



City of Avondale

City Council Online Meeting

Monday, October 4, 2021

Mayor and Council

Kenneth Weise, Mayor

Veronica Malone, Vice Mayor

Tina Conde, Council Member | Pat Dennis, Council Member

Bryan Kilgore, Council Member | Curtis Nielson, Council Member

Mike Pineda, Council Member

Administration

Charles A. Montoya, City Manager

Cherlene Penilla, Assistant City Manager

Tracy Stevens, Deputy City Manager | Lindsey Duncan, Deputy City Manager

Nicholle Harris, City Attorney | Marcella Carrillo, City Clerk

Online Meeting

Join the meeting and view presentations: <https://avondaleaz.zoom.us/j/99706985158>

Using a Mobile Device? Download the Zoom Cloud Meeting App

Join the meeting with audio only: Call 301-715-8592 (meeting ID: 997 0698 5158)



City Council Online Meeting Notice & Agenda Monday, October 4, 2021

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Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda or under unscheduled public appearance should email a request to speak to PublicComment@AvondaleAZ.gov prior to consideration of that agenda item.

REGULAR MEETING 6:00 PM

CALL TO ORDER BY MAYOR

PLEDGE OF ALLEGIANCE & MOMENT OF REFLECTION

1. ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

(Time is limited per person. Please state your name.)

3. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. MINUTES

City Council will consider a request to approve the August 23, 2021 and September 7, 2021 City Council meeting minutes. The Council will take appropriate action.

b. CALL AND NOTICE OF ELECTION

City Council will consider a request to: (a) call a Primary Election on August 2, 2022 and if necessary, a General Election on November 8, 2022; (b) authorize staff to add issues to the ballot as directed by Council, or by appropriate administrative action; and (c) authorize the City Clerk and the City Attorney to take all action necessary to conduct the election. The Council will take appropriate action.

c. ADJUSTMENT TO INTERFUND TRANSFER SCHEDULE - WATER IMPACT FEE FUND TO DEBT SERVICE

City Council will consider a request to adjust the Fiscal Year 2021 interfund transfer schedule for a transfer from the Water Impact Fee Fund to the Pledged Revenue Obligations Debt Fund. The Council will take appropriate action.

d. FINAL PLAT OF DEL RIO RANCH III PHASE 2 (APPLICATION PL-21-0114)

City Council will consider a request by Mr. Jason Burm, Kimley-Horn & Associates, Inc., for approval of a Final Plat for Del Rio Ranch III Phase 2. In conformance with the Del Rio Ranch III Preliminary Plat approved by City Council in April 2021, the proposed Final Plat creates 166 single-family residential lots, 16 common area tracts, and dedicates streets and easements on approximately 43.93 acres located at the southwest corner of Durango Street and 125th Avenue. The Council will take appropriate action.

e. FINAL PLAT OF DEL RIO RANCH III PHASE 3 (APPLICATION PL-21-0115)

City Council will consider a request by Mr. Jason Burm, Kimley-Horn & Associates, Inc., for approval of a Final Plat for Del Rio Ranch III Phase 3. In conformance with the Del Rio Ranch III Preliminary Plat approved by City Council in April 2021, the proposed Final Plat creates 70 single-family residential lots, 10 common area tracts, and dedicates streets and easements on approximately 19.55 acres located at the northeast corner of Durango Street and 125th Avenue. The Council will take appropriate action.

f. FINAL PLAT OF DEL RIO RANCH III PHASE 4 (APPLICATION PL-21-0196)

City Council will consider a request by Mr. Jason Burm, Kimley-Horn & Associates, Inc., for approval of a Final Plat for Del Rio Ranch III Phase 4. In conformance with the Del Rio Ranch III Preliminary Plat approved by City Council in April 2021, the proposed Final Plat creates 85 single-family residential lots, 14 common area tracts, and dedicates streets and easements on approximately 37.95 acres located at the northwest corner of Durango Street and 125th Avenue. The Council will take appropriate action.

g. FINAL PLAT OF DEL RIO RANCH III PHASE 5 (APPLICATION PL-21-0197)

City Council will consider a request by Mr. Jason Burm, Kimley-Horn & Associates, Inc., for approval of a Final Plat for Del Rio Ranch III Phase 5. In conformance with Del Rio Ranch III Preliminary Plat approved by City Council in April 2021, the proposed Final Plat creates 36 single-family residential lots, 5 common area tracts, and dedicates streets and easements on approximately 27.46 acres at the southeast corner of Buckeye Road and the Agua Fria River. The Council will take appropriate action.

h. FINAL PLAT FOR MCDOWELL 117 (HANCOCK COMMUNITIES AT MCDOWELL 117) (APPLICATION PL-21-0194)

City Council will consider a request by Mr. Matt Cawley, Bowman, for approval of a Final Plat for McDowell 117 (Hancock Communities at McDowell 117), approximately 19.06 gross acres of land located approximately 1,330 feet south of the southwest corner of McDowell Road and 117th Avenue. Consistent with the approved Hancock Communities at McDowell 117 Planned Area Development, the proposed Final Plat consolidates 2 existing parcels into a single 19.06-acre lot and dedicates water line, access, and public utility easements on the property. The Council will take appropriate action.

i. FINAL PLAT PARKSIDE PHASE 1 (APPLICATION PL-21-0167)

City Council will consider a request by Mr. Michael Park, Atwell LLC, on behalf of William Lyon Homes, Inc., for approval of a Final Plat for Parkside Phase 1. In conformance with the Parkside Preliminary plat approved by City Council on September 20, 2021, the proposed Final Plat for Phase 1 creates 456-lot single-family residential lots, 32 common area tracts, and dedicates streets and easements on approximately 68.53 net acres south of the southwest corner of 99th Avenue and Indian School Road. The Council will take appropriate action.

j. FINAL PLAT VERDE TRAILS PARCEL 6 (APPLICATION PL-21-0121)

City Council will consider a request by Ms. Sandi Elmore, on behalf of Hillcrest Residential 4, LP, for approval of a Final Plat for Verde Trails Parcel 6. In conformance with the Verde Trails Parcel 6 Preliminary Plat approved by City Council on June 21, 2021, the proposed Final Plat for Parcel 6 creates 110-lot single-family residential lots, 43 common area tracts, and dedicates streets and easements on approximately 10.91 net acres located at the northwest corner of 107th Avenue and Wier Avenue alignment, south of Broadway Road. The Council will take appropriate action.

k. RESOLUTIONS 1077-1021 AND 1078-1021 – MAINTENANCE IMPROVEMENT DISTRICT NO. 25 FOR DEL RIO RANCH III PHASE 2

City Council will consider a request to approve the Petition for Formation, adopt Resolution 1077-1021, declaring its intention to form the City of Avondale Maintenance Improvement District No. 25, Del Rio Ranch III Phase 2, providing for the assessment, and adopt Resolution 1078-1021, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency, and authorize the Mayor, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

l. RESOLUTIONS 1079-1021 AND 1080-1021 – MAINTENANCE IMPROVEMENT DISTRICT NO. 26 FOR DEL RIO RANCH III PHASE 3

City Council will consider a request to approve the Petition for Formation, adopt Resolution 1079-1021, declaring its intention to form the City of Avondale Maintenance Improvement District No. 26, Del Rio Ranch III Phase 3, providing for the assessment, and adopt Resolution 1080-1021, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency, and authorize the Mayor, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

m. RESOLUTIONS 1081-1021 AND 1082-1021 – MAINTENANCE IMPROVEMENT DISTRICT NO. 31 FOR DEL RIO RANCH III PHASE 4

City Council will consider a request to approve the Petition for Formation, adopt Resolution 1081-1021, declaring its intention to form the City of Avondale Maintenance Improvement District No. 31, Del Rio Ranch III Phase 4, providing for the assessment, and Resolution 1082-1021, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency, and authorize the Mayor, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

n. RESOLUTIONS 1083-1021 AND 1084-1021 – MAINTENANCE IMPROVEMENT DISTRICT NO. 32 FOR DEL RIO RANCH III PHASE 5

City Council will consider a request to approve the Petition for Formation, adopt Resolution 1083-1021, declaring its intention to form the City of Avondale Maintenance Improvement District No. 32, Del Rio Ranch III Phase 5, providing for the assessment, and adopt Resolution 1084-1021, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency, and authorize the Mayor, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

o. RESOLUTIONS 1085-1021 AND 1086-1021 – MAINTENANCE IMPROVEMENT DISTRICT NO. 27 FOR VERDE TRAILS PARCEL 6

City Council will consider a request to approve the Petition for Formation, adopt Resolution 1085-1021, declaring its intention to form the City of Avondale Maintenance Improvement District No. 27, Verde Trails Parcel 6, providing for the assessment, and adopt Resolution 1086-1021, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency, and authorize the Mayor, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

p. RESOLUTION 1087-1021 - ADOPTING THE STATE OF ARIZONA NOMINATION FILING DATES, BALLOT PREPARATION DATES, AND STATE ELECTION PROCEDURES MANUAL FOR THE AUGUST 2, 2022 MUNICIPAL ELECTION

City Council will consider a request to adopt Resolution 1087-1021, adopting the State of Arizona nomination petition filing dates and ballot preparation date for the August 2, 2022 election, adopting the Arizona Secretary of State Election Procedures Manual, and declaring an emergency; and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

q. ORDINANCE 2053-1021 - ACQUISITION OF REAL PROPERTY - 991 NORTH AVONDALE BLVD FOR BLVD MARQUEE

City Council will consider a request to adopt Ordinance 2053-1021, authorizing the purchase of real property from Salt River Project for the property located at 991 North Avondale Blvd. and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

r. ORDINANCE 2054-1021 - ACCEPTING DONATION OF REAL PROPERTY FOR A PUBLIC SEWER LIFT STATION

City Council will consider a request to adopt Ordinance 2054-1021 authorizing the acceptance of real property located on Rio Vista Lane and west of 125th Avenue for a public sewer lift station and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

4. ADJOURNMENT

Council Members of the City of Avondale will attend either in person or by telephone conference call. Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.

Los miembros del Concejo de la Ciudad de Avondale participaran ya sea en persona o por medio de llamada telefonica. Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

CITY COUNCIL REPORT

SUBJECT: Minutes

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Marcella Carrillo, City Clerk, (623) 333-1214

THROUGH: Tracy Stevens, Deputy City Manager, 623-333-1014

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Connected Community - Avondale will work directly and closely with our communities to develop programs and infrastructure that connect residents to the city's resources, the region, and each other.

The approval of this agenda item provides residents with access to a previous meeting's minutes, which includes a summary of the meeting. The minutes are posted online where residents can access and read the summary. The minutes provide another outlet for residents to connect with the City Council.

PURPOSE:

City Council will consider a request to approve the August 23, 2021 and September 7, 2021 City Council meeting minutes. The Council will take appropriate action.

BACKGROUND:

n/a

DISCUSSION:

n/a

BUDGET IMPACT:

This item has no budget impact.

RECOMMENDATION:

Staff recommends City Council approve the August 23, 2021 and September 7, 2021 City Council meeting minutes.

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
ONLINE MEETING
August 23, 2021

A **Special Meeting** of the City Council of the City of Avondale, Arizona was convened using the Zoom Cloud Meeting platform in open and public session at 6:01 p.m. All participants attended by phone or video.

Mayor Kenn Weise led the Pledge of Allegiance followed by a moment of silent reflection in remembrance of service members in Afghanistan, citizens, and those seeking freedom in the United States.

Members Present: Mayor Kenn Weise; Vice Mayor Veronica Malone; and Council Members Tina Conde, Pat Dennis, Bryan Kilgore, Curtis Nielson, and Mike Pineda.

Members Absent: None.

Other Municipal Officials Present: Charles Montoya, City Manager; Cherlene Penilla, Assistant City Manager; Lindsey Duncan, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Keith Fallstrom, Interim Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Darcy Lowery, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Marshall Pimentel, Intergovernmental Affairs Administrator; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately fifteen members of the public were present.

1. ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

None.

3. INTRODUCTION OF NEW EMPLOYEE

Kirk Beaty, Public Works Director, introduced the new Water Resource Manager, Jennifer Davidson. This item was for discussion only.

4. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

Mayor Weise asked if any Council Member wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Council Member Pineda, seconded by Council Member Dennis, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

a. MINUTES

City Council approved the following City Council meeting minutes: (a) May 17, 2021, (b) June 7, 2021, (c) June 21, 2021, and (d) June 22, 2021.

b. BUDGET CARRYOVER AND ACCOUNTING ADJUSTMENTS

City Council approved a request to adjust the FY2021 and FY2022 budgets to adjust the FY2022 carryover appropriations and improve financial reporting.

c. FUNDING REQUEST FOR THE BLVD WATER FEATURES PROJECT

City Council approved a request to provide funding in the amount of \$300,000 from General Fund Contingency to pay for a Splash Pad and Additional Landscape scope, to fund construction, and authorized staff to take the necessary action to complete the budget amendment.

d. GENERAL FUND CONTINGENCY REQUEST FOR ECONOMIC OPPORTUNITIES FUND

City Council approved a transfer of appropriation in the amount of \$1,600,000 to the Economic Opportunities Fund from the General Fund Contingency to support the City's and the Economic Development Department's fiscal year initiatives, increase awarding authority, and modify the interfund transfer schedule and authorized the City Manager, City Attorney, and City Clerk to execute the necessary documents.

e. COST PARTICIPATION AGREEMENT WITH THE SALT RIVER PROJECT FOR A TEMPORARY DEVIATION FOR OPERATION OF THE ROOSEVELT DAM FLOOD CONTROL SPACE.

