

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

CC: 7C  
Amend No. \_\_\_\_\_

Date Prepared: January 4, 2011

Council Meeting Date: February 1, 2011

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**TO:** Carl Swenson, City Manager  
**THROUGH:** Susan Daluddung, Deputy City Manager  
**FROM:** Scott Whyte, Economic Development Services Director  
**SUBJECT:** Maintenance Improvement District No. 1108, Vistancia Parcel C12, Vistancia Blvd and Trilogy Blvd

**RECOMMENDATION:**

Discussion and possible action to approve the Petition for Formation and adopt the Resolution of Intention and Resolution Ordering the Improvements for the proposed Maintenance Improvement District No. 1108, Vistancia Parcel C12, located at Vistancia Blvd and Trilogy Blvd.

**SUMMARY:**

Pursuant to the provision of A.R.S. § 48-574, *et. seq.*, Mayor and Council are empowered to adopt a Resolution Ordering the Improvements for formation of a Maintenance Improvement District. A Petition and Resolution of Intention are attached for formation of City of Peoria Maintenance Improvement District No. 1108, Vistancia Parcel C12, located at Vistancia Blvd and Trilogy Blvd. In this special situation, in which all the property owners have presented a Petition for Formation, the ordinary publication and protest period are not required by law, and Council may then adopt a Resolution Ordering the Improvements when necessary, once the Resolution of Intention is first adopted. The Resolution Ordering the Improvements finalizes the formation of the Maintenance Improvement District process.

- 
- Consent Agenda
  - Carry Over to Date: \_\_\_\_\_
  - Approved
  - Unfinished Business (Date heard previous: \_\_\_\_\_)
  - New Business
  - Public Hearing: No Action Taken

ORD. # \_\_\_\_\_ RES. # \_\_\_\_\_  
LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

Council Communication  
MID 1108 – Vistancia Parcel C12  
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This action allows Council to direct City staff to assume maintenance responsibility if the Homeowner's Association fails. Maintenance includes landscape, irrigation, and drainage facilities, located adjacent to and within the public rights-of-way and common area tracts. The cost for the maintenance will be assessed on the respective owner's property tax bill within the Boundary Map (see Exhibit B) in accordance with the Arizona State Law.

**ATTACHMENTS:**

1. Petition for Formation
2. Proposed Resolution of Intention to Create
3. Proposed Resolution Declaring Intention to Order

**CONTACT:**

Traci Varland, Engineering Technician II, X7612

**PETITION, WAIVER AND CONSENT TO FORMATION  
OF A MUNICIPAL IMPROVEMENT DISTRICT  
BY THE CITY OF PEORIA**

[ 1108 ]

**MID#**

TRILOGY AT VISTANCIA PARCEL C12

**Subdivision Name**

To: Honorable Mayor and Council  
City of Peoria, Arizona

Pursuant to Arizona Revised Statutes, Section 48-574, the undersigned property owner respectfully petitions the City Council of the City of Peoria, Arizona (City Council) to order the formation of a Municipal Parkway 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 on Exhibit "A" that is attached hereto and incorporated herein by reference. The proposed district consists of 118.9613 acres and is entirely within the corporate boundaries of the City of Peoria.
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 for landscape maintenance adjacent to designated public roadways and parkways within the proposed district and drainage and retention within each proposed district.
4. Public Convenience and Necessity. The necessity for the proposed district is for the operation, maintenance, repair and improvements for landscape maintenance adjacent to designated streets and parkways 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 the acts or proceedings resulting in the adoption of the Resolution of Intention and the Resolution Ordering the Work;
  - (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 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 6<sup>th</sup> day of DECEMBER 2010.

<p>Vistancia South LLC          _____          Print Property Owner Name</p> <p>Print Name          6720 N. Scottsdale Rd., Ste 160          Address Scottsdale, AZ 85213          _____          Signature</p>	<p>Date:   <u>12/6/10</u></p>	<p>Property (Tax Parcel Numbers)          503-89-961-G          510-04-639-F          503-89-007-Z          510-03-762-A          503-89-953-A          503-97-959          503-97-958</p>
<p>Vistancia South LLC          _____          Print Property Owner Name</p> <p>Print Name          6720 N. Scottsdale Rd., Ste 160          Address Scottsdale, AZ 85213          _____          Signature</p>	<p>Date:   <u>12/6/10</u></p>	<p>Property (Tax Parcel Numbers)          503-97-957          503-89-951-A          503-89-007-X          503-89-007-W          503-89-007-V          510-01-429          510-01-431          510-01-430-F</p>

Accepted and approved by:

CITY OF PEORIA, ARIZONA, an  
 ARIZONA MUNICIPAL CORPORATION

ATTEST:

By \_\_\_\_\_  
 Bob Barrett, Mayor

\_\_\_\_\_  
 City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
 Stephen M. Kemp, City Attorney

RESOLUTION NO. 2011-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO MAINTAIN LANDSCAPING INCLUDED WITHIN, NEAR AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, FOR MAINTENANCE WITHIN AN AREA IN THE CITY OF PEORIA AS DESCRIBED HEREIN; ADOPTING PLANS FOR CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1108, VISTANCIA PARCEL C12, AS MORE PARTICULARLY DESCRIBED HEREIN, AND DECLARING THE WORK OR IMPROVEMENT TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT, AND THAT THE COST OF SAID WORK OR IMPROVEMENT SHALL BE ASSESSED UPON A CERTAIN DISTRICT, AND PROVIDING THAT THE PROPOSED WORK OR IMPROVEMENT SHALL BE PERFORMED UNDER ARIZONA REVISED STATUTES TITLE 48, CHAPTER 4, ARTICLE 2, AND AMENDMENTS THERETO AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Council of the City of Peoria, Arizona, declare that the Maintenance of the landscaping included within, near and adjacent to a parkway and related facilities in the District to be of more than local or ordinary public benefit, and further that the cost of said maintenance shall be assessed on a certain District; and

WHEREAS, the Mayor and Council of the City of Peoria, Arizona, declare that the maintenance of landscaping included within, near, and adjacent to a parkway and related facilities in the District is incidental to the maintenance and preservation of the parkway and related facilities, has aesthetic value, and maintains and increases the value of property within the District; and

WHEREAS, the City Council declares that the maintenance of landscaping included within and adjacent to a parkway and related facilities preserves and promotes the health, safety, and welfare of those citizens of the City of Peoria living within the District as well as preservation of the streets and parkways which may be adversely impacted by drainage and other water formations; and

WHEREAS, the City of Peoria declares that the maintenance of a landscaped buffer between a parkway and the adjacent developments reduces the visual and other impact 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 of the City living within the District; and

WHEREAS, the City Council declares that maintenance of landscaped drainage and other water control facilities and features within, near or adjacent to a parkway and related facilities tends to preserve the structural integrity of the parkway and mitigates flooding of adjacent areas and the structural integrity of the parkway and mitigates flooding of adjacent areas and the parkway by draining water to and from the parkway in furtherance of the health, safety and welfare of those citizens of the City of Peoria living within the District:

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF PEORIA AS FOLLOWS:

**Section 1. Definitions.**

In this Resolution, the following terms shall have the following meanings:

"Assessment Diagrams" shall mean those duplicate diagrams of the property contained in the Assessment District is to be filed with the Clerk and approved by the Mayor and Council.

"Assessment District" shall mean the lots, pieces or parcels of land lying within the boundaries described on Exhibit B attached hereto and as shown on the map on file with the City Engineer.

"City" shall mean the City of Peoria, Arizona.

"City Council" or "Council" shall mean the Mayor and Council of the City.

"Clerk" shall mean the City Clerk.

"Engineer" shall mean City Engineer.

"Lots" shall mean all lots, pieces or parcels of land lying within the Assessment District.

"Parkways" shall mean those streets and rights-of-way which are designated in Exhibit B as "Parkways," and specifically those portions of Pedestrian Facilities, Parks, Retention, Detention and Storm Water Management Facilities included within or adjacent to the Assessment District.

"Plans and Specifications" shall mean the engineer's estimate for the Maintenance Improvement District No. 1108 filed with the Clerk prior to the adoption of this Resolution.

"Superintendent of Streets" shall mean the City Engineer.

