



Resolution

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 2224

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA DECLARING ITS INTENTION TO CREATE LOS MEZQUITES LANDSCAPE IMPROVEMENT DISTRICT, TO OPERATE, MAINTAIN, REPAIR, AND IMPROVE CERTAIN LANDSCAPE IMPROVEMENTS INCLUDED WITHIN, NEAR AND ADJACENT TO THE RETENTION AND DETENTION BASINS, PARKING AND PARKWAYS, AND RELATED FACILITIES TOGETHER WITH ACCESSORY STRUCTURES SERVING THE AREA DESCRIBED AS LOS MEZQUITES SUBDIVISION, UNITS 1-4.

WHEREAS, pursuant to Title 48, Chapter 4, Article 2, Arizona Revised Statutes, a Municipal Improvement District (MID) may be formed for the sole purpose of the installation, operation, maintenance, repair, and improvements of landscape, irrigation, cluster box units, and hardscape in pedestrian malls, off-street parking facilities, retention and detention basins, and parkings and parkways;

WHEREAS, a petition has been received by Mayor and City Council of the City of San Luis to form a MID to provide installation, operation, maintenance, repair and improvements of landscape improvements including, irrigation, cluster box units, and hardscape (Landscape Improvements) within, near and adjacent to the pedestrian malls, off-street parking facilities, retention and detention basins, the parkings and parkways and related improvements in the Los Mezquites Subdivision, Units 1-4;

WHEREAS, the formation of a MID for the operation, maintenance, and repair of the landscape improvements within, near, and adjacent to retention and detention basins and the parkings and parkways and related improvements serving Los Mezquites Subdivision, Units 1-4 will provide a dedicated stream of funding for the maintenance of those improvements and will provide neighborhood decisions on those improvements, and will privatize the maintenance of those improvements;

WHEREAS, the Mayor and City Council of the City of San Luis, Arizona, find and declare that the formation of the MID to provide the operation, maintenance and repair of the landscape improvements within, near, and adjacent to the retention and detention basins and the parkings and parkways and related improvements in the Los Mezquites Subdivision, Units 1-4 to be of more than local or ordinary public benefit, and not a

general public benefit, and further that the expenses of said operation, maintenance, and repair shall be Los Mezquites Landscape Improvement District;

WHEREAS, the Mayor and City Council of the City of San Luis, Arizona, find and declare that the installation, operation, maintenance, and repair of landscaping improvements in the retention and detention basins and the parkings and parkways and related improvements in the District is incidental to the maintenance and preservation of the retention and detention basins and the parkings and parkways and related improvements, has aesthetic value and maintains and increases the value of property within the District;

WHEREAS, the Mayor and City Council of the City of San Luis, Arizona find and declare that the operation, maintenance, and repair of landscaping improvements within, near, or adjacent to the retention and detention basins and the parkings and parkways and related improvements in the MID preserves and promotes the health, safety, and welfare of those citizens living within the District as well as preservation of the streets and parkways in the District which may be adversely impacted by drainage; and,

WHEREAS, the Mayor and City Council of the City of San Luis, Arizona find and declare that the operation, maintenance, and repair of a landscaped buffer between a parkway and the adjacent developments reduce the visual and other impacts of light, air, and noise pollution and tends to increase personal and vehicular safety on the parkway and decreases the likelihood vehicular accidents will harm adjacent developments in furtherance of the health, safety, and welfare of those citizens living within the District.

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

SECTION 1: The petition to form a MID to be called Los Mezquites Landscape Improvement District for Los Mezquites Subdivision, Units 1-4 purporting to be signed by all of the real property owners within the proposed District attached as Exhibit "A" is hereby accepted as provided in A.R.S. § 48-574(C).

SECTION 2: Los Mezquites Landscape Improvement District, serving Los Mezquites Subdivision, Units 1-4 to install, operate, maintain, repair, and improve landscaping improvements included within, near, and adjacent to the retention and detention basins parkings and parkways, and related facilities together with appurtenant structures of Los Mezquites Subdivision, Units 1-4, is hereby created.

SECTION 3: The expenses of the Los Mezquites Landscape Improvement District shall be assessed to the several properties within the MID as provided for in A.R.S. § 48-574 et seq.

SECTION 4: 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 _____ day of _____, 2022.

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 MUNICIPAL IMPROVEMENT DISTRICT
BY THE CITY OF SAN LUIS**

Los Mezquites Landscape Improvement District

MID Name

Los Mezquites Subdivision, Units 1-4

Subdivision Name

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

Pursuant to Arizona Revised Statutes ("A.R.S.") §48-574, the undersigned property owners respectfully petitions the Mayor and City Council of the City of San Luis, Arizona (the "City Council") to order the formation of a Municipal Improvement District (the "District") under A.R.S., Title 48, Chapter 4, Article 2. In support of this petition, the undersigned agrees to waive certain rights under 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 193.322 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 landscape, irrigation, cluster box units, and hardscape in pedestrian malls, off-street parking facilities, retention and detention basins, parkings and parkways adjacent to designated public roadways within the proposed District.
4. **Public Convenience and Necessity.** The necessity for the proposed District is for the operation, maintenance, repair, and improvements of landscape, irrigation, cluster box units and hardscape in parkways and parkings adjacent to designated public roadways 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 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 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.