City Council approved a Cost Sharing Agreement with the Salt River Project (SRP) to develop a Temporary Deviation Plan for operation of the Roosevelt Dam Flood Control Space, and receive potential water deliveries as a result of this Plan, to be used for Long Term Storage Credits and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. LIQUOR LICENSE - SERIES 10 (BEER AND WINE STORE) FOR HOME 2 SUITES BY HILTON

City Council recommended approval to the Arizona Department of Liquor License and Control of a Series 10 (Beer and Wine Store) Liquor License submitted by Sanat B. Patel for the sale of beer and wine at Home 2 Suites by Hilton located at 10275 West McDowell Road and authorized the City Clerk to execute the necessary documents.

g. RESOLUTION 1059-0821 - PUBLIC ART MASTER PLAN

City Council adopted Resolution 1059-0821, approving an update to the Avondale Public Art Master Plan as recommended by the Avondale Municipal Art Committee and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

h. RESOLUTION 1060-0821 - UPDATING THE SANITATION (SOLID WASTE) FEE SCHEDULE

City Council adopted Resolution 1060-0821, approving a sanitation (solid waste) rate schedule and setting an effective date, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

i. RESOLUTION 1061-0821 - ADOPTION OF FEE SCHEDULE FOR FACILITY RENTALS

City Council adopted Resolution 1061-0821, approving a fee schedule for the Avondale Visitor and Conference Center, which is scheduled to open in January 2022, and the recently opened Arizona Complete Health Avondale Resource Center and authorized the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

j. RESOLUTION 1062-0821 – INTERGOVERNMENTAL AGREEMENT WITH AGUA FRIA UNION HIGH SCHOOL DISTRICT #216 FOR A SCHOOL RESOURCE OFFICER

City Council adopted resolution 1062-0821 authorizing an Intergovernmental Agreement between the Agua Fria Union High School District #216 and the City of Avondale to share the cost of providing a School Resource Officer (SRO) during the 2021/2022 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

k. RESOLUTION 1063-0821 – INTERGOVERNMENTAL AGREEMENT WITH AMERICAN CHARTER SCHOOLS FOUNDATION, ESTRELLA HIGH SCHOOL FOR A SCHOOL RESOURCE OFFICER

City Council adopted Resolution 1063-0821 authorizing an Intergovernmental Agreement between the American Charter Schools Foundation and the City of Avondale to share the cost of providing a School Resource Officer (SRO) during the 2021/2022 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

I. RESOLUTION 1064-0821 – INTERGOVERNMENTAL AGREEMENT WITH TOLLESON UNION HIGH SCHOOL DISTRICT #216, LA JOYA/WESTVIEW FOR A SCHOOL RESOURCE OFFICER

City Council adopted Resolution 1064-0821, authorizing an Intergovernmental Agreement between the Tolleson Union High School District #214 and the City of Avondale to share the cost of providing a School Resource Officer (SRO) during the 2021/2022 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

m. RESOLUTION 1065-0821 – INTERGOVERNMENTAL AGREEMENT WITH TOLLESON UNION HIGH SCHOOL DISTRICT #216, WEST POINT FOR A SCHOOL RESOURCE OFFICER

City Council adopted Resolution 1065-0821, authorizing an Intergovernmental Agreement between the Tolleson Union High School District #214 and the City of Avondale to share the cost of providing a School Resource Officer (SRO) during the 2021/2022 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

n. RESOLUTION 1066-0821 - OUTDOOR RECREATION LEGACY PARTNERSHIP GRANT FOR THE AQUATIC CENTER PROJECT

City Council adopted Resolution 1066-0821, authorizing the application and acceptance of an Outdoor Recreation Legacy Partnership Fund grant from Arizona State Parks and Trails in the amount of \$5,000,000 for the Avondale Aquatic Center Project and authorized and directed staff to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Resolution.

o. RESOLUTION 1067-0821 - LAND AND WATER CONSERVATION FUND GRANT FOR THE CIVIC CENTER PARK PROJECT AND A GENERAL FUND CONTINGENCY REQUEST

City Council adopted Resolution 1067-0821 authorizing the application and acceptance of a Land and Water Conservation Fund grant from Arizona State Parks and Trails in the amount of \$1,000,000 for the Civic Center Park Project and authorized and directed staff to take all steps necessary to cause the execution of the Agreement, to take all steps necessary to carry out the purpose and intent of this Resolution, and to transfer from General Fund Contingency the amount necessary for the City's funded portion of the project if the grant is awarded.

p. RESOLUTION 1068-0821 - WELL SHARING AND WATER TRANSPORTATION AGREEMENT AND INTERIM OPERATING AGREEMENT FOR ALAMAR

City Council adopted Resolution 1068-0821, authorizing the Agreement with the Alamar Community Association, Inc. (HOA) for well sharing and water transportation and an Interim Operating Agreement with the Alamar Community Association, Inc. and Brookfield Lakin, LLC and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

q. ORDINANCE 2033-0821 - LEASE AGREEMENT WITH DESERT TAP LLC DBA: TAP2

City Council adopted Ordinance 2033-0821, approving the Lease Agreement with Desert Tap LLC DBA: Tap2 for the property located at 745 North 114th Avenue, Suite 101, and authorized the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

r. ORDINANCE 2034-0821 - LEASE AGREEMENT WITH WEST VALLEY INSTITUTE LLC DBA AVEDA INSTITUTE OF AVONDALE

City Council adopted Ordinance 2034-0821, approving the Lease Agreement with West Valley Institute LLC dba Aveda Institute of Avondale for the properties located at 775 North 114th Avenue and 745 North 114th Avenue, Suite 102, and authorized the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

s. ORDINANCE 2035-0821 - CITY CODE AMENDMENT - CHAPTER 20 AND CHAPTER 23 RELATING TO THE POLICE DEPARTMENT AND TRAFFIC

City Council adopted Ordinance 2035-0821, amending Avondale City Code Chapter 20, Police Department, Article 1, Section 20-7 and deleting Chapter 23, Traffic, Article II, Administration and Enforcement Section 23-29, authority to direct traffic relating to traffic direction and enforcement and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

t. ORDINANCE 2036-0821 - ACCEPTING DONATION OF REAL PROPERTY FOR PUBLIC USE FOR THE BLVD WATER FEATURES

City Council adopted Ordinance 2036-0821, authorizing the acceptance of real property located at the southeast corner of Avondale Boulevard and The BLVD for public use and authorized the Mayor or City Manager, City Attorney and City Clerk to take all steps to execute the necessary documents to carry out this purpose.

u. ORDINANCE 2037-0821 - GRANTING AN ELECTRICAL EASEMENT TO SALT RIVER PROJECT (SRP) FOR THE NEW FIRE STATION NO. 175

City Council adopted Ordinance 2037-0821, granting an Electrical Easement to Salt River Project for the new Fire Station No. 175 and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

v. ORDINANCE 2038-0821 - SRP BLANKET EASEMENT FOR SRP FOR THE BLVD WATER FEATURES

City Council adopted Ordinance 2038-0821, granting a Blanket Easement to the Salt River Project for the new BLVD Water Features and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

w. AUTHORIZATION TO PROCEED WITH ANNEXATION – CLEARSKY REHABILITATION HOSPITAL OF AVONDALE – APPLICATION PL-21-0124

City Council approved a request by Mr. Danny Banks, ClearSky Health, to authorize the annexation process of approximately 7.11 acres located at the southwest corner of McDowell Road and 109th Avenue.

x. FINAL PLAT FOR AVONDALE COMMERCE PARK PH II - APPLICATION PL-21-0036

City Council approved a request by Mr. James A. Brucci, Hunter Engineering, for approval of Application PL-21-0036 Avondale Commerce Park Phase II Final Plat on 40.03 gross acres of property located at the northwest corner of 101st Avenue and Van Buren Street. The proposed Final Plat will dedicate public utility easements, sidewalk easement, and right-of-way.

y. FINAL PLAT FOR MGN1, BEING A REPLAT OF AVONDALE CITY CENTER PHASE 2 LOT 8, FOR THE BLVD WATER FEATURE - APPLICATION PL-21-0091

City Council approved a Final Plat for MGN1 being a Replat of Avondale City Center Phase 2 Lot 8, approximately 4.099 acres of private property located at the southeast corner of Avondale Boulevard and The BLVD.

z. FINAL PLAT FOR RIVER RUN - APPLICATION PL-20-0134

City Council approved a request by Mr. Jeff Giles, Clouse Engineering, Inc., for approval of a Final Plat for River Run, approximately 14.52 gross acres located west of the southwest corner of Thomas Road and 119th Avenue. Consistent with the Preliminary Plat approved by City Council in November 2019, the proposed Final Plat will create 103 single-family residential lots.

5. ADJOURNMENT

There being no further business before the Council, Council Member Nielson moved to adjourn the Work Session meeting; Council Member Kilgore seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

Meeting adjourned at 6:05 p.m.

A **Regular Meeting** of the City Council of the City of Avondale, Arizona was convened using the Zoom Cloud Meeting platform in open and public session at 7:00 p.m. All participants attended by phone or video.

Members Present: Mayor Kenn Weise; Vice Mayor Veronica Malone; Council Members Tina Conde, Pat Dennis, Bryan Kilgore, Curtis Nielson, and Mike Pineda.

Members Absent: None.

Other Municipal Officials Present: Charles Montoya, City Manager; Cherlene Penilla, Assistant City Manager; Tracy Stevens, Deputy City Manager; Lindsey Duncan, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Fallstrom, Interim Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Darcy Lowery, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Marshall Pimentel, Intergovernmental Affairs Administrator; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately fifteen members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. REGULAR AGENDA (PUBLIC HEARING ITEMS)

2a. PUBLIC HEARING - ORDINANCE 2039-0821 - ALP INDUSTRIAL PARK REZONING FROM COMMUNITY COMMERCIAL (C-2) TO GENERAL INDUSTRIAL (A-1) - APPLICATION PL-21-0050

City Council held a public hearing and considered a request to adopt Ordinance 2039-0821, approving a request by Jinia Sarker, Cawley Architects to rezone 2.67 gross acres of land located approximately 430 feet south of the southwest corner of Eliseo C. Felix Jr. Way and Van Buren Street from Community Commercial (C-2) to General Industrial (A-1). Light industrial, office, and indoor auto body repair uses are proposed.

Michelle Simerdla, Senior Planner for Development and Engineering Services, provided an overview of the property details and surrounding property uses for a proposal to construct the following two buildings:

- Building A: 17,580 square feet, including a mezzanine for each suite
- Building B: 14,690 square feet, with potential to expand to 18,350 square feet with a mezzanine for each suite

There will be a total of 11 suites with uses including light industrial, office, and indoor auto body repair. The site plan, architecture, and building elevations were reviewed. Staff is in support of the project as it conforms to the General Plan Land Use Map designation of Industrial. Industrial uses may be more viable on the site than commercial as the site has remained vacant since 1960. The proposed rezoning will result in development that is compatible with and complementary to existing uses in area. Adequate infrastructure does exist for the project. The development will conform to A-1 development standards as well as the requirements in the Commercial and Industrial Design Manual. All required notifications have been completed and the Planning Commission recommended unanimous approval on July 21, 2021.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing and opened the floor for comments from Council.

Council Member Conde spoke positively on the contemporary design and spoke words of appreciation for residents submitting feedback on the project. Council Member Dennis asked whether the designated auto body location could be moved or expanded, if needed in the future. Ms. Simerdla confirmed that any uses allowed in the General Industrial District would be permitted. All repairs would continue to be done indoors. Council Member Nielson thanked staff for the project, noting the site remained vacant since the 1960s. Council Member Pineda stated the project is comparable to the area and was glad to see the area be filled in. Council Member Kilgore and Vice Mayor Malone did not have any questions or comments.

Mayor Weise stated there is currently a shortage in the City for these types of uses. The most significant issue for vehicle body and mechanical work is the noise level. Having enclosed locations is a great idea; however, going forward with developments such as these, the City should consider allowing the agents to lease out buildings to businesses they feel is the best fit and make the most sense.

Council Member Conde moved to adopt Ordinance 2038-0821, approving Application PL-21-0050, subject to two (2) recommended conditions of approval; Council Member Dennis seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

Note from the City Clerk: Items 2b and 2c were presented together and voted on individually.

2b. PUBLIC HEARING - ORDINANCE 2040-0821 – MAJOR AMENDMENT TO AVONDALE AUTOMALL PLANNED AREA DEVELOPMENT (PAD) – APPLICATION PL-21-0047

City Council held a public hearing and considered a request to adopt Ordinance 2040-0821, approving a request by Mr. Paul E. Gilbert, Beus Gilbert McGroder PLLC, for a Major Amendment to the Avondale Automall Planned Area Development (PAD) to revise the permitted uses to allow, subject to approval of a Conditional Use Permit, an automotive dealership selling used vehicles only on approximately 9.11 acres at the northeast corner of 107th Avenue and Roosevelt Street, provided that the used automotive dealership has a minimum consolidated annual revenue of \$500 million dollars and maintains a minimum of 140 vehicles on display at all times on the Avondale Automall property. The request will revise permitted uses within the PAD for only the 9.11-acre subject property, Assessor Parcels 102-54-045D and 102-54-101; used automotive dealerships will remain prohibited within the remainder of the Automall except where a 2020 PAD Amendment allowed for the use on an adjoining property. A request for approval of a Conditional Use Permit for a proposed AutoNation used automotive dealership on the subject property will be considered separately; approval of the PAD Amendment is required for the Commission to consider the requested Conditional Use Permit.