**Section 2. Declaration of Intention to Order an Improvement.**

The public interest or convenience requires, and it is the intention of the Mayor and Council of the City of Peoria, Arizona, to order the following work, hereinafter "Work," to be performed, to wit:

The maintenance of all landscaping, including replacement of landscape materials, in the area generally described as follows:

SEE EXHIBIT "A", LEGAL DESCRIPTION OF CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1108

The Mayor and Council of the City of Peoria, Arizona designate as parkways, those areas set forth on Exhibit "B" Assessment Diagram in accordance with Title 48, Chapter 4, Article 2, Arizona Revised Statutes. The public interest and convenience require, and it is the intention of the City Council to order the Work adjacent to the designated parkways to be performed as stated herein. All items of the Work shall be performed as prescribed by the Plans and Specifications hereby

approved and adopted by the Council and on file in the Office of the City Engineer and no assessment for any lot shall exceed its proportion of the Estimate. The estimate of the cost and expenses of the work or improvements on file in the offices of the Superintendent of Streets and the Clerk of the City are hereby approved and adopted by the Mayor and Council of the City. In addition to the requirements of law, the procedures set forth in the City Code will be followed regarding acceptance of bids and setting tax levies. For purposes of this Resolution and of all resolutions, ordinances and notices pertaining to this Resolution, the improvement as herein described is hereby designated City of Peoria Maintenance Improvement District No. 1108.

**Section 3. Determination of Need.**

In the opinion of the City Council, the Work is of more than local or ordinary public benefit. The City Council hereby orders that all amounts due or to become due with respect to the Work shall be chargeable upon the respective lots, pieces and parcels of land within the Assessment District.

**Section 4. Preparation of Assessment Diagrams.**

The City Engineer is hereby authorized and directed to prepare duplicate diagrams (Assessment Diagrams) of the property contained within the Assessment District. The diagrams shall show each separate lot, numbered consecutively, the approximate area in square feet of each lot, and the location of the lot in relation to the work proposed to be done.

**Section 5. Exclusion of Certain Property.**

Any public street or alley within the boundaries of the Assessment District is hereby omitted from the assessment hereafter to be made. Any lot belonging to the United States, the State, a county, city, school district or any political subdivision or institution of the State or county, which is included within the Assessment District shall be omitted from the assessment hereafter made.

**Section 6. Officers Not Liable.**

In no event will the City of Peoria or any officer thereof be liable for any portion of the cost of said Improvement District nor for any delinquency of persons or property assessed.

**Section 7. Annual Statement.**

The City Council shall make annual statements and estimates of the expenses of the District which shall be provided for by the levy and collection of ad valorem taxes upon the assessed value of all real and personal property in the District as provided in A.R.S. § 48-574 and amendments thereto.

**Section 8. Statutory Authority.**

The Work and all proceedings pertaining thereto shall be performed under the provisions of Title 48, Article 2, specifically Section 48-574, and all amendments thereto and pursuant to Article I, Section 3, (8) of the Peoria City Charter.

**Section 9. Delegation of Authority.**

The City Engineer is hereby authorized to fill in any blanks and to make any minor corrections necessary to complete the Plans and Specifications and the Contract Documents.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 1<sup>st</sup> day of February, 2011.

\_\_\_\_\_  
Bob Barrett, Mayor

ATTEST:

\_\_\_\_\_  
Wanda Nelson, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Stephen M. Kemp, City Attorney

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CERTIFICATION OF CITY ENGINEER

I hereby certify that I have read the description set out under the definition "Assessment District" and approve the same. I further certify that I have read the description set out under the definition "Work" and approve the same.

\_\_\_\_\_  
Andrew Granger, Engineering Director

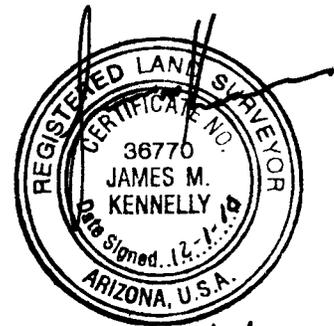
CERTIFICATION OF CITY CLERK

I hereby certify that the above and foregoing Resolution No. 2011-13 duly passed by the Mayor and Council of the City of Peoria, Arizona at a special meeting held on February 1, 2011 and that a quorum was present there and that the vote thereon was \_\_\_\_\_ ayes and \_\_\_\_\_ nays. \_\_\_\_\_ were no vote or absent.

\_\_\_\_\_  
City Clerk, City of Peoria

EXHIBIT A

December 01, 2010  
Vistancia South, LLC  
Parcel C12 MID  
Boundary  
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EXPIRES 09/30/13

**LEGAL DESCRIPTION**

A parcel of land lying within the South Half of Section 26 and the North Half of Section 35, Township 5 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, City of Peoria, Arizona, more particularly described as follows:

Commencing at the west quarter corner of said Section 26 (rebar) from which point the southwest corner (GLO brass cap) thereof bears S 00°16'42" W a distance of 2639.44 feet;

Thence S 67°43'14" E a distance of 2314.31 feet to the POINT OF BEGINNING;

Thence N 81°32'18" E a distance of 56.03 feet;

Thence N 43°55'35" E a distance of 116.45 feet;

Thence N 87°28'58" E a distance of 152.09 feet;

Thence N 88°20'52" E a distance of 98.36 feet;

Thence S 58°35'44" E a distance of 131.35 feet;

Thence S 62°17'19" E a distance of 60.08 feet;

Thence S 64°46'23" E a distance of 50.23 feet;

Thence S 73°33'12" E a distance of 238.63 feet;

Thence S 69°30'19" E a distance of 90.32 feet;

Thence N 20°29'41" E a distance of 306.71 feet;

Thence N 39°21'10" E a distance of 184.77 feet;

Thence N 33°38'52" E a distance of 510.25 feet, to the beginning of a non-tangent curve to the left, from which point the radius point bears N 33°38'52" E;

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Thence 304.13 feet along the arc of said curve to the left, having a radius of 3000.00 feet, through a central angle of 05°48'30", and a chord bearing S 59°15'23" E;

Thence S 62°09'38" E a distance of 342.02 feet;

Thence 438.64 feet along the arc of a curve to the right, having a radius of 7000.00 feet, through a central angle of 03°35'25", and a chord bearing S 60°21'55" E;

Thence 57.01 feet along the arc of a curve to the right, having a radius of 7000.00 feet, through a central angle of 00°28'00", and a chord bearing S 58°20'13" E;

Thence S 30°41'28" W a distance of 248.77 feet;

Thence 153.26 feet along the arc of a curve to the right, having a radius of 376.00 feet, through a central angle of 23°21'14", and a chord bearing S 42°22'05" W;

Thence S 54°02'42" W a distance of 111.08 feet;

Thence 152.53 feet along the arc of a curve to the left, having a radius of 218.00 feet, through a central angle of 40°05'20", and a chord bearing S 34°00'02" W;

Thence S 13°57'22" W a distance of 260.58 feet;

Thence 219.67 feet along the arc of a curve to the left, having a radius of 518.00 feet, through a central angle of 24°17'51", and a chord bearing S 01°48'27" W;

Thence 24.64 feet along the arc of a curve to the left, having a radius of 14.00 feet, through a central angle of 100°49'48", and a chord bearing S 60°45'22" E;

Thence S 21°10'16" E a distance of 37.50 feet;

Thence S 68°49'44" W a distance of 8.91 feet;

Thence S 21°10'16" E a distance of 37.50 feet, to the beginning of a non-tangent curve to the left, from which point the radius point bears S 21°10'16" E;

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Thence 22.22 feet along the arc of said curve to the left, having a radius of 14.00 feet, through a central angle of  $90^{\circ}56'37''$ , and a chord bearing  $S 23^{\circ}21'25'' W$ ;

Thence 106.99 feet along the arc of a curve to the left, having a radius of 518.00 feet, through a central angle of  $11^{\circ}50'02''$ , and a chord bearing  $S 28^{\circ}01'55'' E$ ;

Thence 535.70 feet along the arc of a curve to the right, having a radius of 542.00 feet, through a central angle of  $56^{\circ}37'48''$ , and a chord bearing  $S 05^{\circ}38'02'' E$ ;

Thence 308.15 feet along the arc of a curve to the left, having a radius of 433.00 feet, through a central angle of  $40^{\circ}46'29''$ , and a chord bearing  $S 02^{\circ}17'38'' W$ ;

Thence 530.40 feet along the arc of a curve to the right, having a radius of 497.00 feet, through a central angle of  $61^{\circ}08'48''$ , and a chord bearing  $S 12^{\circ}28'47'' W$ ;

Thence 20.28 feet along the arc of a curve to the left, having a radius of 14.00 feet, through a central angle of  $83^{\circ}01'03''$ , and a chord bearing  $S 01^{\circ}32'40'' W$ ;

Thence  $S 39^{\circ}57'51'' E$  a distance of 5.67 feet;

Thence  $S 50^{\circ}02'09'' W$  a distance of 37.50 feet;

Thence  $S 39^{\circ}57'51'' E$  a distance of 0.45 feet;

Thence  $S 50^{\circ}02'09'' W$  a distance of 37.50 feet;

Thence  $N 39^{\circ}57'51'' W$  a distance of 3.97 feet;

Thence 20.87 feet along the arc of a curve to the left, having a radius of 14.00 feet, through a central angle of  $85^{\circ}24'42''$ , and a chord bearing  $N 82^{\circ}40'12'' W$ ;