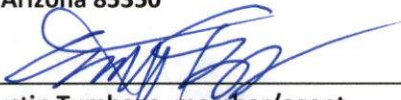
Further, the improvements described above are of more than local or ordinary public benefit, and not a general public benefit.

IN WITNESS WHEREOF, the parties have executed this Petition and Waiver Agreement as of the 22 day of July, 2022.

[SIGNATURES ON FOLLOWING PAGES]

PROPERTY OWNER	PARCEL IDENTIFICATION NUMBER
DHG LLC	77850091
DHG LLC	77850092
DHG LLC	77850093
DHG LLC	77850094
DHG LLC	77850095
DHG LLC	77850096
DHG LLC	77850100
DHG LLC	77850101
DHG LLC	77850102
DHG LLC	77850103
DHG LLC	77850104
DHG LLC	77850107
DHG LLC	77850108
DHG LLC	77850109
DHG LLC	77850110
DHG LLC	77850115
DHG LLC	77850116
DHG LLC	77850117
DHG LLC	77850118
DHG LLC	77850119

DHG LLC
1670 W. Main Street
Somerton, Arizona 85350

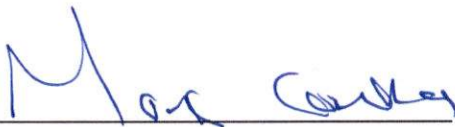
By: 
Agustin Tumbaga, member/agent

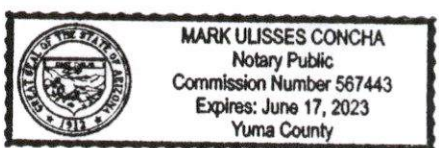
7/27/22
Date

STATE OF ARIZONA)
)ss.
County of Yuma)

The foregoing acknowledged before me this 22 day of July, 2022 by Agustin Tumbaga, Member/Agent of DHG LLC, an Arizona Limited Liability Corporation, on behalf of said Corporation.

My Commission Expires
June 17, 2023


Notary Public



PROPERTY OWNER	PARCEL IDENTIFICATION NUMBER
KNAM & D CONSTRUCTION LLC	77850156
KNAM & D CONSTRUCTION LLC	77850157
KNAM & D CONSTRUCTION LLC	77850158
KNAM & D CONSTRUCTION LLC	77850159
KNAM & D CONSTRUCTION LLC	77850160
KNAM & D CONSTRUCTION LLC	77850161
KNAM & D CONSTRUCTION LLC	77850162
KNAM & D CONSTRUCTION LLC	77850163
KNAM & D CONSTRUCTION LLC	77850164
KNAM & D CONSTRUCTION LLC	77850165

KNAM & D CONSTRUCTION LLC

P.O. Box 2865

San Luis, Arizona 85349

By: [Signature]
Fabian Lozano, member/agent

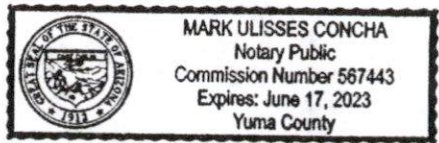
7/22/22
Date

STATE OF ARIZONA)
)ss.
County of Yuma)

The foregoing acknowledged before me this 22 day of July, 2022 by Fabian Lozano, Member/Agent of KNAM & D CONSTRUCTION LLC, an Arizona Limited Liability Corporation, on behalf of said Corporation.

My Commission Expires
June 17, 2023

[Signature: Mark Concha]
Notary Public



PROPERTY OWNER	PARCEL IDENTIFICATION NUMBER
RIEDEL HOLDINGS LLC	77850046
RIEDEL HOLDINGS LLC	22711004
RIEDEL HOLDINGS LLC	22711011
RIEDEL HOLDINGS LLC	77849001
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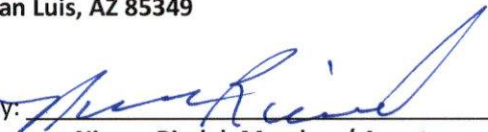
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RIEDEL HOLDINGS LLC	77850180

RIEDEL HOLDING, LLC
950 Juan Sanchez Blvd Suite 6
San Luis, AZ 85349

By: 
Nieves Riedel, Member / Agent

7/22/22
Date

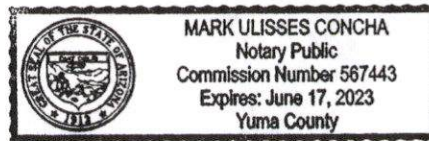
STATE OF ARIZONA)
)ss.
County of Yuma)

The foregoing acknowledged before me this 22 day of July, 2022 by Nieves Garcia Riedel, Member of Riedel Holdings LLC, an Arizona Limited Liability Corporation, on behalf of said Corporation.

My Commission Expires

June 17, 2023


Notary Public



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