Ken Galica, Division Lead Planner for Development and Engineering Services, provided an overview of the site details, history, and surrounding uses. The General Plan designates the property as Business Park, which is the General Plan designation for corporate commerce type of uses. The proposed dealership is required to have a consolidated annual revenue of \$500 million and always maintain a minimum of 140 vehicles on display. The terms are identical to what the Council approved last year for Echo Park. Auto Nation specializes in the sales of nearly new or preowned, high quality vehicles. The intent is to utilize the existing dealership facility as well as develop additional vehicle inventory space on the undeveloped property. Hours of operation will be from 8:30 a.m. to 9:00 p.m., seven days per week. Access points and planned building refurbishments were reviewed. Staff believe the PAD amendment will result in compatible land use. The facility will be a revenue-generating use in a dealership that has been vacant since 2017. The conditional use permit and analysis is very similar with General Plan consistency and compatible with and comparable to those existing uses. The site plan meets all requirements for parking, setbacks, and landscaping. The site has adequate access. All required notifications were completed, and the Planning Commission recommended approval on June 16, 2021.

Mayor Weise opened the public hearing and received two Requests to Speak. Paul Gilbert with Beus Gilbert McGroder PLLC stated the presentation was complete and accurate and did not have anything additional to add.

Member of the public, Ken Martin asked whether the City is proactive in conducting studies in terms of infrastructure. Mayor Weise directed staff from the Planning Department to contact Mr. Martin and address his comment. Ms. Carrillo asked Mr. Martin to email PublicComment@AvondaleAZ.gov so a member of the team can discuss his inquiry.

Mayor Weise closed the public hearing and opened the floor for comments from Council. Mayor Weise commented on the importance of the City having a full auto-mall, which sends a strong message about Avondale's ability to attract businesses.

Council Member Conde concurred with the comments made by Mayor Weise. She noted the importance of having a used dealership that is of high quality.

Council Member Kilgore expressed his appreciation to the Planning Commission for their advice and hard work.

Council Member Dennis inquired about access to Roosevelt Street from the area designated in purple. Mr. Galica said there is no access to Roosevelt Street and a vehicle would come down from 105th Avenue and enter from Dealer Drive or use the entrance from 107th Avenue. Council Member Dennis expressed concern regarding traffic circulation, especially with the presence of large trailers hauling vehicles onto the site. Mr. Montoya stated that there is a planned traffic light at Roosevelt Street and 107th in the near future, which would be the opportune time to make additional connections. In response to a question from Council Member Dennis, Mr. Montoya stated he believed the traffic light at 107th Avenue and Roosevelt Street is in next year's CIP budget.

Mr. Montoya added that the Littleton School District is planning a school site on the west side of 107th Avenue and Roosevelt Street and a warehouse development is planned to the north; therefore, roadway improvements will be necessary.

Council Member Nielson concurred with Council Member Dennis regarding access concerns. Mr. Montoya added that the City is working with Department of Transportation (ADOT) and Maricopa Association of Governments (MAG) on expansion of the turn lanes for 107th Avenue.

Council Member Pineda stated he was pleased to see the vacant areas be filled with a quality dealership.

Vice Mayor Malone concurred with the comments and questions made by the other Council Members.

Council Member Dennis moved to adopt Ordinance 2040-0821, approving Application PL-21-0047 Avondale, a request for a Major Amendment to the Avondale Automall Planned Area Development, subject to 3 conditions of approval as listed in the staff report; Council Member Conde seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

2c. PUBLIC HEARING – CONDITIONAL USE PERMIT FOR AUTONATION USED AUTOMOTIVE DEALERSHIP – APPLICATION PL-21-0049

City Council held a public hearing and consider a request by Mr. Paul E. Gilbert, Beus Gilbert McGroder PLLC, for approval of a Conditional Use Permit (CUP) to allow an AutoNation used automotive dealership to operate on approximately 9.11 acres at the northeast corner of 107th Avenue and Roosevelt Street, Assessor Parcels 102-54-045D and 102-54-101. The proposed AutoNation would occupy a currently vacant dealership facility consisting of two (2) buildings totaling 10,895 square feet in area, surrounding paved area to be used for parking and display of the dealership's vehicle inventory, and a currently undeveloped portion of land abutting Roosevelt Street that would be improved to accommodate additional inventory parking and display. A request for approval of a Major Planned Area Development (PAD) Amendment revising the Avondale Automall PAD's permitted uses to allow a used automotive dealership on the property subject to Conditional Use Permit approval was considered separately.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing.

Council Member Nielson moved to approve Application PL-21-0049 AutoNation, a request for a Conditional Use Permit to allow a used automotive dealership in the Avondale Automall Planned Area Development, subject to 3 conditions of approval as listed in the staff report; Council Member Dennis seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

Note from the City Clerk: Items 2d and 2e were presented together and voted on individually.

2d. PUBLIC HEARING - RESOLUTION 1069-0821 - CERRO VISTA - MINOR GENERAL PLAN AMENDMENT - APPLICATION PL-18-0079

City Council held a public hearing and considered a request to adopt Resolution 1069-0821, approving a request by Virtua Avondale Eleven Owner, LLC, for a Minor Amendment to the Avondale General Plan 2030 Land Use Map for Cerro Vista, a proposed high-density multi-family residential development with 249 units on 11.51 gross acres located approximately 500 feet east of the northeast corner of Fairway Drive and Van Buren Street. The request is to amend the General Plan Land Use Map from Urban Residential (30+ dwelling units per acre) to High Density Residential (12 to 30 dwelling units per acre). City Council will consider a concurrent request to rezone the property from Agricultural (AG) and Community Commercial (C-2) to Multi-Family Residential (R-4).

Jodie Novak, Assistant Director of Development and Engineering Services, provided an overview of the site location details, surrounding uses, access points, offsite improvements, unit details, amenities, architecture, and elevations. The proposed development is compatible with the area with available water and sewer. Offsite improvements will be necessary for project completion, which will eventually follow street connectivity in the area. The rezoning is in conformance with the General Plan, Freeway Corridor Specific Area plan, including height requirements. All required notifications have been completed. Littleton Elementary school District does not currently have adequate school facilities but is working with the developer for an impact agreement. Tolleson Unified High School does have adequate facilities. The Planning Commission recommended approval on May 19, 2021.

At the request of Mayor Weise, Ms. Novak presented the ingress and egress map.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing and opened the floor for comments from Council.

Council Member Conde inquired as to effects on the new trail system on Van Buren. Ms. Novak reviewed the aerial photograph, noting a trail along Van Buren will be designed similar to what is located on the east side of Avondale Boulevard. Council Member Conde noted the project will blend well with the surrounding area and she spoke positively on the project design and the materials.

Council Member Kilgore thanked staff for helping bring the quality project to fruition.

Council Member Dennis addressed the multiuse path, noting that the ingress and egress will cross over the path. She asked about plans for signage. Ms. Novak said staff will work with the developer as part of the site plan design review component regarding design of signage. Council Member Dennis stressed the need for consistency, so that there are not

different signs and designs in various locations. She asked whether Littleton Elementary School District has completed its agreement with the developer. Ms. Novak clarified that the agreement is currently in place.

Mayor Weise asked about the possibility of utilization of lighting to distinguish paths. Mr. Montoya said staff will work with the applicant in terms of consistent blending.

Council Member Nielson inquired about funding for completion of the path. Mr. Montoya said the multi-use trail goes to the bridge, in front of the charter school. The funding came from MAG resources, but he will double-check to see how far it goes.

Council Member Pineda stated he is looking forward to this project and having appropriate residence opportunities for those living, working, and playing in the city.

Council Member Malone concurred with the questions asked regarding the trail amenities and setbacks. She stated the project is a great addition to the city.

Mayor Weise noted there is a lot of development happening in the areas surrounding this project; people who work in the area will want to live close to where they are working. He spoke positively on the project concept and design.

Council Member Pineda moved to adopt Resolution 1069-0821, approving Application PL-18-0079 Cerro Vista, a request for a Minor Amendment to the General Plan 2030 Land Use Map Designation from Urban Residential to High Density Residential; Council Member Dennis seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

2e. PUBLIC HEARING - ORDINANCE 2041-0821 - CERRO VISTA REZONING FROM AGRICULTURAL (AG) & COMMUNITY COMMERCIAL (C-2) TO MULTI-FAMILY (R-4) - APPLICATION PL-18-0080

City Council held a public hearing and considered a request to adopt Ordinance 2041-0821 approving a request by Virtua Avondale Eleven Owner, LLC, to rezone 11.51 acres of land located approximately 500 feet east of the northeast corner of Fairway Drive and Van Buren Street from Agricultural (AG) and Community Commercial (C-2) to Multi-Family Residential (R-4). City Council will consider a concurrent request to amend the

General Plan Land Use Map from Urban Residential (30+ dwelling units per acre) to High Density Residential (12 to 30 dwelling units per acre). The requests will allow for the development of a 249-unit multi-family residential development at a density of approximately 23.94 dwelling units per acre.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing.

Council Member Conde moved to adopt Ordinance 2041-0821, approving Application PL-18-0080 Cerro Vista, a request to rezone approximately 11.51 acres from Agricultural (AG) and Community Commercial (C-2) to Multi-Family Residential (R-4), subject to six (6) recommended conditions of approval; Council Member Nielson seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

2f. PUBLIC HEARING - RESOLUTION 1070-0821- UPDATING CITY OF AVONDALE WATER AND SEWER RATES

City Council held a public hearing and considered a request to adopt Resolution 1070-0821, modifying water and sewer rates to become effective October 1, 2021 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Keith Fallstrom, Interim Finance and Budget Director, stated that since June, 2021, a report has been filed with the City Clerk and posted to the City website 30 days prior to the public hearing. A public notice was published in the newspaper and posted to the City website for more than 20 days prior to public hearing. The following public outreach efforts were conducted:

- Held three public meetings.
- Posted notices through the city social media account and website.
- Published an article on the front page of the West Valley View newspaper.
- Posted a bill comparison tool on the city website.
- Sent email notifications to the HOAs, Board and Commission members, and members of the Avondale Citizens Water Alliance.
- Published notices on the online payment system.
- Published notices on the paper bills.
- Published notices at the front counter where customers pay their utility bills.

Based on the rate increases, residential customers will see an approximate \$4.50 increase in October of 2021 and an additional \$4.50 increase in January of 2023. A utility bill comparison to other cities was reviewed. On October 1, 2021, the “year 1” water, wastewater, and solid waste rates would be effective. On July 1, 2022, the “year 2” solid waste rates would be effective. On January 1, 2022, the “year 2” water and wastewater rates would be effective.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing and opened the floor for comments from Council.

Council Member Conde thanked staff for their public outreach efforts, noting the tools provided constituents with a better understanding of why the increases are being implemented. She noted the importance of being mindful of small increases in the future.

Council Member Kilgore did not have any questions or comments.

Council Member Dennis thanked staff for their public outreach efforts and appreciates the yearly assessment of the rates to make future rate increases more minimal.

Council Member Nielson expressed his appreciation to staff for the work that was done. He noted to assess the rates more frequently to produce the smaller increase amount.

Council Member Pineda thanked staff for the presentation and for the proactive approach to give residents the opportunity to hear the information. He concurred with Council Member Dennis’ suggestion for a yearly assessment for minimal rate increases in the future.

Vice Mayor Malone thanked staff for the presentation and consistent outreach in various methods.

Mayor Weise noted the comments by Council Member Dennis, stating a yearly assessment is needed.

Council Member Nielson moved to adopt Resolution 1070-0821, approving a rate schedule for water and wastewater user charges and setting an effective date of October 1, 2021 for the year one rates and January 1, 2023 for the year two rates; Council Member Dennis seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye

Vice Mayor Malone	Aye
Mayor Weise	Aye

3. ADJOURNMENT INTO EXECUTIVE SESSION

There being no further business before the Council, Council Member Dennis moved to adjourn the adjourn the Regular Meeting and hold an executive session pursuant to Ariz. Rev. Stat. § 38--431.03(A)(1) for discussion or consideration of the employment evaluation of the City Manager.; Council Member Conde seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

Meeting adjourned at 8:12 p.m.

Kenn Weise, Mayor

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting and Regular Meeting of the Council of the City of Avondale held on the 23rd day of August 2021. I further certify that the meeting was duly called and held, and that the quorum was present.

Marcella Carrillo, City Clerk

Date Approved by City Council

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
ONLINE MEETING
September 7, 2021

A **Regular Meeting** of the City Council of the City of Avondale, Arizona was convened using the Zoom Cloud Meeting platform in open and public session at 7:00 p.m. All participants attended by phone or video.

Mayor Kenn Weise led the Pledge of Allegiance followed by a moment of silent reflection in remembrance of the Phoenix firefighter who died of COVID.

Members Present: Mayor Kenn Weise; Vice Mayor Veronica Malone; and Council Members Tina Conde, Pat Dennis, Bryan Kilgore, Curtis Nielson, and Mike Pineda.

Members Absent: None.

Other Municipal Officials Present: Charles Montoya, City Manager; Cherlene Penilla, Assistant City Manager; Lindsey Duncan, Deputy City Manager; Nicholle Harris, City Attorney; Linda Mendenhall, Deputy City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Keith Fallstrom, Interim Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Darcy Lowery, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Marshall Pimentel, Intergovernmental Affairs Administrator; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately ten members of the public were present.

1. ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

Linda Mendenhall, Deputy City Clerk read the following email sent by Ramon Carranza for public comment regarding code compliance notices to residents.

3. PRESENTATION ITEMS

a. PROCLAMATION RECOGNIZING DAVID IWANSKI

City Council presented a proclamation to former Council Member David Iwanski for his willingness to continue to serve Avondale as an appointed member of various Boards and Commissions, helping make Avondale the best city it can be. Council Members. Mayor Weise read a proclamation honoring Mr. Iwanski. Council Members spoke words of appreciation for Mr. Iwanski's service to the community.

b. INTRODUCTION OF NEW EMPLOYEE

Kirk Beaty, Public Works Director, introduced the new Transit Manager, Matthew Dudley. Council Members welcomed Mr. Dudley to the City of Avondale.

c. CITY MONSOON RESPONSE AND GILA BEND ASSISTANCE

Kirk Beaty, Public Works Director, presented a Public Works Department update on the department's efforts in responding to monsoon flooding and damage within the City, and assistance with recovery efforts within the Town of Gila Bend. Mr. Montoya spoke words of appreciation to the Public Works Department and to City Council for their notices when issues arise.

4. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

Mayor Weise asked if any Council Member wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Council Member Nielson, seconded by Council Member Kilgore, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

a. APPOINTMENT OF CHAIR AND VICE CHAIR TO THE PLANNING COMMISSION

City Council appointed Christopher Thompson as the Chair of the Planning Commission and Lisa Osborne as the Vice Chair of the Planning Commission for the remainder of the 2021 calendar year.

b. BUDGET AMENDMENT AND AWARD AUTHORITY - MCDOWELL RECHARGE BASIN

City Council approved a \$33,000 increase to the administrative award authority for the McDowell Recharge Basin Improvements (22169); a budget transfer in the amount of \$33,000 from the Water Operating Budget to the Water Capital Budget to fully fund the project (U0078), adjust the interfund transfer schedule, and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

c. AWARD AUTHORITY FOR PUBLIC WORKS FISCAL YEAR 2022 OPERATING BUDGET

City Council amended the Administrative Awarding Authority for certain operating products and services for FY2021-2022 and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

d. ORDINANCE 2042-0921 ACCEPTING OF PUBLIC UTILITY EASEMENT (PUE) DEDICATION BY MARICOPA COUNTY ON THE SOUTH SIDE OF HARRISON STREET

City Council adopted Ordinance 2042-0921, accepting a Public Utility Easement dedicated by Maricopa County on the south side of Harrison Street, located just East of 4th Street, for the installation of new streetlights and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

e. ORDINANCE 2043-0921 - GRANTING AN ELECTRICAL EASEMENT TO SALT RIVER PROJECT (SRP) FOR THE NEW BLVD WATER FEATURES

City Council adopted Ordinance 2043-0921, granting an Electrical Easement to Salt River Project for the new BLVD Water Features and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. RESOLUTIONS 1071-0921 AND 1072-0921 – ROOSEVELT PARK II PHASE 4 MAINTENANCE IMPROVEMENT DISTRICT

City Council: (a) approved a Petition for Formation; (b) adopted Resolution 1071-0921, declaring its intention to form the City of Avondale Maintenance Improvement District No. 29, Roosevelt Park II Phase 4, providing for the assessment, and; (c) adopted Resolution 1072-0921, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment, declaring an emergency; and (d) authorized the Mayor, City Attorney and City Clerk to execute the necessary documents.

g. FINAL PLAT – ROOSEVELT PARK II PHASE 4 - APPLICATION PL-21-0182

City Council approved a request by Mr. Joe Petrucci, EPS Group, Inc., for a Final Plat for Roosevelt Park II Phase 4, approximately 15.43 gross acres (12.16 net acres) located at the southwest corner of 107th Avenue and Roosevelt Street. Consistent with the Preliminary Plat approved by City Council on July 5, 2021, the proposed Final Plat will create 56 single-family residential lots, eight (8) common area open space/landscaping tracts, and a tract to accommodate private streets within Phase 4, and dedicate easements as needed to serve the future development.

h. FINAL PLAT OF AVONDALE AUTO MALL PHASE 2 LOT 11D FOR AUTONATION USA (RE-PLAT OF AVONDALE AUTO MALL PHASE 2 LOT 11A AND LOT 12) - APPLICATION PL-21-0137

City Council approved a request by Mr. Traver Jones, Kimley-Horn and Associates, on behalf of AutoNation USA, for a Final Plat for Avondale Auto Mall Phase 2 Lot 11D. The proposed Final Plat consolidates two (2) existing parcels located at the northeast corner of 107th Avenue and Roosevelt Street into a single 7.94-acre lot and dedicates right-of-way to accommodate future widening of 107th Avenue.

5. REGULAR AGENDA

a. PUBLIC HEARING AND ORDINANCE 2044-0921 - VAN BUREN 101 - REZONE MAJOR AMENDMENT TO THE INTERSTATE COMMERCE CENTER PAD - PL-21-0080

City Council held a public hearing and considered a request to adopt Ordinance 2044-0921, approving a rezone request by Adam Baugh, Withey Morris PLC, for a Major Amendment to the Interstate Commerce Center Planned Area Development (PAD) to revise the PAD's permitted uses to allow warehouse and distribution uses as a primary use on Lot 11 of the Interstate Commerce Center, which is 5.50 net acres of vacant land located at the northeast corner of 101st Avenue and Van Buren Street. Permitted uses on other parcels within the Interstate Commerce Center PAD are not modified by the proposed Amendment and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Ann Dolmage, Senior Planner for Development and Engineering Services, provided an overview of the project site details and surrounding uses. The request is to amend the interstate commerce Center PAD and revise the permitted uses for the site to include warehouse and distribution as a primary use on lot 11. The project proposal would establish Commerce Park (CP) development standards with the following exceptions:

- Front yard setback reduced from 25 feet to 15 feet.
- Street side yard setback reduced from 25 to 10 feet.
- Rear yard and interior side yard setbacks reduced from 15 feet to 5 feet average.
- Building height increase from 35 feet to 47 feet.

The PAD amendment will facilitate construction of a new industrial building approximately 95,580 square feet in size. The site will have entrances on both street frontages and truck wells at the rear corners of the building, which will be shielded from view of Van Buren Street as well as on 101st Avenue. Seventy-three parking spaces are required by the project; however, 92 will be provided. Building design details were reviewed. The project will develop employment-generating uses for the City that are compatible with the surrounding area. Infrastructure necessary to serve the development will be installed by the developer. All required public notifications have been completed. Three comments were received on aVOICE, with one in favor and two opposed. Staff recommends approval of the ordinance, subject to six recommended conditions of approval.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing. The applicant's representative, Adam Baugh with Withey Morris PL provided brief comments about the project, noting that the proposed development is entirely compatible with what already exists in the area.

Council Members Conde and Kilgore did not have any questions or comments for staff. In response to a question from Council Member Dennis regarding the setback for the side yard on 101st Avenue, Mr. Montoya stated that City staff will make sure that the alignment

is set to ensure adequate space for sidewalks. Council Member Dennis commented on the quality appearance of the proposed design.

Council Member Nielson asked about the future plans for the multi-use path from 107th Avenue to 99th Avenue, noting the need of an easement on the south side of the property. Mr. Montoya stated the existing path across Van Buren Street was completed through a joint project with Department of Transportation and Maricopa Association of Governments. The Parks and Recreation Director is looking to expand and connect trails throughout the City, which will remain a priority.

Council Member Pineda noted the importance of acknowledging the public comments received. He noted that the building taking place to the north and the east is of similar design (industrial), the development and elevation are appropriate.

Mayor Weise commented that he has no issues with the development and that it blends well with the area. He noted small business that could use a facility of such size. Council Member Malone did not have any questions or comments for staff.

Council Member Dennis moved to adopt Ordinance 2044-0921, approving Application PL-21-0080, subject to six (6) recommended conditions of approval; Council Member Conde seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

6. ADJOURNMENT

There being no further business before the Council, Council Member Nielson moved to adjourn the Regular meeting; Council Member Pineda seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

Meeting adjourned at 7:41 p.m.

Kenn Weise, Mayor

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Council of the City of Avondale held on the 7th day of September 2021. I further certify that the meeting was duly called and held, and that the quorum was present.

Marcella Carrillo, City Clerk

Date Approved by City Council

CITY COUNCIL REPORT

SUBJECT: Call and Notice of Election

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Marcella Carrillo, City Clerk, (623) 333-1214

THROUGH: Tracy Stevens, (623) 333-1014

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area: Innovative Program and Service Delivery - Avondale will continue to serve as a model of innovative, efficient, and responsive government. This agenda item is an innovation initiative to allow the city to propose a new Expenditure Limitation to the voters.

PURPOSE:

City Council will consider a request to: (a) call a Primary Election on August 2, 2022 and if necessary, a General Election on November 8, 2022; (b) authorize staff to add issues to the ballot as directed by Council, or by appropriate administrative action; and (c) authorize the City Clerk and the City Attorney to take all action necessary to conduct the election. The Council will take appropriate action.

BACKGROUND:

The terms for three Council Members will expire in January 2023. Therefore, a nonpartisan candidate Primary Election, and a possible run-off General Election, will be conducted to fill the upcoming vacancies. On September 20, 2021, City Council adopted Resolution 1072-0921 proposing to submit to the qualified electors at the August 2, 2022 election a question to provide for a \$10,408,000 permanent adjustment to the base expenditure limitation.

DISCUSSION:

At the Primary Election to be held on Tuesday, August 2, 2022, voters will vote on the following issues:

- Three council members *
- Alternative Expenditure Limitation - Permanent Base Adjustment Proposition
- Additional Propositions (if necessary and as directed by City Council)

At the General Election to be held on Tuesday, November 8, 2022, voters will vote on the following issues:

- Three council members (runoff election) *
- Additional Propositions (if necessary and as directed by City Council)

*Any candidate receiving a majority of all votes cast at the Primary Election will be declared elected without running at the General Election.

BUDGET IMPACT:

The City Clerk's Office has budgeted a total of \$20,000 in Fiscal Year 2022 with the remaining budget to be requested in Fiscal Year 2023.

RECOMMENDATION:

Staff recommends approval of the call of a nonpartisan candidate Primary Election on August 2, 2022 and if necessary, a nonpartisan candidate runoff General Election on November 8, 2022; authorize staff to add issues to the ballot as directed by Council, or by appropriate administrative action; and authorize the City Clerk and City Attorney to take all action necessary to conduct the election.

CITY COUNCIL REPORT

SUBJECT: Adjustment to Interfund Transfer Schedule - Water Impact Fee Fund to Debt Service

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Keith Fallstrom, Interim Finance & Budget Director, (623) 333-2016

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Innovative Program and Service Delivery - Avondale will continue to serve as a model of innovative, efficient, and responsive government.

The proposed change will help ensure growth pays a fair share for improvements, which allows the city to continue to provide great services to citizens.

PURPOSE:

City Council will consider a request to adjust the Fiscal Year 2021 interfund transfer schedule for a transfer from the Water Impact Fee Fund to the Pledged Revenue Obligations Debt Fund. The Council will take appropriate action.

BACKGROUND:

The North Avondale Water Supply project was identified as a project eligible for the use of water development fees in the Infrastructure Improvement Plan that went into effect August 2, 2019. The project was financed in part with the issuance of pledged revenue obligation bonds and the city will be paying the debt associated with those bonds through FY2031. The Interfund Transfer Schedule was adopted with the FY2021 on June 15, 2020.

DISCUSSION:

To meet the water supply needs of growth, Avondale constructed an interconnect with the Phoenix water distribution system to transport five million gallons of water a day, known as the North Avondale Water Supply project. The project was included in the city's adopted Infrastructure Improvement Plan for \$6,860,000. Per ARS 9-463.05, the project is eligible for the use of water development impact fees.

To finance the North Avondale Water Supply project and water system improvements in Old Town Avondale, the city issued \$10 million in pledged revenue obligation bonds. The issuance dedicated \$6 million to the

North Avondale Water Supply project. Staff has analyzed the impact fee eligible portion of the debt service and has determined the amount of that debt to be paid using impact fees (see attachment).

The transfer was not included in the adopted FY2021 Interfund Transfer Schedule, as staff was still analyzing the data.

BUDGET IMPACT:

If council does not approve the interfund transfer, the debt will be paid using Dedicated Sales Tax funds. Those funds could be used on other transportation, water, and sewer projects.

RECOMMENDATION:

Staff recommends modifying the FY2021 Interfund Transfer Schedule, authorizing a transfer of \$392,000 from the Water Development Impact Fee fund to the 2019 Pledged Revenue Obligation Debt Fund.

North Avondale Water Supply Worksheet

Total Project I **\$ 8,884,769**

Impact Fee Eli \$ 6,860,000
Non impact fe \$ 2,024,769
2019 Bonds \$6,000,000

Bonds to imp: \$3,975,231 44.74% Bond Fund
Purely Bond F \$ 2,024,769 22.79% Bond Fund
Purely impact \$ 2,884,769 32.47% Impact Fee
\$8,884,769

Impact Fee Bc 66.3%
Non Impact Fe 33.7%

Ratio of Projects
NAWS \$ 6,000,000 59.43%
Historic Avonc \$ 4,000,000 39.62%
Other costs \$ 96,000 0.95%

Date	Fiscal Year	Principal	Interest	NAWS Portion (Rounded to Nearest 1,000)	% of project reimbursed from impact fees (Rounded to Nearest 1,000)	Fiscal Year	Transfer per fiscal year (Rounded to Nearest 1,000)
1/1/2020	FY2020		103,248	61,000	40,000	FY2020	\$ 301,000.00
7/1/2020	FY2020	543,000	119,133	394,000	261,000	FY2021	\$ 392,000.00
1/1/2021	FY2021		112,725	67,000	44,000	FY2022	\$ 392,000.00
7/1/2021	FY2021	771,000	112,725	525,000	348,000	FY2023	\$ 392,000.00
1/1/2022	FY2022		103,628	62,000	41,000	FY2024	\$ 392,000.00
7/1/2022	FY2022	789,000	103,628	530,000	351,000	FY2025	\$ 392,000.00
1/1/2023	FY2023		94,317	56,000	37,000	FY2026	\$ 392,000.00
7/1/2023	FY2023	808,000	94,317	536,000	355,000	FY2027	\$ 392,000.00
1/1/2024	FY2024		84,783	50,000	33,000	FY2028	\$ 391,000.00
7/1/2024	FY2024	827,000	84,783	542,000	359,000	FY2029	\$ 392,000.00
1/1/2025	FY2025		75,024	45,000	30,000	FY2030	\$ 393,000.00
7/1/2025	FY2025	846,000	75,024	547,000	362,000	FY2031	\$ 393,000.00
1/1/2026	FY2026		65,042	39,000	26,000	FY2032	\$ -
7/1/2026	FY2026	866,000	65,042	553,000	366,000	TOTAL	\$ 4,614,000
1/1/2027	FY2027		54,823	33,000	22,000		
7/1/2027	FY2027	886,000	54,823	559,000	370,000		
1/1/2028	FY2028		44,368	26,000	17,000		
7/1/2028	FY2028	907,000	44,368	565,000	374,000		
1/1/2029	FY2029		33,665	20,000	13,000		
7/1/2029	FY2029	929,000	33,665	572,000	379,000		
1/1/2030	FY2030		22,703	13,000	9,000		
7/1/2030	FY2030	951,000	22,703	579,000	384,000		
1/1/2031	FY2031		11,481	7,000	5,000		
7/1/2031	FY2031	973,000	11,481	585,000	388,000		
TOTAL		10,096,000	1,627,502	6,966,000	4,614,000		

CITY COUNCIL REPORT

SUBJECT: Final Plat of Del Rio Ranch III Phase 2 (Application PL-21-0114)

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include workforce housing.