Thence 157.06 feet along the arc of a curve to the right, having a radius of 497.00 feet, through a central angle of  $18^{\circ}06'24''$ , and a chord bearing  $S 63^{\circ}40'40'' W$ ;

Thence  $S 72^{\circ}43'52'' W$  a distance of 103.65 feet;

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Thence 69.38 feet along the arc of a curve to the left, having a radius of 768.00 feet, through a central angle of  $05^{\circ}10'34''$ , and a chord bearing  $S 70^{\circ}08'35'' W$ ;

Thence  $S 67^{\circ}33'18'' W$  a distance of 123.01 feet;

Thence  $S 22^{\circ}32'48'' W$  a distance of 19.80 feet;

Thence  $S 67^{\circ}33'17'' W$  a distance of 94.63 feet;

Thence  $N 22^{\circ}26'42'' W$  a distance of 64.00 feet;

Thence  $S 67^{\circ}33'18'' W$  a distance of 336.25 feet;

Thence  $N 22^{\circ}26'42'' W$  a distance of 50.00 feet;

Thence  $N 06^{\circ}07'55'' W$  a distance of 429.48 feet;

Thence  $N 16^{\circ}14'10'' W$  a distance of 343.44 feet;

Thence  $N 38^{\circ}25'43'' W$  a distance of 324.79 feet;

Thence  $S 85^{\circ}00'43'' W$  a distance of 36.69 feet;

Thence  $S 65^{\circ}31'41'' W$  a distance of 84.25 feet;

Thence  $N 69^{\circ}08'03'' W$  a distance of 34.92 feet;

Thence  $S 85^{\circ}27'48'' W$  a distance of 73.53 feet;

Thence  $S 50^{\circ}16'49'' W$  a distance of 75.21 feet;

Thence  $S 87^{\circ}58'15'' W$  a distance of 156.28 feet;

Thence  $S 72^{\circ}27'33'' W$  a distance of 138.33 feet;

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Thence S 19°49'30" W a distance of 86.78 feet;

Thence S 84°55'48" W a distance of 69.85 feet;

Thence N 49°09'31" W a distance of 63.29 feet;

Thence S 76°53'15" W a distance of 101.69 feet, to the beginning of a non-tangent curve to the left, from which point the radius point bears N 87°27'30" E;

Thence 6.64 feet along the arc of said curve to the left, having a radius of 770.00 feet, through a central angle of 00°29'40", and a chord bearing S 02°47'20" E;

Thence N 03°02'09" W a distance of 270.06 feet;

Thence S 86°57'51" W a distance of 50.00 feet;

Thence N 03°02'09" W a distance of 12.89 feet;

Thence 354.95 feet along the arc of a curve to the right, having a radius of 950.00 feet, through a central angle of 21°24'26", and a chord bearing N 07°40'04" E;

Thence N 18°22'17" E a distance of 277.24 feet;

Thence 936.65 feet along the arc of a curve to the left, having a radius of 2000.00 feet, through a central angle of 26°49'59", and a chord bearing N 04°57'18" E, to the POINT OF BEGINNING.

Said Description contains 118.9613 acres, more or less, including any easements of record.

The basis of bearing for the above described parcel is S 00°12'41" W for the east line of the Southwest Quarter of Section 26, Township 5 North, Range 1 West of the Gila & Salt River Meridian, Maricopa County, City of Peoria, Arizona, as shown on an Amended Results of Survey, recorded in Book 632, Page 24, Maricopa County Records.

**Resolution No. 2011- 13**

**EXHIBIT "B"**

**IS ON FILE IN THE**

**CITY OF PEORIA**

**CITY CLERK'S OFFICE**



EXHIBIT B

**LEGAL DESCRIPTION**

A PARCEL OF LAND LYING WITHIN THE SOUTH HALF OF SECTION 26 AND THE NORTH HALF OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE 6TH & 5TH MERIDIAN, MARICOPA COUNTY, CITY OF PEORIA, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 26 (REBAR) FROM WHICH POINT THE SOUTHWEST CORNER (OLD BRASS CAP) THEREOF BEARS S 00°16'42" W A DISTANCE OF 263.94 FEET;

- THENCE S 67°43'14" E A DISTANCE OF 2314.31 FEET TO THE POINT OF BEGINNING;
- THENCE N 81°32'16" E A DISTANCE OF 56.03 FEET;
- THENCE N 43°55'35" E A DISTANCE OF 116.45 FEET;
- THENCE N 87°28'58" E A DISTANCE OF 152.08 FEET;
- THENCE N 86°20'52" E A DISTANCE OF 98.38 FEET;
- THENCE S 56°35'44" E A DISTANCE OF 131.35 FEET;
- THENCE S 62°17'19" E A DISTANCE OF 60.08 FEET;
- THENCE S 64°46'23" E A DISTANCE OF 50.23 FEET;
- THENCE S 73°33'12" E A DISTANCE OF 238.63 FEET;
- THENCE S 69°30'19" E A DISTANCE OF 90.32 FEET;
- THENCE N 20°29'41" E A DISTANCE OF 308.71 FEET;
- THENCE N 39°21'10" E A DISTANCE OF 184.77 FEET;
- THENCE N 32°56'32" E A DISTANCE OF 510.25 FEET, TO THE BEGINNING OF A CURVE TO THE LEFT, FROM WHICH POINT THE RADIUS POINT BEARS N 32°56'32" E;
- THENCE 50.13 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 300.00 FEET, THROUGH A CENTRAL ANGLE OF 0°48'30", AND A CHORD BEARING S 59°12'33" E;
- THENCE S 62°09'58" E A DISTANCE OF 342.02 FEET;
- THENCE 438.64 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 0°35'25", AND A CHORD BEARING S 62°15'57" E;
- THENCE 57.43 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET, THROUGH A CENTRAL ANGLE OF 0°28'30", AND A CHORD BEARING S 58°20'13" E;
- THENCE S 30°41'28" W A DISTANCE OF 248.77 FEET;
- THENCE 153.28 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 0°35'11", AND A CHORD BEARING S 42°22'02" W;
- THENCE S 54°02'42" W A DISTANCE OF 111.08 FEET;
- THENCE 132.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 210.00 FEET, THROUGH A CENTRAL ANGLE OF 4°00'30", AND A CHORD BEARING S 34°00'24" W;
- THENCE S 13°57'22" W A DISTANCE OF 260.56 FEET;
- THENCE 218.87 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 510.00 FEET, THROUGH A CENTRAL ANGLE OF 3°17'51", AND A CHORD BEARING S 0°14'28" W;
- THENCE 24.64 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 14.00 FEET, THROUGH A CENTRAL ANGLE OF 103°16'46", AND A CHORD BEARING S 0°16'24" E;
- THENCE S 21°10'16" E A DISTANCE OF 37.50 FEET;
- THENCE S 88°48'44" W A DISTANCE OF 6.91 FEET;
- THENCE S 21°10'16" E A DISTANCE OF 37.50 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, FROM WHICH POINT THE RADIUS POINT BEARS S 23°12'25" W;
- THENCE 22.25 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 80°26'57", AND A CHORD BEARING S 23°12'25" W;
- THENCE 108.89 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 510.00 FEET, THROUGH A CENTRAL ANGLE OF 11°50'02", AND A CHORD BEARING S 28°10'55" E;
- THENCE 535.70 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 542.00 FEET, THROUGH A CENTRAL ANGLE OF 56°37'48", AND A CHORD BEARING S 05°38'02" E;
- THENCE 308.15 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 433.00 FEET, THROUGH A CENTRAL ANGLE OF 4°40'49", AND A CHORD BEARING S 02°17'38" W;
- THENCE 530.40 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 510.00 FEET, THROUGH A CENTRAL ANGLE OF 0°18'49", AND A CHORD BEARING S 12°28'47" W;
- THENCE 105.98 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 14.00 FEET, THROUGH A CENTRAL ANGLE OF 83°10'03", AND A CHORD BEARING S 01°32'40" W;
- THENCE S 39°37'51" E A DISTANCE OF 5.67 FEET;
- THENCE S 90°22'09" W A DISTANCE OF 37.50 FEET;
- THENCE S 39°57'51" E A DISTANCE OF 0.45 FEET;
- THENCE S 50°02'09" W A DISTANCE OF 37.50 FEET;

