIVISION

MASTER SUBDIVISION PLAT OF A PORTION OF THE SW 1/4 OF SECTION 11, T.11S., R.24W., YUMA COUNTY, ARIZONA	SCALE: AS SHOWN DATE: DEC. 2010 DESIGNED BY: TVE DRAWING BY: RCL SURVEYED BY: RLS JOB No.: 010-07133 FILE No.: 10-0140
 Nicklaus Engineering Inc. 1851 West 24th Street P.O. Box 8029 YUMA, ARIZONA 85364 (928)344-8374 Email: nels@nlseng.com	SHEET 1 OF 17