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Maintain and expand quality infrastructure and improve connectivity to City amenities.
-

PURPOSE:

City Council will consider a request by Mr. Jason Burm, Kimley-Horn & Associates, Inc., for approval of a Final Plat for Del Rio Ranch III Phase 2. In conformance with the Del Rio Ranch III Preliminary Plat approved by City Council in April 2021, the proposed Final Plat creates 166 single-family residential lots, 16 common area tracts, and dedicates streets and easements on approximately 43.93 acres located at the southwest corner of Durango Street and 125th Avenue. The Council will take appropriate action.

BACKGROUND:

Del Rio Ranch III Phase 2 is comprised of approximately 49.93 acres located at the southwest corner of Durango Street and 125th Avenue (Exhibits A and B). The property is part of the larger Del Rio Ranch master development consisting of over 440 acres bounded by Avondale Boulevard to the east, Lower Buckeye Road to the south, the Agua Fria River to the west, and Durango Street to the north (with some irregularities). The site was used as a dairy farm until 2007 and from 2007 until 2015, portions of the property were used for crop farming. Currently, the site is vacant, and all accessory structures used in conjunction with the prior agricultural use of the property have been demolished.

A pre-annexation development agreement for Del Rio Ranch was approved by City Council in January 2001. The pre-annexation development agreement allowed for development of a 1,665 single-family lot master planned community, with commercial sites at the northwest corner of Avondale Boulevard and Lower Buckeye Road as well as at the northeast corner of El Mirage Road and Lower Buckeye Road. The PAD was to be developed in three (3) segments, Units I and II east of El Mirage Road, and Unit III west of El Mirage Road.

Applications for annexation, rezoning to Del Rio Ranch Planned Area Development (PAD), and Preliminary Plat were approved by City Council in February 2005. The 2005 PAD and Preliminary Plat covered the full Del Rio Ranch property, inclusive of Units I, II, and III, allowing a maximum of 1,284 single family lots at a density of 3.43 dwelling units per acre, a 12-acre commercial parcel located at the northwest corner of Lower Buckeye Road and Avondale Boulevard, and a 6-acre commercial parcel located at the northeast corner of Lower Buckeye Road and El Mirage Road.

In September 2007, a Major PAD Amendment and new Preliminary Plat for Del Rio Ranch III were approved by the City Council. The purpose of these applications was to enlarge the Del Rio Ranch III site by incorporating 35 acres north of the original PAD boundary, immediately west of the Cashion Tank and Steel site. The 2007 approvals allowed for development of Del Rio Ranch III with 493 lots on 176 acres, a density of approximately 2.79 dwelling units per acre. A 17-acre school site for the Littleton Elementary School District was also included in the 2007 plan.

In 2017, in response to changing Federal Emergency Management Agency (FEMA) regulations pertaining to development adjacent to floodways that were created in the wake of Hurricane Katrina, the applicant processed a Minor PAD Amendment to remove lots from portions of the Del Rio Ranch III property that were no longer able to be developed due to the federal government's more severe restrictions on development. Additionally, due to the Littleton Elementary School District's determination that a school site was no longer needed in this development, the 2017 minor amendment eliminated the previously planned school site from the development plan, replacing it with additional single-family residential lots. The minor amendment was approved administratively in August 2017 and a corresponding Preliminary Plat was approved by City Council in October 2017. The 2017 Preliminary Plat allowed for development of Del Rio Ranch III with 491 single-family lots on 176 acres, a density of approximately 2.78 dwelling units per acre.

A Final Plat For Del Rio Ranch III Phase 1, creating 153 lots at the southwest corner of El Mirage Road and Durango Street, was approved in May 2018. Del Rio Ranch III Phase 1 is currently being developed by Beazer Homes; as of January 26, 2021, 24 homes have been completed, 41 homes are under construction, with 88 lots remaining for future development.

In January 2021, the City administratively approved the applicant's request for an additional Minor PAD Amendment, reconfiguring streets within Del Rio Ranch III Phases 2 through 5 and eliminating a previously planned future connection of 125th Avenue to Buckeye Road (through the adjoining Cashion Tank and Steel site). The elimination of the 125th Avenue connection to Buckeye Road allowed more of the property to be developed with single-family homes and, as a result, the total number of lots within the community rose by 30, from 491 to 521. A Preliminary Plat in conformance with the 2021 amended PAD was approved by City Council in April 2021.

The Del Rio Ranch III Phase 2 property is designated by the General Plan Land Use Map (Exhibit C) as Medium High Density Residential (MHDR). The MHDR category allows for development of residences within a density range of four (4) to twelve (12) dwelling units per acre, with a target density of four (4). The MHDR category can accommodate development of a variety of housing types, including single-family detached homes, single-family attached homes, townhomes, condominiums, patio homes, etc. The property's approved Planned Area Development (PAD) zoning, approved under a previous General Plan, supersedes the General Plan designation applied to the site.

The existing uses and zoning of the properties surrounding Del Rio Ranch III are as follows:

NORTH: Multiple land uses border Del Rio Ranch III to the north. From east to west, these include:

- Cashion Tank and Steel (CT&S), a reseller of commercial and industrial storage tanks, which has operated on the property since at least 1976. The use involves a large outdoor yard where used tanks are stored and several structures. The majority of the CT&S property is located within the City of Avondale, having been annexed in 1984, and is zoned R1-6 (Single Family Urban Residential). A small portion of the CT&S property is not annexed in the City and is zoned Maricopa County RU-43 (Rural).

The current use of the portions of the site annexed into the City of Avondale is not allowed in the R1-6 district and, as such, it is non-conforming.

- The Coldwater Springs Golf Club is adjacent to the northwestern portion of the subject property, separated from the site by Buckeye Road and the Union Pacific Railroad tracks. The golf course is zoned PAD (Planned Area Development).

EAST: Multiple land uses border the subject property to the east. From north to south, these include:

- Cashion Tank and Steel, the reseller of storage tanks for which more detail is provided above.
- Diamond Ridge, a single-family subdivision consisting of 210 single-family homes on 45 acres, a net density of 4.67 dwelling units per acre. Diamond Ridge began construction in 2002 with all homes being completed by 2005. The subdivision is zoned PAD (Planned Area Development).

SOUTH: The Rio Vista West residential subdivision, a community of 203 residential lots on approximately 45 acres. The community was platted in segments between 1971 and 1974 and developed with homes in the mid-1970s. Rio Vista West is zoned R1-6 (Single Family Residential – Urban Residential).

WEST: The Agua Fria River. As it relates to the Del Rio Ranch III project, development of homes will be allowed only on portions of the property located outside of the floodway or any flowage or fringe easements as determined by the Army Corps of Engineers.

SUMMARY OF REQUEST:

The applicant is requesting approval of a Final Plat for Del Rio Ranch III Phase 2 (Exhibit E). In conformance with the Del Rio Ranch III Preliminary Plat approved by City Council in April 2021, the proposed Final Plat will create 166 single-family residential lots, 16 common area tracts, and dedicate streets and easements on approximately 43.93 acres located at the southwest corner of Durango Street and 125th Avenue.

Del Rio Ranch III Phase 2 consists of two (2) different minimum lot sizes, as follows:

- 131 single-family lots with a minimum area of 5,520 square feet, featuring minimum widths of 48 feet and minimum depths of 115 feet.
- 35 single-family lots with a minimum area of 6,360 square feet, featuring minimum widths of 53 feet and minimum depths of 120 feet.

Additionally, the proposed Final Plat creates sixteen (16) common area tracts for active and passive open space totaling 13.49 acres (30.7 percent). The most significant amenity in Phase 2 is a meandering 12-foot wide landscaped, lighted, multi-use trail, located within a 40-foot public easement along the edge of the Agua Fria River. In the future, this trail will be tied into the larger, planned regional system in the river corridor, connecting residents south to the Gila River and north to Friendship Park and beyond. Access from the elevated trail down into the Agua Fria River will be provided, offering residents opportunities to participate in riparian activities, such as bird watching and hiking. Residents in Phase 2 will also have full access to the 5.07-acre central park amenity constructed with Phase 1; the central park features a covered playground, full basketball court, two (2) sand volleyball courts, a ramada with picnic seating, a large turf area for active recreation, and benches throughout.

In addition to creating lots and tracts as described above, the proposed Final Plat dedicates all rights-of-way and necessary easements to accommodate construction of the required street improvements for Del Rio Ranch III Phase 2. Primary vehicular access to this phase will be from 125th Avenue along Phase 2's eastern boundary, with a secondary access provided through Del Rio Ranch Phase 4 to the north. The developer will construct all street improvements adjacent to and internal to Phase 2. All streets will be public.

The Del Rio Ranch III Homeowner's Association will be responsible for maintaining all open space areas, landscape tracts, and right-of-way landscaping, including landscaped medians within or adjacent to the community. City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for the Del Rio Ranch III Phase 2 subdivision as a separate agenda item. The MID mechanism allows the City to assume maintenance responsibilities for the community's open space and landscaping in the event that the HOA goes defunct, providing for an assessment of residents to cover the maintenance costs.

PUBLIC PARTICIPATION:

Public notification is not required for Final Plat applications.

PLANNING COMMISSION ACTION:

The Planning Commission does not review Final Plat applications.

ANALYSIS:

- The proposed Final Plat has been reviewed by the City's contracted Registered Land Surveyor and the document has been confirmed as geometrically accurate and in conformance with Arizona Statutes governing the subdivision of real property.
- The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance, Subdivision Regulations, and Del Rio Ranch III Planned Area Development (PAD) and meets all conditions of these prior approvals.
- The proposed Final Plat conforms to the approved Preliminary Plat for Del Rio Ranch III, including conditions of approval.
- The proposed Final Plat dedicates rights-of-way and easements needed to allow the developer to complete water, sewer, and street improvements to serve the future development.

DISCUSSION:

The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance and Subdivision Regulations. The proposed Final Plat is in conformance with the Del Rio Ranch III PAD Development Plan, including conditions of approval. The proposed Final Plat is in conformance with the approved Del Rio Ranch III Preliminary Plat, including conditions of approval. The conditions of approval are reasonable to ensure conformance with the provisions as outlined in the Avondale Zoning Ordinance and all other applicable City codes, ordinances, and policies. Lastly, the City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for Del Rio Ranch III Phase 2 as a separate agenda item.

BUDGET IMPACT:

No budget impacts.