**LEGAL DESCRIPTION CONTINUED**

- THENCE N 39°57'51" W A DISTANCE OF 3.97 FEET;
- THENCE 20.87 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 14.00 FEET, THROUGH A CENTRAL ANGLE OF 85°24'42", AND A CHORD BEARING S 87°40'12" W;
- THENCE 157.06 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 49.99 FEET, THROUGH A CENTRAL ANGLE OF 108°24', AND A CHORD BEARING S 63°40'49" W;
- THENCE S 72°43'52" W A DISTANCE OF 103.85 FEET;
- THENCE 68.36 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 786.00 FEET, THROUGH A CENTRAL ANGLE OF 05°10'34", AND A CHORD BEARING S 70°08'35" W;
- THENCE S 67°33'18" W A DISTANCE OF 123.01 FEET;
- THENCE S 22°32'48" W A DISTANCE OF 18.80 FEET;
- THENCE S 67°33'17" W A DISTANCE OF 94.63 FEET;
- THENCE N 22°28'42" W A DISTANCE OF 64.00 FEET;
- THENCE S 67°33'18" W A DISTANCE OF 336.25 FEET;
- THENCE N 22°28'42" W A DISTANCE OF 50.00 FEET;
- THENCE N 08°07'55" W A DISTANCE OF 428.48 FEET;
- THENCE N 16°14'10" W A DISTANCE OF 343.44 FEET;
- THENCE N 38°29'43" W A DISTANCE OF 324.79 FEET;
- THENCE S 83°04'37" W A DISTANCE OF 38.89 FEET;
- THENCE S 65°31'41" W A DISTANCE OF 84.25 FEET;
- THENCE N 69°02'03" W A DISTANCE OF 74.53 FEET;
- THENCE S 89°57'48" W A DISTANCE OF 73.53 FEET;
- THENCE S 50°16'49" W A DISTANCE OF 75.21 FEET;
- THENCE S 87°58'15" W A DISTANCE OF 156.28 FEET;
- THENCE S 72°27'33" W A DISTANCE OF 138.33 FEET;
- THENCE S 19°49'30" W A DISTANCE OF 86.78 FEET;
- THENCE S 84°55'48" W A DISTANCE OF 69.85 FEET;
- THENCE N 49°28'31" W A DISTANCE OF 63.28 FEET;
- THENCE S 28°53'14" W A DISTANCE OF 101.68 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, FROM WHICH POINT THE RADIUS POINT BEARS N 67°27'30" E;
- THENCE 6.84 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 770.00 FEET, THROUGH A CENTRAL ANGLE OF 0°29'40", AND A CHORD BEARING S 02°47'20" E;
- THENCE N 03°02'09" W A DISTANCE OF 270.06 FEET;
- THENCE S 89°57'51" W A DISTANCE OF 50.00 FEET;
- THENCE N 03°02'09" W A DISTANCE OF 12.89 FEET;
- THENCE 354.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 550.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'28", AND A CHORD BEARING N 07°40'04" E;
- THENCE N 18°22'17" E A DISTANCE OF 277.24 FEET;
- THENCE 936.65 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2000.00 FEET, THROUGH A CENTRAL ANGLE OF 26°48'59", AND A CHORD BEARING N 04°57'18" E, TO THE POINT OF BEGINNING.

SAID DESCRIPTION CONTAINS 118.9613 ACRES, MORE OR LESS, INCLUDING ANY EASEMENTS OF RECORD.

**BASIS OF BEARING**

THE BASIS OF BEARING FOR THE ABOVE DESCRIBED PARCEL IS S 00°12'41" W FOR THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE 6TH & 5TH MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN ON AN AMENDED RESULTS OF SURVEY, RECORDED IN BOOK 632, PAGE 24, MARICOPA COUNTY RECORDS.

CURVE	BEGINNING	END	LENGTH
1	181°32'16"	56.03	56.03
2	43°55'35"	116.45	116.45
3	87°28'58"	152.08	152.08
4	86°20'52"	98.38	98.38
5	56°35'44"	131.35	131.35
6	62°17'19"	60.08	60.08
7	64°46'23"	50.23	50.23
8	73°33'12"	238.63	238.63
9	69°30'19"	90.32	90.32
10	20°29'41"	308.71	308.71
11	39°21'10"	184.77	184.77
12	32°56'32"	510.25	510.25
13	32°56'32"	300.00	300.00
14	0°48'30"	50.13	50.13
15	59°12'33"	342.02	342.02
16	62°09'58"	74.53	74.53
17	65°31'41"	84.25	84.25
18	69°02'03"	74.53	74.53
19	89°57'48"	73.53	73.53
20	50°16'49"	75.21	75.21
21	87°58'15"	156.28	156.28
22	72°27'33"	138.33	138.33
23	19°49'30"	86.78	86.78
24	84°55'48"	69.85	69.85
25	49°28'31"	63.28	63.28
26	28°53'14"	101.68	101.68
27	67°27'30"	6.84	6.84
28	0°29'40"	770.00	770.00
29	18°22'17"	277.24	277.24
30	93°6'5"	2000.00	2000.00
31	4°57'18"	118.96	118.96

CURVE	BEGINNING	END	LENGTH
1	181°32'16"	56.03	56.03
2	43°55'35"	116.45	116.45
3	87°28'58"	152.08	152.08
4	86°20'52"	98.38	98.38
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8	73°33'12"	238.63	238.63
9	69°30'19"	90.32	90.32
10	20°29'41"	308.71	308.71
11	39°21'10"	184.77	184.77
12	32°56'32"	510.25	510.25
13	32°56'32"	300.00	300.00
14	0°48'30"	50.13	50.13
15	59°12'33"	342.02	342.02
16	62°09'58"	74.53	74.53
17	65°31'41"	84.25	84.25
18	69°02'03"	74.53	74.53
19	89°57'48"	73.53	73.53
20	50°16'49"	75.21	75.21
21	87°58'15"	156.28	156.28
22	72°27'33"	138.33	138.33
23	19°49'30"	86.78	86.78
24	84°55'48"	69.85	69.85
25	49°28'31"	63.28	63.28
26	28°53'14"	101.68	101.68
27	67°27'30"	6.84	6.84
28	0°29'40"	770.00	770.00
29	18°22'17"	277.24	277.24
30	93°6'5"	2000.00	2000.00
31	4°57'18"	118.96	118.96



CITY OF PEORIA  
1901 East Commercial Street, Peoria, AZ 85301  
800-762-8888 Fax: 520-345-2222

City of Peoria  
City Engineer  
CITY ENGINEER'S OFFICE  
1008 EAST COMMERCIAL STREET, PEORIA, ARIZONA 85301

DATE: 10/27/11 SHEET: 2 OF 2

PROJECT: 10848

DESIGNED: SAM  
CHECKED: SAM  
APPROVED: GJM

Resolution No. 2011- 13  
MID 1108 – Vistancia Parcel C12  
February 1, 2011  
Page 9 of 10 Pages

**CITY OF PEORIA, ARIZONA**

**NOTICE**

OF THE PASSAGE OF A RESOLUTION ORDERING THE IMPROVEMENT CONSISTING OF AUTHORIZING THE MAINTENANCE OF LANDSCAPING INCLUDED WITHIN, NEAR, AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITHIN APPURTENANT STRUCTURES AS SHOWN ON THE PLANS FOR THE IMPROVEMENT DISTRICT KNOWN AS CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1108, VISTANCIA PARCEL C12.

This notice is given pursuant to the provisions of Title 48, Chapter 4, Article 2, Sections 48-571 to 48-619, both inclusive, Arizona Revised Statutes, as amended.

On the 1<sup>st</sup> day of February 2011 the Mayor and Council of the City of Peoria adopted Resolution No. 2011-14; ordering the improvements of maintaining landscaping included within, near, and adjacent to a parkway and related facilities together within appurtenant structures shown on the plans, within the corporate limits of the City and creating an Improvement District known as the City of Peoria Maintenance Improvement District No. 1108, pursuant to Title 48, Chapter 4, Arizona Revised Statutes; and amendments thereto for the purpose of maintaining landscaping included within, near, and adjacent to a parkway and related facilities together within appurtenant structures, which includes a charge for the maintenance of landscaping and other related items, together with all appurtenant structures as shown on the plans; and directing that this notice been given.

Any owner, or any other person having an interest in any lot, piece or parcel of land situated within the above-described assessment district, who claims that any of the provisions, acts or proceedings relative to the above described improvements are irregular, defective, illegal, erroneous or faulty, may file with the City Clerk, Room 150, 8401 West Monroe Street, Peoria, Arizona 85345, within 15 days from the date of the first publication of this notice, a written notice specifying in what way said acts or proceedings are irregular, defective, illegal, erroneous or faulty.

Further information concerning City of Peoria Maintenance Improvement District No. 1108 may be obtained by contacting Mr. Andrew Granger, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7367.

Resolution No. 2011- 13  
MID 1108 – Vistancia Parcel C12  
February 1, 2011  
Page 10 of 10 Pages

DATED AND SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

---

Andrew Granger  
Acting Superintendent of Streets  
City of Peoria, Arizona

RESOLUTION NO. 2011- 14

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE IMPROVEMENTS OF A CERTAIN AREA WITHIN THE CORPORATE LIMITS OF THE CITY AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1108, VISTANCIA PARCEL C12; PROVIDING THAT THE COST OF THE MAINTENANCE OF THE LANDSCAPING INCLUDED WITHIN, NEAR, AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, SHALL BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, THAT:

SECTION 1. The public interest or convenience require and it is the intention of the Mayor and Council of the City of Peoria, Arizona to order the maintenance of landscaping within the proposed district and that the cost of maintaining landscaping included within, near, and adjacent to a parkway and related facilities together with appurtenant structures be assessed upon a certain improvement district to be known as Peoria Maintenance Improvement District No. 1108.

The estimate of the cost and expenses for the maintenance of the landscaping on file with the Superintendent of Streets and the City Clerk is approved and adopted by the Mayor and Council of the City.

SECTION 2. The maintenance of the landscaping, therefore, in the opinion of the Mayor and Council of the City, are of more than local or ordinary public benefit, and are of special benefit to the respective lots, pieces and parcels of land within the real property described herein. The Mayor and Council of the City make and order that the cost and expense for the maintenance of the landscaping included within, near, and adjacent to a parkway and related facilities together with appurtenant structures be chargeable upon a district to be known and designated as the City of

Resolution No. 2011- 14  
MID 1108 – Vistancia Parcel C12  
February 1, 2011  
Page 2 of 5 Pages

Peoria Maintenance Improvement District No. 1108 and as described and bounded as set forth on Exhibits A and B attached, and declare that the district in the City benefited by the maintenance of landscaping included within, near, and adjacent to a parkway and related facilities together with appurtenant structures to be assessed, to pay the costs and expenses thereof in proportion to the benefits derived therefrom.

The City shall not assess the costs and expenses for the maintenance of landscaping included within, near, and adjacent to a parkway and related facilities together with appurtenant structures, which are for the general public benefit against the respective lots, pieces and parcels of land located within the boundaries of the City of Peoria Maintenance Improvement District No. 1108 and if a portion of the costs and expenses for the maintenance of landscaping is for the general public benefit, the City shall assess the boundaries of the City of Peoria Maintenance Improvement District No. 1108 only that portion of such costs and expenses which benefits the lots, pieces and parcels of land located within the boundaries of the City of Peoria Maintenance Improvement District No. 1108.

SECTION 3. The costs and expense for the maintenance of landscaping shall be made and all proceedings therein taken; that the Superintendent of Streets of the City shall post or cause to be posted notices thereof; that the City Clerk shall certify to the passage of this Resolution of Intention; that the Engineer shall prepare duplicate diagrams of the City of Peoria Maintenance Improvement District No. 1108 described in Section 2 of this Resolution to be assessed to pay the costs and expenses thereof, under and in accordance with the provisions of Title 48, Chapter 4, Article 2, Arizona Revised Statutes, as amended.

SECTION 4. The majority of owners of all of the real property within the proposed district have executed a Petition for formation of a Maintenance Improvement District and the City Council has verified the ownership of the property. Publication and posting of the notice of the passage of the Resolution of Intention will be completed as prescribed by the State Statues.

SECTION 5. Any Resolutions or parts of Resolutions in conflict with the provisions of this Resolution are hereby repealed.

SECTION 6. The immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety and an emergency is declared to exist, and this Resolution will be in full force and effect from and after its passage and approval by the Mayor and Council of the City of Peoria, Arizona as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

Resolution No. 2011- 14  
MID 1108 – Vistancia Parcel C12  
February 1, 2011  
Page 3 of 5 Pages

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the  
City of Peoria, Arizona, this 1st day of February, 2011.

\_\_\_\_\_  
Bob Barrett, Mayor

Date Signed: \_\_\_\_\_

ATTEST:

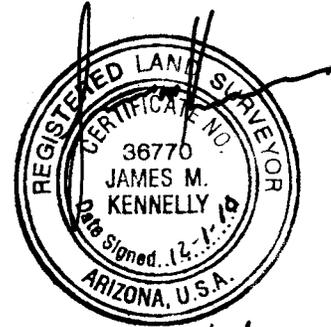
\_\_\_\_\_  
Wanda Nelson, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Stephen M. Kemp, City Attorney

EXHIBIT A

December 01, 2010  
Vistancia South, LLC  
Parcel C12 MID  
Boundary  
Page 1 of 5



EXPIRES 09/30/13

**LEGAL DESCRIPTION**

A parcel of land lying within the South Half of Section 26 and the North Half of Section 35, Township 5 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, City of Peoria, Arizona, more particularly described as follows:

Commencing at the west quarter corner of said Section 26 (rebar) from which point the southwest corner (GLO brass cap) thereof bears S 00°16'42" W a distance of 2639.44 feet;

Thence S 67°43'14" E a distance of 2314.31 feet to the POINT OF BEGINNING;

Thence N 81°32'18" E a distance of 56.03 feet;

Thence N 43°55'35" E a distance of 116.45 feet;

Thence N 87°28'58" E a distance of 152.09 feet;

Thence N 88°20'52" E a distance of 98.36 feet;

Thence S 58°35'44" E a distance of 131.35 feet;

Thence S 62°17'19" E a distance of 60.08 feet;

Thence S 64°46'23" E a distance of 50.23 feet;

Thence S 73°33'12" E a distance of 238.63 feet;

Thence S 69°30'19" E a distance of 90.32 feet;

Thence N 20°29'41" E a distance of 306.71 feet;

Thence N 39°21'10" E a distance of 184.77 feet;

Thence N 33°38'52" E a distance of 510.25 feet, to the beginning of a non-tangent curve to the left, from which point the radius point bears N 33°38'52" E;

EXHIBIT A

December 01, 2010  
Vistancia South, LLC  
Parcel C12 MID  
Boundary  
Page 2 of 5

Thence 304.13 feet along the arc of said curve to the left, having a radius of 3000.00 feet, through a central angle of 05°48'30", and a chord bearing S 59°15'23" E;

Thence S 62°09'38" E a distance of 342.02 feet;

Thence 438.64 feet along the arc of a curve to the right, having a radius of 7000.00 feet, through a central angle of 03°35'25", and a chord bearing S 60°21'55" E;

Thence 57.01 feet along the arc of a curve to the right, having a radius of 7000.00 feet, through a central angle of 00°28'00", and a chord bearing S 58°20'13" E;

Thence S 30°41'28" W a distance of 248.77 feet;

Thence 153.26 feet along the arc of a curve to the right, having a radius of 376.00 feet, through a central angle of 23°21'14", and a chord bearing S 42°22'05" W;

Thence S 54°02'42" W a distance of 111.08 feet;

Thence 152.53 feet along the arc of a curve to the left, having a radius of 218.00 feet, through a central angle of 40°05'20", and a chord bearing S 34°00'02" W;

Thence S 13°57'22" W a distance of 260.58 feet;

Thence 219.67 feet along the arc of a curve to the left, having a radius of 518.00 feet, through a central angle of 24°17'51", and a chord bearing S 01°48'27" W;

Thence 24.64 feet along the arc of a curve to the left, having a radius of 14.00 feet, through a central angle of 100°49'48", and a chord bearing S 60°45'22" E;

Thence S 21°10'16" E a distance of 37.50 feet;

Thence S 68°49'44" W a distance of 8.91 feet;

Thence S 21°10'16" E a distance of 37.50 feet, to the beginning of a non-tangent curve to the left, from which point the radius point bears S 21°10'16" E;

EXHIBIT A

December 01, 2010  
Vistancia South, LLC  
Parcel C12 MID  
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Page 3 of 5

Thence 22.22 feet along the arc of said curve to the left, having a radius of 14.00 feet, through a central angle of  $90^{\circ}56'37''$ , and a chord bearing  $S 23^{\circ}21'25'' W$ ;

Thence 106.99 feet along the arc of a curve to the left, having a radius of 518.00 feet, through a central angle of  $11^{\circ}50'02''$ , and a chord bearing  $S 28^{\circ}01'55'' E$ ;

Thence 535.70 feet along the arc of a curve to the right, having a radius of 542.00 feet, through a central angle of  $56^{\circ}37'48''$ , and a chord bearing  $S 05^{\circ}38'02'' E$ ;

Thence 308.15 feet along the arc of a curve to the left, having a radius of 433.00 feet, through a central angle of  $40^{\circ}46'29''$ , and a chord bearing  $S 02^{\circ}17'38'' W$ ;

Thence 530.40 feet along the arc of a curve to the right, having a radius of 497.00 feet, through a central angle of  $61^{\circ}08'48''$ , and a chord bearing  $S 12^{\circ}28'47'' W$ ;

Thence 20.28 feet along the arc of a curve to the left, having a radius of 14.00 feet, through a central angle of  $83^{\circ}01'03''$ , and a chord bearing  $S 01^{\circ}32'40'' W$ ;