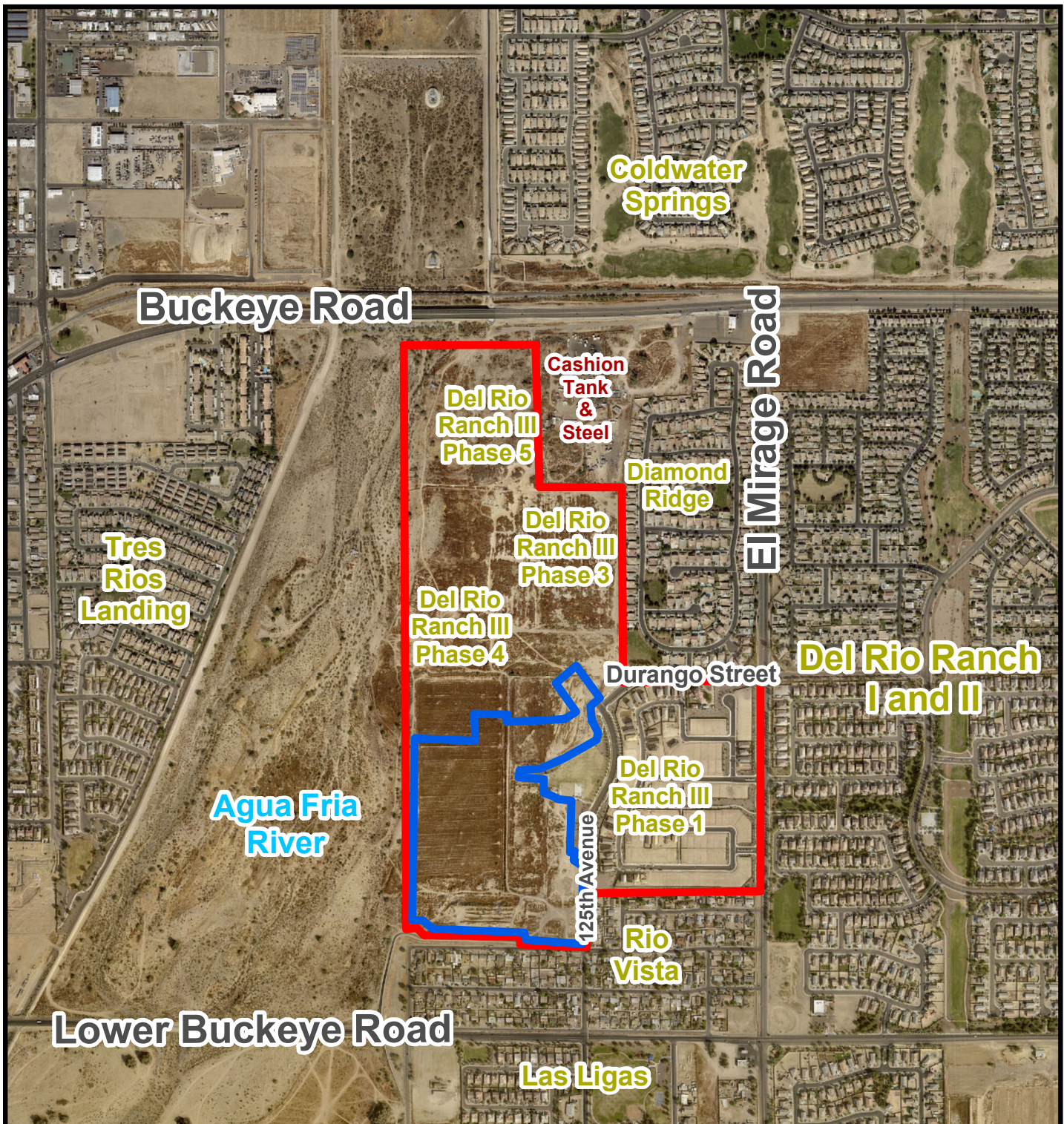
RECOMMENDATION:

No public hearing is required. The City Council will **APPROVE** Application PL-21-0114 Del Rio Ranch III Phase 2, a request for approval of the Final Plat for Del Rio Ranch III Phase 2, subject to the following two (2) conditions of approval:

1. The recorded plat shall be in conformance with the Del Rio Ranch III Phase 2 Final Plat submitted electronically on August 16, 2021.
2. Grandfathered groundwater rights for the property must be extinguished and pledged to the City of Avondale's designated account (26-002003.0000) prior to issuance of any construction permits for any portion of the project.

PROPOSED MOTION:

I move that City Council **APPROVE** Application PL-21-0114 Del Rio Ranch III Phase 2, a request for approval of the Final Plat for Del Rio Ranch III Phase 2, subject to two (2) recommended conditions of approval as listed in the staff report.

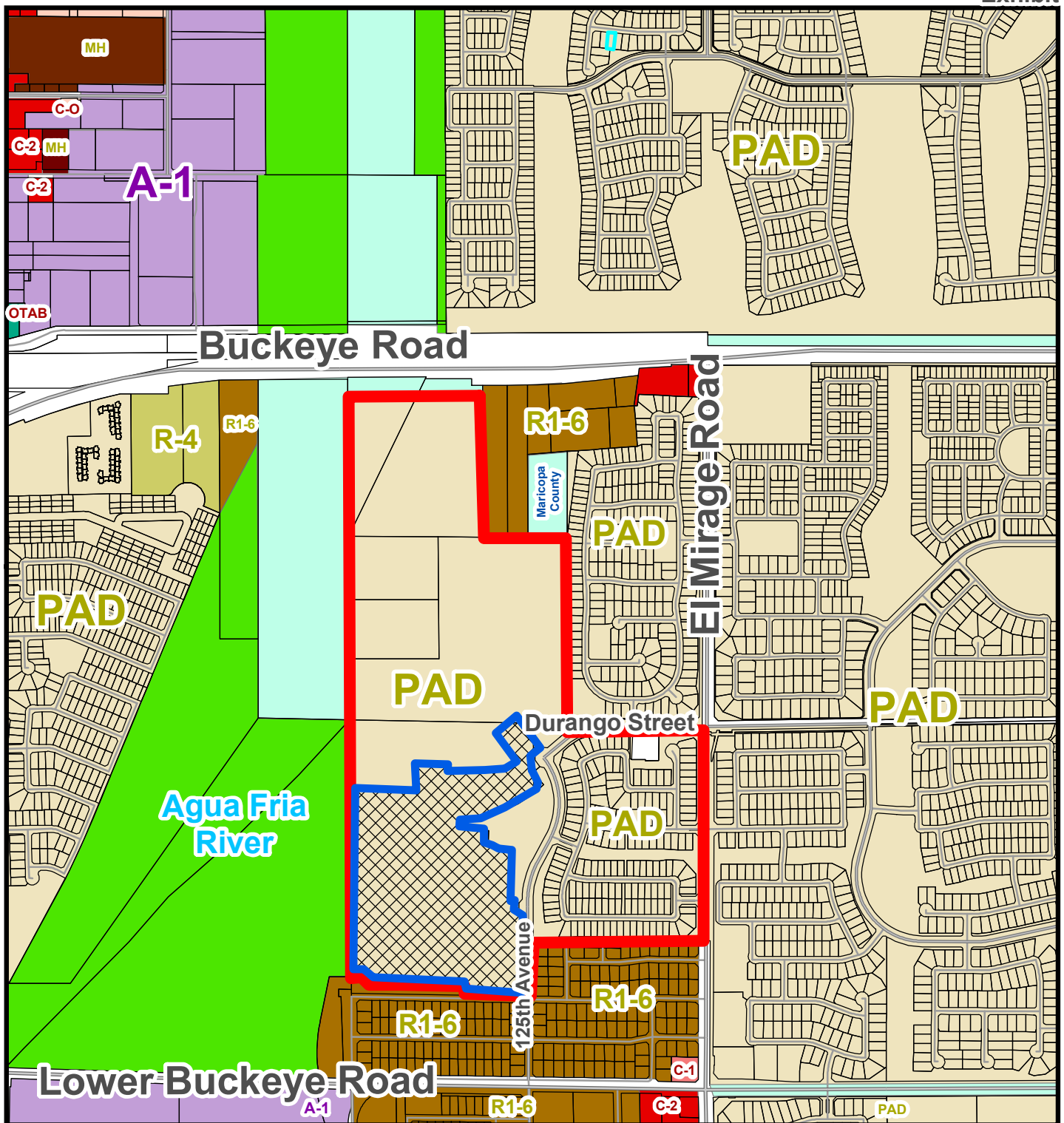


Aerial Photograph



Del Rio Ranch III

Phase 2



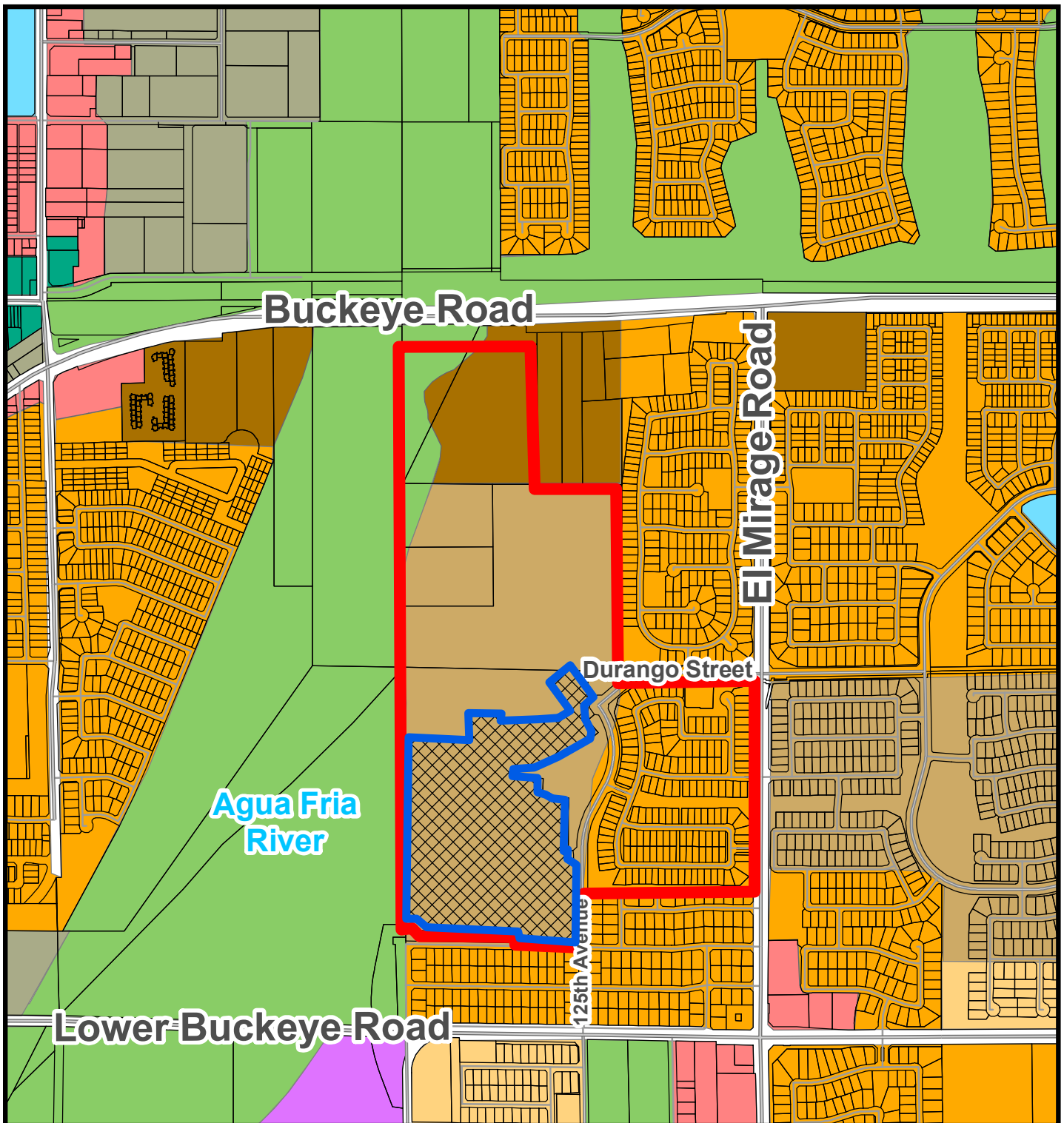
Zoning Vicinity Map



Del Rio Ranch III



Phase 2



General Plan Land Use Map

- | | | |
|---------------------------------|-------------------|----------------------------|
| Medium Density Residential | Open Space | Mixed Use |
| Medium High Density Residential | Local Commercial | Historic Avondale District |
| High Density Residential | Education | |
| Estate Low Density Residential | Del Rio Ranch III | Phase 2 |



SUMMARY OF RELATED FACTS

APPLICATION PL-21-0114

THE PROPERTY	
PROPERTY SIZE	Approximately 43.93 acres
LOCATION	Southwest corner of Durango Street and 125 th Avenue
PHYSICAL CHARACTERISTICS	The subject property is irregularly shaped and is relatively flat. Portions of the property lie within the Agua Fria River floodplain and are also encumbered with Army Corps of Engineers' Floodway Flowage Easements and Floodway Fringe Easements.
GENERAL PLAN LAND USE	The Phase 2 property is designated by the General Plan Land Use Map as Medium High Density Residential (MHDR). The MHDR category allows for development of residences within a density range of four (4) to twelve (12) dwelling units per acre, with a target density of four (4). The MHDR category can accommodate development of a variety of housing types, including single-family detached homes, single-family attached homes, townhomes, condominiums, patio homes, etc. The property's approved Planned Area Development (PAD) zoning, approved under a previous General Plan, supersedes the General Plan designation applied to the site.
EXISTING ZONING	Del Rio Ranch III PAD (Planned Area Development)
ZONING HISTORY	The property is part of the larger Del Rio Ranch master development which is bounded by Avondale Boulevard to the east, Lower Buckeye Road to the south, the Agua Fria River to the west, and Durango Street to the north (with some irregularities). A pre-annexation development agreement for Del Rio Ranch was approved by the City Council in January 2001. The pre-annexation development agreement allowed for development of a 1,665 single-family lot master planned community, with commercial sites at the northwest corner of Avondale Boulevard and Lower Buckeye Road as well as at the northeast corner of El Mirage Road and Lower Buckeye Road. The PAD was to be developed in three segments, Units I and II east of El Mirage Road, and Unit III west of El Mirage Road. Applications for annexation, rezoning (to Del Rio Ranch PAD), and Preliminary Plat were approved by the City Council in February 2005. The 2005 PAD and Preliminary Plat covered the full Del Rio Ranch property, inclusive of Units I, II, and III, allowing a maximum of 1,284 single family lots at a density of 3.43 dwelling units per acre, a 12-acre commercial parcel located at the northwest corner of Lower Buckeye Road and Avondale Boulevard, and a 6-acre commercial parcel located at the northeast corner of Lower Buckeye Road and El Mirage Road. Del Rio Ranch III, the property for which this application has been submitted, was originally comprised of 496 single family

	lots on a total site area of 139.99 acres with a maximum gross residential of 3.65 dwelling units an acre. In September 2007, a Major PAD Amendment and new Preliminary Plat for Del Rio Ranch III were approved by the City Council. The purpose of these applications was to enlarge the Del Rio Ranch III site by incorporating 35 acres north of the original PAD boundary, immediately west of the Cashion Tank and Steel site. The 2007 approvals allowed for development of Del Rio Ranch III with 493 lots on 176 acres, a density of approximately 2.79 dwelling units per acre. A 17-acre school site for the Littleton Elementary School District was also included in the 2007 plan. In 2017, in response to changing FEMA regulations pertaining to development adjacent to floodways resulting from Hurricane Katrina, the applicant processed a minor PAD Amendment to remove lots from portions of the Del Rio Ranch III property that were no longer able to be developed due to the federal government's more severe restrictions on development. Additionally, due to the Littleton Elementary School District's determination that a school site was no longer needed in this development, the minor amendment removed a school site from the development plan replacing it with additional single-family residential lots. The minor amendment was approved administratively in August 2017 and a corresponding Preliminary Plat was approved by the City Council in October 2017. The 2017 Preliminary Plat allowed for development of 491 single-family lots on 176 acres, a density of approximately 2.78 dwelling units per acre. A Final Plat For Del Rio Ranch III Phase 1, creating 153 lots at the southwest corner of El Mirage Road and Durango Street, was approved in May 2018. Del Rio Ranch III Phase 1 is currently being developed by Beazer Homes. In January 2021, the applicant's request for an additional Minor PAD Amendment to reconfigure streets within Del Rio Ranch III Phases 2 through 5, eliminating a future connection of 125th Avenue to Buckeye Road (through Cashion Tank and Steel), was approved administratively. Elimination of the 125th Avenue connection allowed more of the property to be developed with single-family homes and, as a result, the total number of lots within the community rose by 30, from 491 to 521. A Preliminary Plat in conformance with the 2021 amended PAD was approved by City Council in April 2021.
DEVELOPMENT HISTORY	The Del Rio Ranch III site was used as a dairy farm until 2007. From 2007 until 2015, portions of the property were used for crop farming. Excluding the Phase 1 portion of Del Rio Ranch III currently under development by Beazer Homes, the site is vacant, and all accessory structures used in conjunction with the prior agricultural use of the property have been demolished.