Thence  $S 39^{\circ}57'51'' E$  a distance of 5.67 feet;

Thence  $S 50^{\circ}02'09'' W$  a distance of 37.50 feet;

Thence  $S 39^{\circ}57'51'' E$  a distance of 0.45 feet;

Thence  $S 50^{\circ}02'09'' W$  a distance of 37.50 feet;

Thence  $N 39^{\circ}57'51'' W$  a distance of 3.97 feet;

Thence 20.87 feet along the arc of a curve to the left, having a radius of 14.00 feet, through a central angle of  $85^{\circ}24'42''$ , and a chord bearing  $N 82^{\circ}40'12'' W$ ;

Thence 157.06 feet along the arc of a curve to the right, having a radius of 497.00 feet, through a central angle of  $18^{\circ}06'24''$ , and a chord bearing  $S 63^{\circ}40'40'' W$ ;

Thence  $S 72^{\circ}43'52'' W$  a distance of 103.65 feet;

EXHIBIT A

December 01, 2010  
Vistancia South, LLC  
Parcel C12 MID  
Boundary  
Page 4 of 5

Thence 69.38 feet along the arc of a curve to the left, having a radius of 768.00 feet, through a central angle of  $05^{\circ}10'34''$ , and a chord bearing  $S 70^{\circ}08'35'' W$ ;

Thence  $S 67^{\circ}33'18'' W$  a distance of 123.01 feet;

Thence  $S 22^{\circ}32'48'' W$  a distance of 19.80 feet;

Thence  $S 67^{\circ}33'17'' W$  a distance of 94.63 feet;

Thence  $N 22^{\circ}26'42'' W$  a distance of 64.00 feet;

Thence  $S 67^{\circ}33'18'' W$  a distance of 336.25 feet;

Thence  $N 22^{\circ}26'42'' W$  a distance of 50.00 feet;

Thence  $N 06^{\circ}07'55'' W$  a distance of 429.48 feet;

Thence  $N 16^{\circ}14'10'' W$  a distance of 343.44 feet;

Thence  $N 38^{\circ}25'43'' W$  a distance of 324.79 feet;

Thence  $S 85^{\circ}00'43'' W$  a distance of 36.69 feet;

Thence  $S 65^{\circ}31'41'' W$  a distance of 84.25 feet;

Thence  $N 69^{\circ}08'03'' W$  a distance of 34.92 feet;

Thence  $S 85^{\circ}27'48'' W$  a distance of 73.53 feet;

Thence  $S 50^{\circ}16'49'' W$  a distance of 75.21 feet;

Thence  $S 87^{\circ}58'15'' W$  a distance of 156.28 feet;

Thence  $S 72^{\circ}27'33'' W$  a distance of 138.33 feet;

EXHIBIT A

December 01, 2010  
Vistancia South, LLC  
Parcel C12 MID  
Boundary  
Page 5 of 5

Thence S 19°49'30" W a distance of 86.78 feet;

Thence S 84°55'48" W a distance of 69.85 feet;

Thence N 49°09'31" W a distance of 63.29 feet;

Thence S 76°53'15" W a distance of 101.69 feet, to the beginning of a non-tangent curve to the left, from which point the radius point bears N 87°27'30" E;

Thence 6.64 feet along the arc of said curve to the left, having a radius of 770.00 feet, through a central angle of 00°29'40", and a chord bearing S 02°47'20" E;

Thence N 03°02'09" W a distance of 270.06 feet;

Thence S 86°57'51" W a distance of 50.00 feet;

Thence N 03°02'09" W a distance of 12.89 feet;

Thence 354.95 feet along the arc of a curve to the right, having a radius of 950.00 feet, through a central angle of 21°24'26", and a chord bearing N 07°40'04" E;

Thence N 18°22'17" E a distance of 277.24 feet;

Thence 936.65 feet along the arc of a curve to the left, having a radius of 2000.00 feet, through a central angle of 26°49'59", and a chord bearing N 04°57'18" E, to the POINT OF BEGINNING.

Said Description contains 118.9613 acres, more or less, including any easements of record.

The basis of bearing for the above described parcel is S 00°12'41" W for the east line of the Southwest Quarter of Section 26, Township 5 North, Range 1 West of the Gila & Salt River Meridian, Maricopa County, City of Peoria, Arizona, as shown on an Amended Results of Survey, recorded in Book 632, Page 24, Maricopa County Records.

**EXHIBIT "B"**

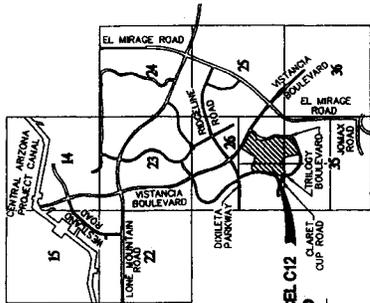
**IS ON FILE IN THE**

**CITY OF PEORIA**

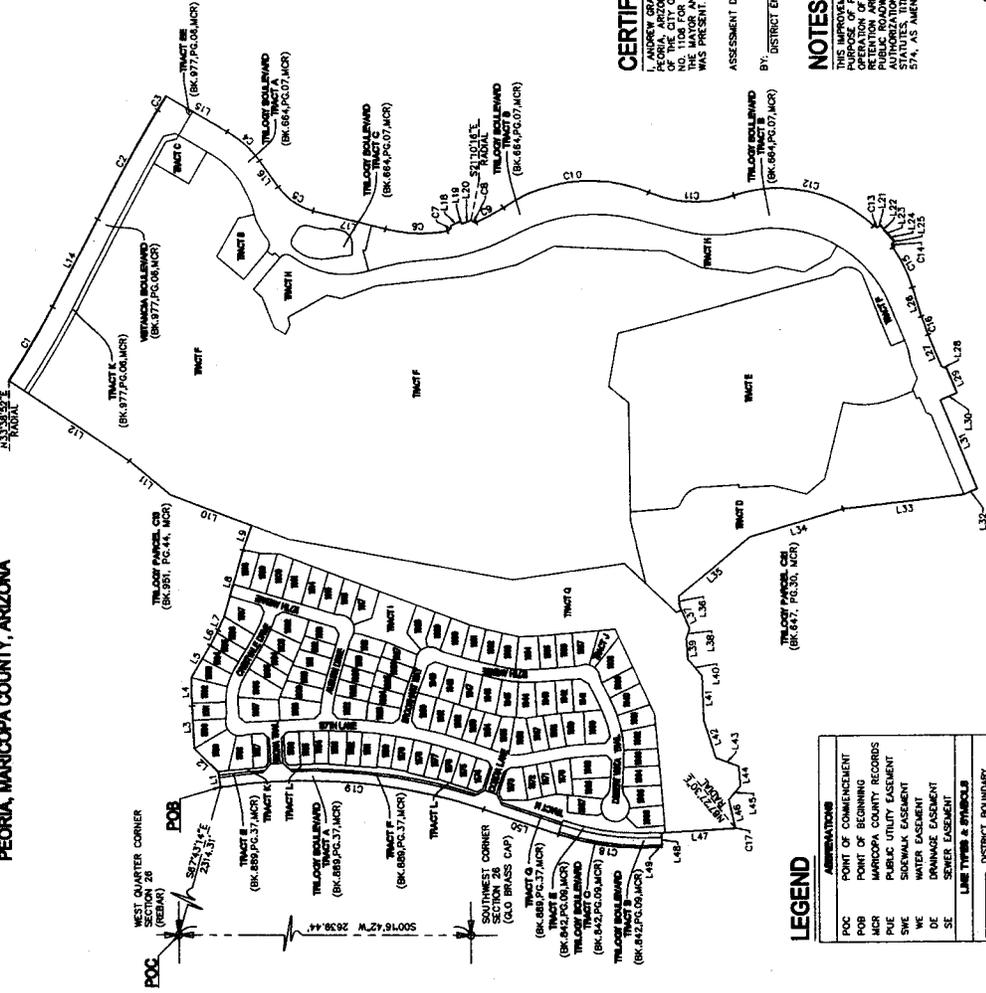
**CITY CLERK'S OFFICE**



**ASSESSMENT DIAGRAM  
MAINTENANCE IMPROVEMENT DISTRICT NO. 1108  
TRILOGY AT VISTANCIA PARCEL C12**  
A PARCEL OF LAND LYING WITHIN THE SOUTH HALF OF SECTION 28 & THE NORTH HALF OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA & SALT RIVER MERIDIAN, CITY OF PEORIA, MARICOPA COUNTY, ARIZONA



**PARCEL C12  
VICINITY MAP**



SCALE 1"=200'