SURROUNDING ZONING AND LAND USE

NORTH	Multiple land uses border Del Rio Ranch III to the north. From east to west, these include: • Cashion Tank and Steel (CT&S), a reseller of commercial and industrial storage tanks, which has operated on the property since at least 1976. The use involves a large outdoor yard where used tanks are stored and several structures. The majority of the CT&S property is located within the City of Avondale, having been annexed in 1984, and is zoned R1-6 (Single Family Urban Residential). A small portion of the CT&S property is not annexed in the City and is zoned Maricopa County RU-43 (Rural). The current use of the portions of the site annexed into the City of Avondale is not allowed in the R1-6 district and, as such, it is non-conforming. • The Coldwater Springs Golf Club is adjacent to the northwestern portion of the subject property, separated by Buckeye Road and the Union Pacific Railroad tracks. The golf course is zoned PAD (Planned Area Development).
EAST	Multiple land uses border Del Rio Ranch III to the east. From north to south, these include: • Cashion Tank and Steel, the reseller of storage tanks for which more detail is provided above. • Diamond Ridge, a single-family subdivision consisting of 210 single-family homes on 45 acres, for a net density of 4.67 dwelling units per acre. Diamond Ridge began construction in 2002 with all homes being completed by 2005. The subdivision is zoned PAD (Planned Area Development).
SOUTH	The Rio Vista West residential subdivision, a community of 203 residential lots on approximately 45 acres. The community was platted in segments between 1971 and 1974 and developed with homes in the mid-1970s. Rio Vista West is zoned R1-6 (Single Family Residential – Urban Residential).
WEST	The Agua Fria River. Development of the subject property will be allowed only on portions of the property located outside of the floodway or any flowage or fringe easements as determined by the Army Corps of Engineers.

<i>PUBLIC SCHOOLS</i>	
SCHOOL DISTRICT(S)	Littleton Elementary School District Tolleson Union High School District
ELEMENTARY SCHOOL	Student's Choice (No Defined School). The closest district school is Estrella Vista STEM Academy located at the southeast corner of 119 th Avenue and Cocopah Drive in Del Rio Ranch I.
HIGH SCHOOL	La Joya Community High School, located at the southwest corner of Avondale Boulevard and Durango Street in Del Rio Ranch I.

<i>ADJACENT STREETS</i>	
125th Avenue	
Classification	Minor Collector
Existing half street right-of-way	40 feet
Standard half street right-of-way	40 feet
Existing half street improvements	One (1) travel lane, half center turn lane, bike

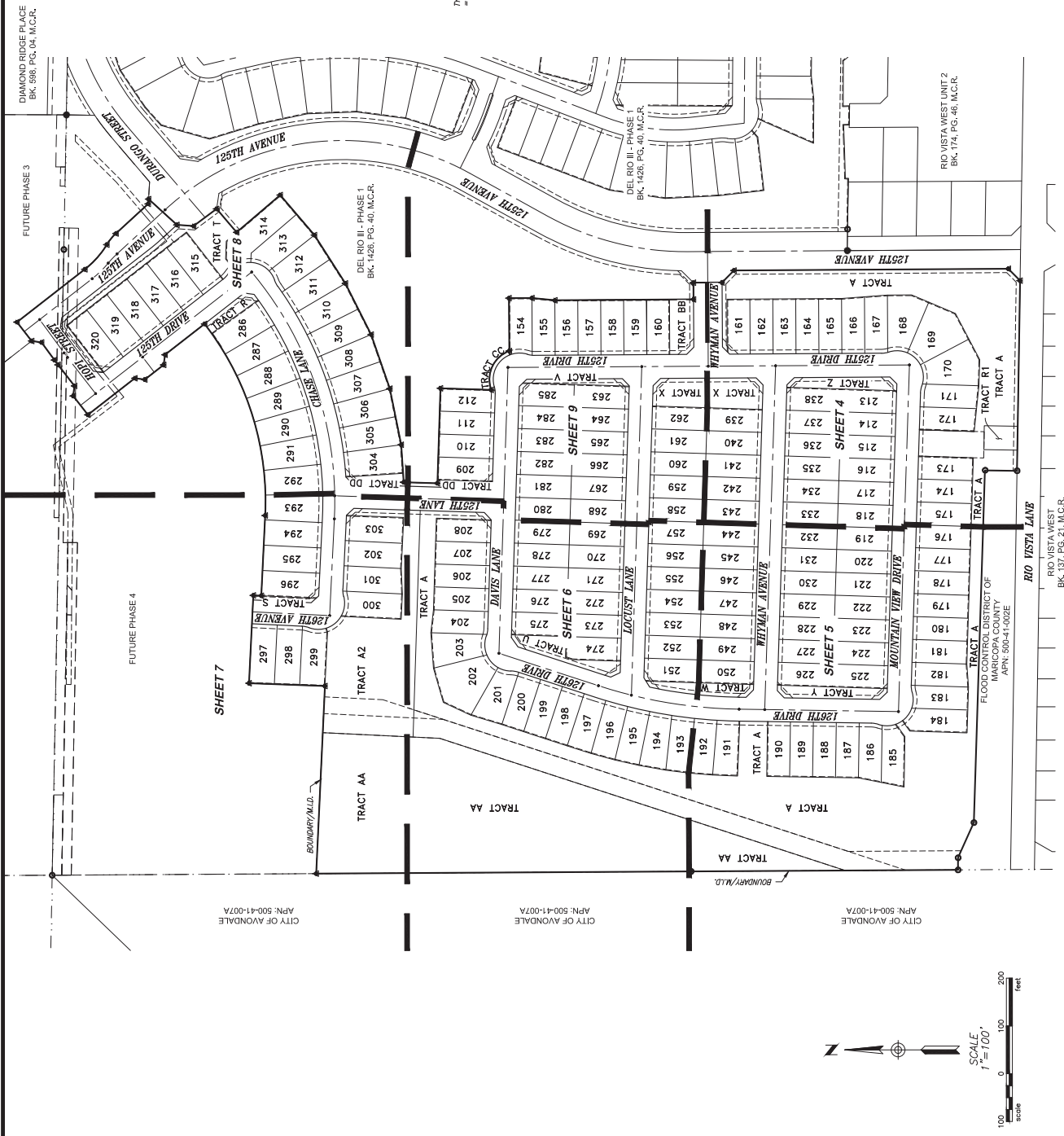
	lane, curb, gutter, detached sidewalk, street lights, and landscaping.
Standard half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street lights, and landscaping.
Durango Street	
Classification	Minor Collector
Existing half street right-of-way	40 feet
Standard half street right-of-way	40 feet
Existing half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street lights, and landscaping.
Standard half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street lights, and landscaping.

<i>UTILITIES</i>
Water service will be provided to the development via an existing 12-inch main in El Mirage Road and an existing 12-inch main in Durango Street. Sewer service will be provided to Parcel N, the portion of the development east of 125th Avenue, via an existing 36-inch sewer main in El Mirage Road. Sewer service will be provided to the portions of the development west of 125th Avenue via a new Rio Vista Lane sewer lift station, to be constructed by the developer and owned, operated and maintained by the City. SRP provides electrical service in this portion of Avondale.

Exhibit E

Proposed Final Plat

Del Rio Ranch III Phase 2



SHEET INDEX

RIV VISTA WEST
 BK 137 PG 21 MCB

$l = 100$

scale

feet



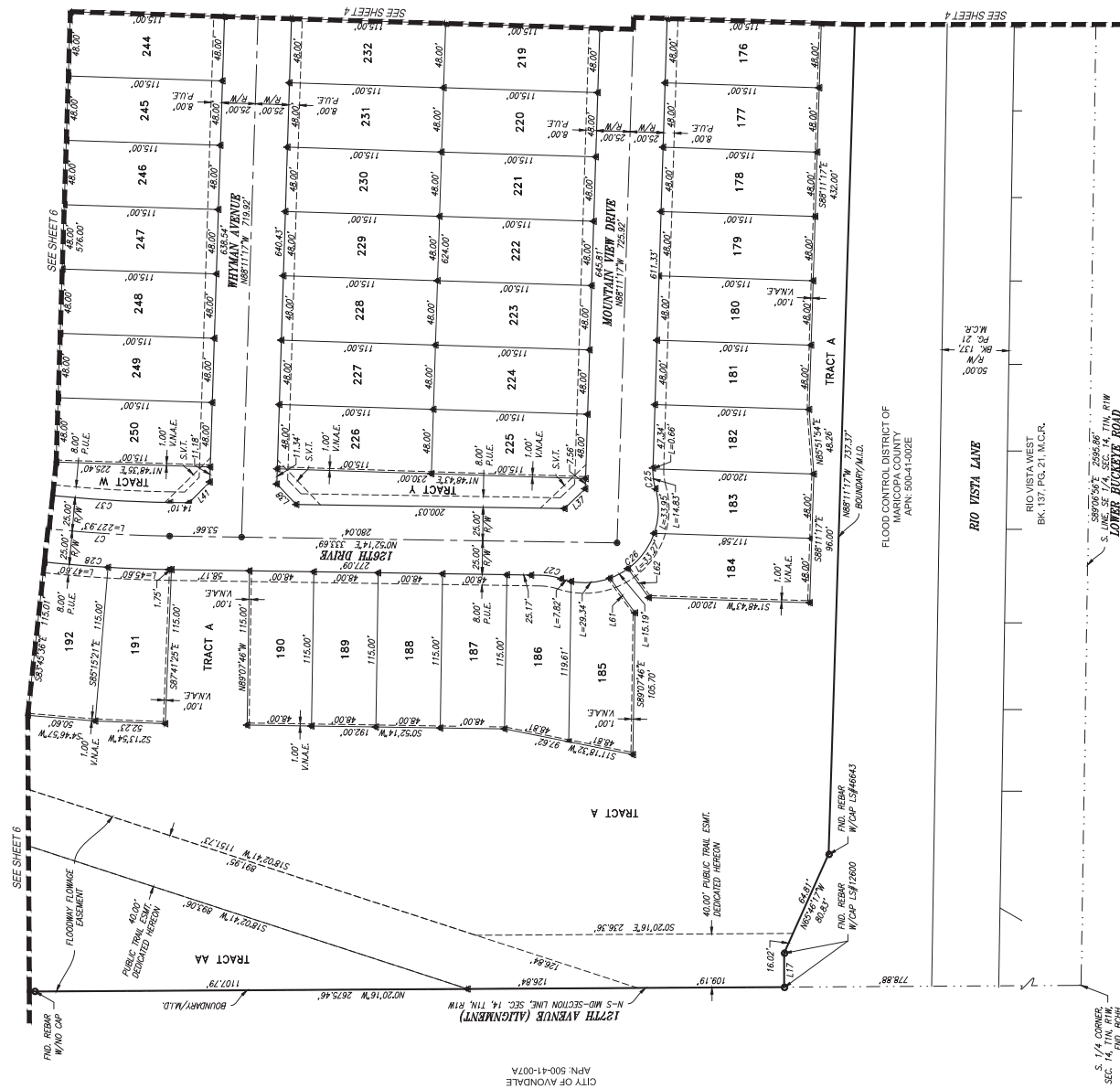
NOTES

* 18' TO FACE OF GARAGE, 15' TO SIDE ENTRY GARAGE. FRONT SETBACKS TO BE STAGGERED A MINIMUM OF 3' FROM A MINIMUM OF 18' TO 21'

** MINIMUM LOT WIDTH IS 48' AND MINIMUM LOT AREA IS 5,470 SQ. FT. AS ESTABLISHED IN THE DEL RIO PAD.

LEGEND

- MATCH LINE
 ■ PHASE 2 BOUNDARY/M.L.D. BOUNDARY
 --- FUTURE PHASES
 --- DECKED IN EXISTENT
 --- EXISTENT
 --- LOT LINE
 --- RIGHT OF WAY
 --- CENTURINE
 --- MAINTENANCE IMPROVEMENT DISTRICT
 ■ SET REBAR W/CAP LS 41282
 M.L.D. ▲