**CITY OF PEORIA MID # 1108 AREA TABLE**

DESCRIPTION	USAGE	SQ. FT.
TRACT A	PRIVATE ROADWAY / COMMON AREA / LANDSCAPE	186,617
TRACT B	LANDSCAPE / DRAINAGE / PEDESTRIAN ACCESS	23,777
TRACT C	LANDSCAPE / DRAINAGE / PEDESTRIAN ACCESS	17,592
TRACT D	LANDSCAPE / DRAINAGE / PEDESTRIAN ACCESS	288,749
TRACT E	LANDSCAPE / DRAINAGE / PEDESTRIAN ACCESS	591,686
TRACT F	LANDSCAPE / DRAINAGE / GOLF COURSE	2,049,914
TRACT G	LANDSCAPE / DRAINAGE / GOLF COURSE	385,337
TRACT H	LANDSCAPE / DRAINAGE / PEDESTRIAN ACCESS	216,230
TRACT I	LANDSCAPE / DRAINAGE / PEDESTRIAN ACCESS	25,781
TRACT J	LANDSCAPE / DRAINAGE / PEDESTRIAN ACCESS	6,707
TRACT K	LANDSCAPE / DRAINAGE / PEDESTRIAN ACCESS	2,830
TRACT L	LANDSCAPE / DRAINAGE / PEDESTRIAN ACCESS	12,822
TRACT M	LANDSCAPE / DRAINAGE / PEDESTRIAN ACCESS / WATER EASEMENT	25,568
TRACT N	PRIVATE ROAD, COMMON AREA, PUE, SENIOR LINE, WATER LINE, DRAINAGE, LANDSCAPE, SWE	45,915
TRACT O	DRAINAGE, LANDSCAPE, OPEN SPACE, COMMON AREA, PUE, SWE	1,272
TRACT P	DRAINAGE, LANDSCAPE, OPEN SPACE, COMMON AREA, PUE, SWE	5,264
TRACT Q	DRAINAGE, LANDSCAPE, OPEN SPACE, COMMON AREA, PUE, SWE	1,789
TRACT R	COMMON AREA, PRIVATE ROADWAY, LANDSCAPE	9,542
TRACT S	COMMON AREA, DRAINAGE EASEMENT, OPEN SPACE, LANDSCAPE	2,748
TRACT T	COMMON AREA, DRAINAGE EASEMENT, OPEN SPACE, LANDSCAPE	5,634
TRACT U	PRIVATE ROADWAY, LANDSCAPING, COMMON AREA, DRAINAGE, PUBLIC UTILITY EASEMENT	93,147
TRACT V	PRIVATE ROADWAY, LANDSCAPING, COMMON AREA, DRAINAGE, OPEN SPACE	297,951
TRACT W	COMMON AREA, DRAINAGE, OPEN SPACE, LANDSCAPE	19,614
TRACT X	VISTANCIA BOULEVARD	78,705
TRACT Y	PEORIA BOULEVARD	16,135
TRACT Z	PUE, LANDSCAPE, WE, DE, SE	343
TRACT AA	PUE, LANDSCAPE, DE	4,413,753
TOTAL		4,413,753

**LEGEND**

ABBREVIATIONS	
POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
PUE	PUBLIC UTILITY EASEMENT
SWE	SIDEWALK EASEMENT
WE	WATER EASEMENT
DE	DRAINAGE EASEMENT
SE	SEWER EASEMENT
---	LINE TYPED & SYMBOLS
---	DISTRICT BOUNDARY

**CERTIFICATION**

I, ANDREW GRANGER, ENGINEERING DEPARTMENT DIRECTOR OF THE CITY OF PEORIA, ARIZONA, HEREBY CERTIFY THAT THIS IS THE ASSESSMENT DIAGRAM FOR THE MAINTENANCE IMPROVEMENT DISTRICT NO. 1108 FOR TRACTS AT VISTANCIA - PARCEL C12, WHICH WAS APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF PEORIA AND THAT A QUORUM WAS PRESENT.

ASSESSMENT DIAGRAM SUBMITTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011  
BY: \_\_\_\_\_ DISTRICT ENGINEER

**NOTES**

THIS IMPROVEMENT DISTRICT IS FOR THE EXPRESS PURPOSE OF PROVIDING FOR THE MAINTENANCE AND REPAIR OF THE PUBLIC ROADWAYS AND PUBLIC UTILITY AREAS ADJACENT TO AND ALONG THE PUBLIC ROADWAYS WITHIN THE DISTRICT. SPECIFIC STATUTES TITLE 48, CHAPTER 4, ARTICLE 2, SECTION 574, AS AMENDED.

**CITY OF PEORIA**  
1811 EAST GARDENWAY ROAD, SUITE 100  
PEORIA, ARIZONA 85616

**Slamco Consultants, Inc.**  
1811 EAST GARDENWAY ROAD, SUITE 100  
PEORIA, ARIZONA 85616

**City of Peoria**  
MAINTENANCE ID # 1108  
VISTANCIA PARCEL C12

DATE: 07/29/2011  
DRAFTED: SAM  
DESIGNED: SAM  
APPROVED: CAM  
FILE: 010.000.01.dwg PROJECT: 1108 DATE PLOTTING SHEET: 1 OF 2

**LEGAL DESCRIPTION**

A PARCEL OF LAND WITHIN THE SOUTH HALF OF SECTION 26 AND THE NORTH HALF OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, CITY OF PEORIA, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 26 (NEBAR) FROM WHICH THE POINT OF BEGINNING (OLD BUSINESS CAP) THEREOF BEARS S 00°10'42" W A DISTANCE OF 233.44 FEET;
- THENCE S 87°51'41" E A DISTANCE OF 231.31 FEET TO THE POINT OF BEGINNING;
- THENCE N 81°28'19" E A DISTANCE OF 560.03 FEET;
- THENCE N 43°55'35" E A DISTANCE OF 118.45 FEET;
- THENCE N 87°28'38" E A DISTANCE OF 152.09 FEET;
- THENCE N 88°20'52" E A DISTANCE OF 98.36 FEET;
- THENCE S 88°31'44" E A DISTANCE OF 131.35 FEET;
- THENCE S 82°17'19" E A DISTANCE OF 60.08 FEET;
- THENCE S 64°48'23" E A DISTANCE OF 50.23 FEET;
- THENCE S 73°35'17" E A DISTANCE OF 238.63 FEET;
- THENCE S 89°30'19" E A DISTANCE OF 90.32 FEET;
- THENCE N 29°28'41" E A DISTANCE OF 308.71 FEET;
- THENCE N 39°21'10" E A DISTANCE OF 194.77 FEET;
- THENCE N 33°58'52" E A DISTANCE OF 510.25 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, FROM WHICH POINT THE RADIUS POINT BEARS S 31°38'57" E;
- THENCE 304.13 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 580.10 FEET;
- THENCE S 62°09'38" E A DISTANCE OF 342.02 FEET;
- THENCE 438.64 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 700.00 FEET, THROUGH A CENTRAL ANGLE OF 0°35'25", AND A CHORD BEARING S 60°21'35" E;
- THENCE 57.01 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 582.01 FEET, THROUGH A CENTRAL ANGLE OF 0°28'00", AND A CHORD BEARING S 58°20'15" E;
- THENCE S 30°41'28" W A DISTANCE OF 248.77 FEET;
- THENCE 152.28 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 374.00 FEET, THROUGH A CENTRAL ANGLE OF 2°31'14", AND A CHORD BEARING S 42°22'05" W;
- THENCE 123.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 21.00 FEET, THROUGH A CENTRAL ANGLE OF 40°05'30", AND A CHORD BEARING S 23°21'35" W;
- THENCE 219.47 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 518.00 FEET, THROUGH A CENTRAL ANGLE OF 24°17'51", AND A CHORD BEARING S 01°48'37" W;
- THENCE 24.84 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 14.00 FEET, THROUGH A CENTRAL ANGLE OF 100°49'48", AND A CHORD BEARING S 60°45'22" E;
- THENCE S 21°10'19" E A DISTANCE OF 37.50 FEET;
- THENCE S 88°49'44" W A DISTANCE OF 8.01 FEET;
- THENCE S 21°10'19" E A DISTANCE OF 37.50 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, FROM WHICH POINT THE RADIUS POINT BEARS S 21°10'19" E;
- THENCE 22.22 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 518.00 FEET, THROUGH A CENTRAL ANGLE OF 30°39'37", AND A CHORD BEARING S 23°21'35" W;
- THENCE 108.89 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 518.00 FEET, THROUGH A CENTRAL ANGLE OF 11°50'02", AND A CHORD BEARING S 28°01'55" E;
- THENCE 538.70 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 542.00 FEET, THROUGH A CENTRAL ANGLE OF 56°37'48", AND A CHORD BEARING S 05°38'07" E;
- THENCE 304.15 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 433.00 FEET, THROUGH A CENTRAL ANGLE OF 40°48'39", AND A CHORD BEARING S 08°17'38" W;
- THENCE 534.40 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1728.87" W;
- THENCE 10.08 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 14.00 FEET, THROUGH A CENTRAL ANGLE OF 83°03'03", AND A CHORD BEARING S 01°37'40" W;
- THENCE S 39°57'51" E A DISTANCE OF 5.67 FEET;
- THENCE S 50°29'09" W A DISTANCE OF 0.45 FEET;
- THENCE S 50°02'09" W A DISTANCE OF 37.50 FEET;

**LEGAL DESCRIPTION CONTINUED**

- THENCE N 89°57'51" W A DISTANCE OF 3.87 FEET;
- THENCE 20.87 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 768.00 FEET, THROUGH A CENTRAL ANGLE OF 89°54'42", AND A CHORD BEARING N 87°40'17" W;
- THENCE 157.04 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 493.00 FEET, THROUGH A CENTRAL ANGLE OF 18°04'24", AND A CHORD BEARING S 83°40'40" W;
- THENCE S 72°43'52" W A DISTANCE OF 103.65 FEET;
- THENCE 89.38 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 768.00 FEET, THROUGH A CENTRAL ANGLE OF 89°54'42", AND A CHORD BEARING S 70°08'35" W;
- THENCE S 67°53'18" W A DISTANCE OF 133.01 FEET;
- THENCE S 22°32'48" W A DISTANCE OF 19.80 FEET;
- THENCE S 67°53'17" W A DISTANCE OF 84.03 FEET;
- THENCE N 22°28'42" W A DISTANCE OF 84.00 FEET;
- THENCE S 67°53'18" W A DISTANCE OF 338.25 FEET;
- THENCE N 22°28'42" W A DISTANCE OF 84.00 FEET;
- THENCE N 88°07'55" W A DISTANCE OF 429.48 FEET;
- THENCE N 18°14'10" W A DISTANCE OF 324.79 FEET;
- THENCE S 88°29'43" W A DISTANCE OF 343.44 FEET;
- THENCE S 69°31'41" W A DISTANCE OF 84.25 FEET;
- THENCE N 69°08'03" W A DISTANCE OF 34.92 FEET;
- THENCE S 85°27'48" W A DISTANCE OF 73.53 FEET;
- THENCE S 50°16'49" W A DISTANCE OF 73.51 FEET;
- THENCE S 87°58'15" W A DISTANCE OF 156.28 FEET;
- THENCE S 72°27'33" W A DISTANCE OF 138.33 FEET;
- THENCE S 19°49'30" W A DISTANCE OF 86.78 FEET;
- THENCE S 84°58'48" W A DISTANCE OF 69.85 FEET;
- THENCE N 49°09'31" W A DISTANCE OF 63.29 FEET;
- THENCE S 39°57'51" W A DISTANCE OF 101.89 FEET, TO THE BEGINNING OF A CURVE TO THE LEFT, FROM WHICH POINT THE RADIUS POINT BEARS N 87°27'30" E;
- THENCE 8.84 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 770.00 FEET, THROUGH A CENTRAL ANGLE OF 0°29'40", AND A CHORD BEARING S 02°47'30" E;
- THENCE N 03°02'09" W A DISTANCE OF 270.04 FEET;
- THENCE S 88°57'51" W A DISTANCE OF 50.00 FEET;
- THENCE N 03°02'09" W A DISTANCE OF 12.89 FEET;
- THENCE 354.08 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 850.00 FEET, THROUGH A CENTRAL ANGLE OF 27°24'26", AND A CHORD BEARING N 07°40'04" E;
- THENCE N 18°22'17" E A DISTANCE OF 277.24 FEET;
- THENCE 83.65 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2000.00 FEET, THROUGH A CENTRAL ANGLE OF 28°44'59", AND A CHORD BEARING N 04°57'18" E, TO THE POINT OF BEGINNING.

**BASIS OF BEARING**

THE POINT OF BEGINNING OF THE ABOVE DESCRIBED PARCEL IS THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, CITY OF PEORIA, ARIZONA, AS SHOWN ON THE PLAT OF SAID PARCEL, RECORDED IN BOOK 342, PAGE 24, MARICOPA COUNTY RECORDS.

LINE	BEARING	LENGTH
1	N 81°31'18" E	28.02
2	N 81°31'18" E	28.02
3	N 81°31'18" E	28.02
4	N 81°31'18" E	28.02
5	N 81°31'18" E	28.02
6	N 81°31'18" E	28.02
7	N 81°31'18" E	28.02
8	N 81°31'18" E	28.02
9	N 81°31'18" E	28.02
10	N 81°31'18" E	28.02
11	N 81°31'18" E	28.02
12	N 81°31'18" E	28.02
13	N 81°31'18" E	28.02
14	N 81°31'18" E	28.02
15	N 81°31'18" E	28.02
16	N 81°31'18" E	28.02
17	N 81°31'18" E	28.02
18	N 81°31'18" E	28.02
19	N 81°31'18" E	28.02
20	N 81°31'18" E	28.02
21	N 81°31'18" E	28.02
22	N 81°31'18" E	28.02
23	N 81°31'18" E	28.02
24	N 81°31'18" E	28.02
25	N 81°31'18" E	28.02
26	N 81°31'18" E	28.02
27	N 81°31'18" E	28.02
28	N 81°31'18" E	28.02
29	N 81°31'18" E	28.02
30	N 81°31'18" E	28.02
31	N 81°31'18" E	28.02
32	N 81°31'18" E	28.02
33	N 81°31'18" E	28.02
34	N 81°31'18" E	28.02
35	N 81°31'18" E	28.02
36	N 81°31'18" E	28.02
37	N 81°31'18" E	28.02
38	N 81°31'18" E	28.02
39	N 81°31'18" E	28.02
40	N 81°31'18" E	28.02
41	N 81°31'18" E	28.02
42	N 81°31'18" E	28.02
43	N 81°31'18" E	28.02
44	N 81°31'18" E	28.02
45	N 81°31'18" E	28.02
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53	N 81°31'18" E	28.02
54	N 81°31'18" E	28.02
55	N 81°31'18" E	28.02
56	N 81°31'18" E	28.02
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58	N 81°31'18" E	28.02
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60	N 81°31'18" E	28.02
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71	N 81°31'18" E	28.02
72	N 81°31'18" E	28.02
73	N 81°31'18" E	28.02
74	N 81°31'18" E	28.02
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76	N 81°31'18" E	28.02
77	N 81°31'18" E	28.02
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81	N 81°31'18" E	28.02
82	N 81°31'18" E	28.02
83	N 81°31'18" E	28.02
84	N 81°31'18" E	28.02
85	N 81°31'18" E	28.02
86	N 81°31'18" E	28.02
87	N 81°31'18" E	28.02
88	N 81°31'18" E	28.02
89	N 81°31'18" E	28.02
90	N 81°31'18" E	28.02
91	N 81°31'18" E	28.02
92	N 81°31'18" E	28.02
93	N 81°31'18" E	28.02
94	N 81°31'18" E	28.02
95	N 81°31'18" E	28.02
96	N 81°31'18" E	28.02
97	N 81°31'18" E	28.02
98	N 81°31'18" E	28.02
99	N 81°31'18" E	28.02
100	N 81°31'18" E	28.02

CURVE	DELTA	RADIUS	CH. BEAR.	LENGTH
C1	5°48'20"	5000.00'	S 88°19'21" E	304.13
C2	3°29'24"	7000.00'	S 86°21'55" E	438.64
C3	2°28'02"	7000.00'	S 85°29'33" E	374.00
C4	4°00'32"	218.00'	S 84°20'02" W	129.83
C5	24°17'51"	518.00'	S 01°48'37" W	219.47
C6	100°49'48"	14.00'	S 60°45'22" E	24.84
C7	11°50'02"	518.00'	S 28°01'55" E	108.89
C8	49°49'44"	433.00'	S 07°47'38" W	308.15
C9	6°10'48"	497.00'	S 72°27'33" W	338.33
C10	8°22'45"	14.00'	S 84°58'48" W	69.85
C11	18°28'24"	497.00'	S 55°49'40" W	472.08
C12	5°10'44"	788.00'	S 70°08'35" W	63.36
C13	27°24'26"	850.00'	S 02°47'30" E	354.08
C14	24°19'30"	2000.00'	S 04°57'18" E	277.24
C15	28°44'59"	2000.00'	S 04°57'18" E	277.24



**CITY OF PEORIA**  
1811 EAST CHANDLER ROAD, SUITE 200  
PEORIA, ARIZONA 85114 TEL: 325.3300

Standard Consultants, Inc.  
CITY OF PEORIA  
MAINTENANCE ID # 108  
VISTANCA PARCEL C/E

PROJECT: 10848 DATE: 12/04/2011 SHEET: 2 OF 2