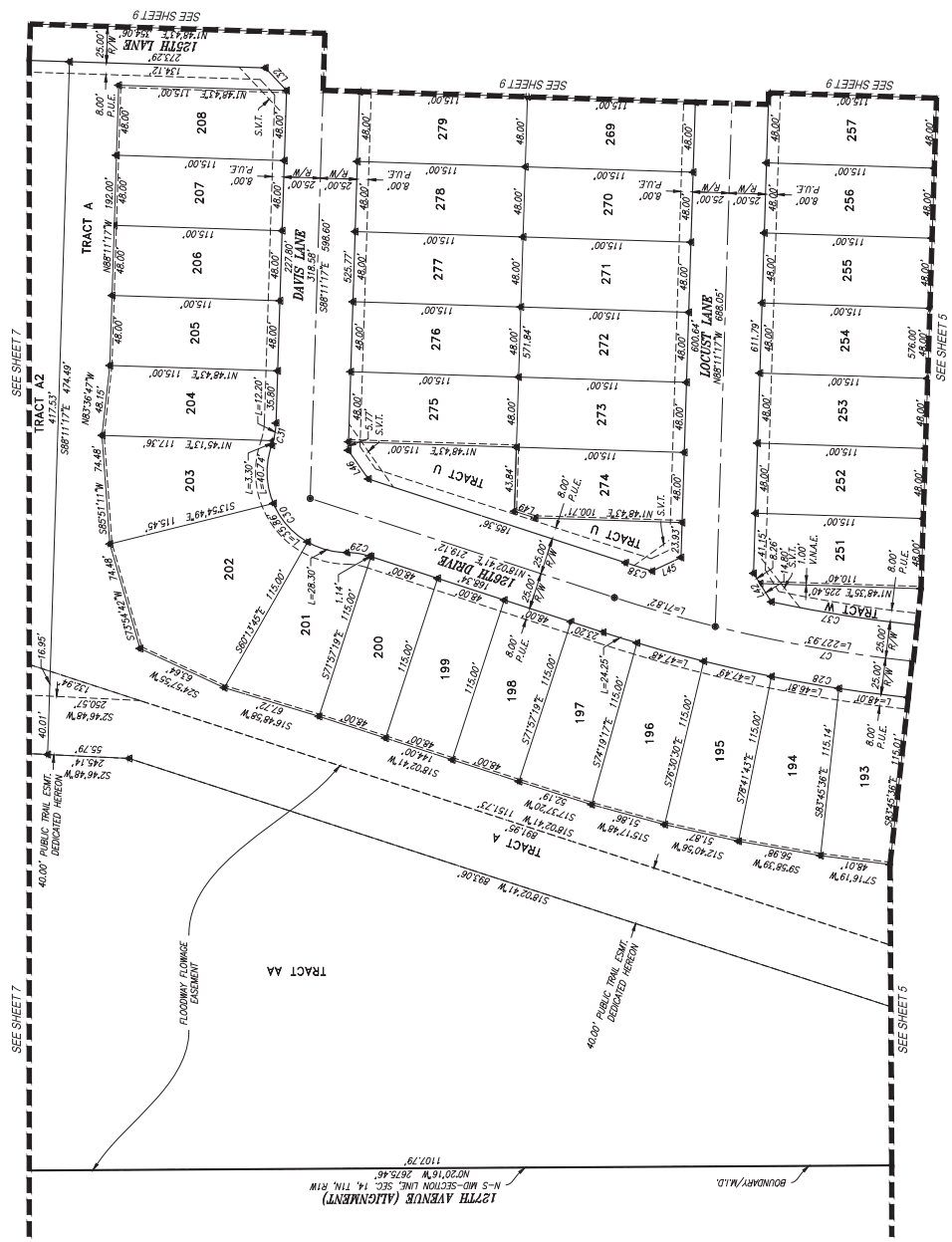
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LEGEND

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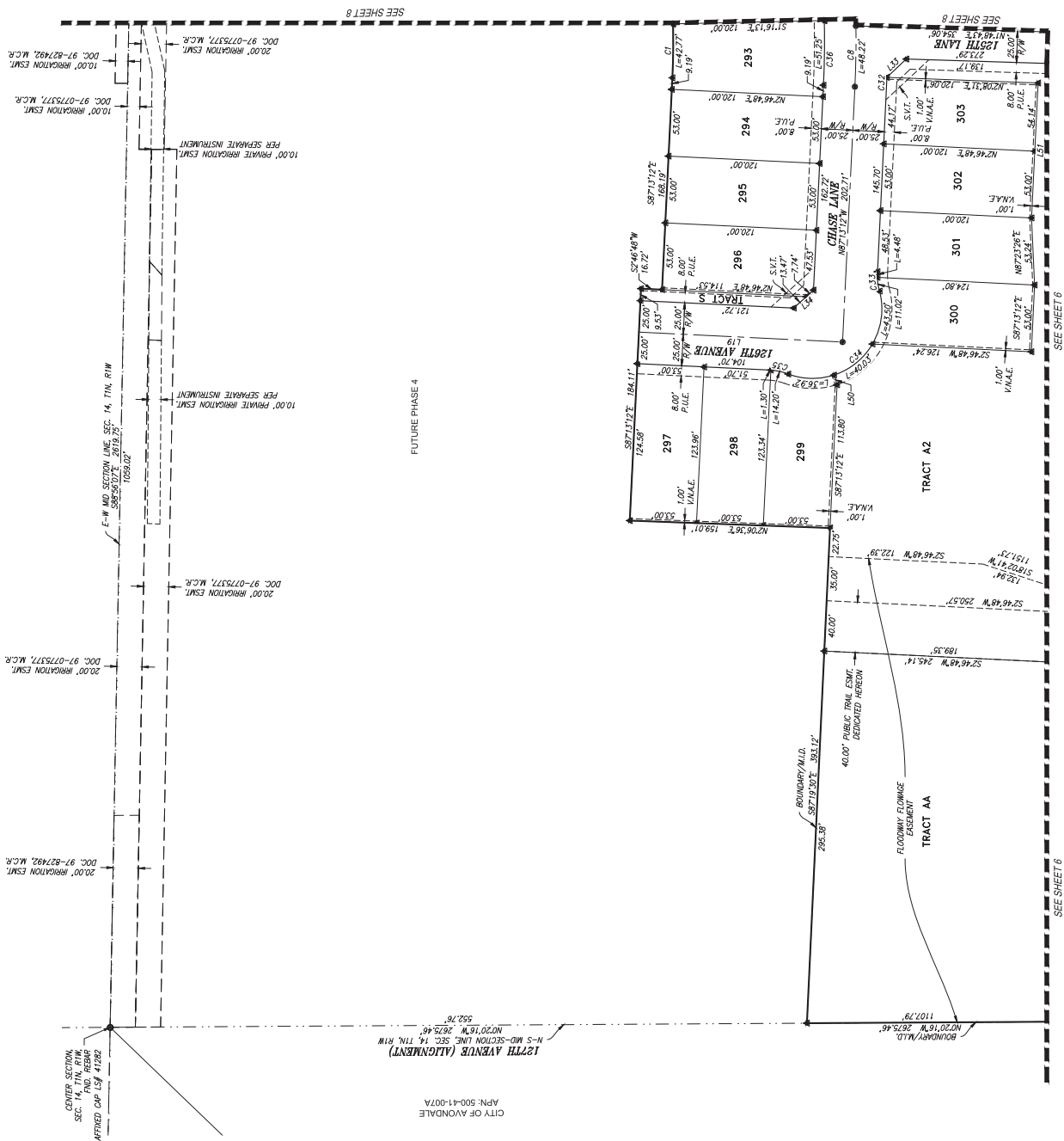


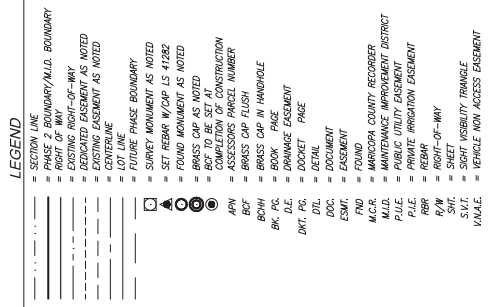
CITY OF AVONDALE
APN: 500-41-007A

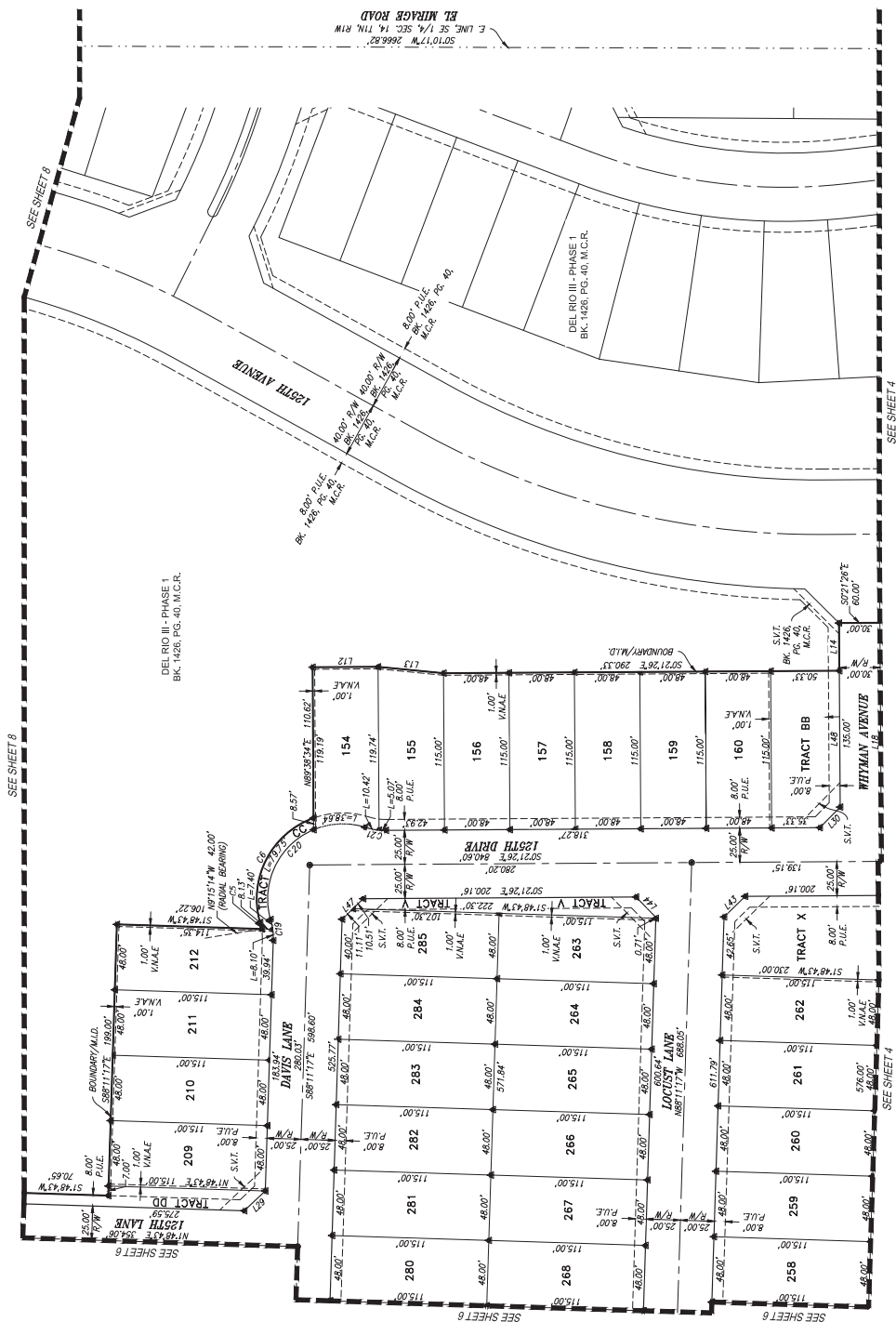


SCALE
1"=40'
0 40 80
feet

LEGEND	
	SECTION LINE
	BOUNDARY/M.L.D. BOUNDARY
	RIGHT OF WAY
	EXISTING RIGHT-OF-WAY
	EASEMENT AS NOTED
	EASEMENT AS NOTED
	CENTERLINE
	LOT LINE
	FUTURE PHASE BOUNDARY
	SURVEY MONUMENT AS NOTED
	SET REBAR W/CP LS 41282
	FOUND MONUMENT AS NOTED
	BRASS CAP AS NOTED
	BRASS CAP AS NOTED
	ASSESSOR'S PARCEL NUMBER
	APN
	BOF
	BK, PC, E.L.
	BOOK PAGE EASEMENT
	DOCKET
	DETAIL
	DDC
	ESMC
	FND
	M.C.R.
	M.L.D.
	PRIVATE IRRIGATION EASEMENT
	R/R
	RIGHT-OF-WAY
	SHT.
	SHEET USABILITY TRIANGLE
	VEHICLE NON ACCESS EASEMENT

[illegible]





IP: 2016/16178 | Survey | CAD | 16178 - RWL PLAT PM 2.dwg Aug 12, 2021 - 2:49pm KIMBLEN

CITY COUNCIL REPORT

SUBJECT: Final Plat of Del Rio Ranch III Phase 3 (Application PL-21-0115)

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include workforce housing.

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Maintain and expand quality infrastructure and improve connectivity to City amenities.
-

PURPOSE:

City Council will consider a request by Mr. Jason Burm, Kimley-Horn & Associates, Inc., for approval of a Final Plat for Del Rio Ranch III Phase 3. In conformance with the Del Rio Ranch III Preliminary Plat approved by City Council in April 2021, the proposed Final Plat creates 70 single-family residential lots, 10 common area tracts, and dedicates streets and easements on approximately 19.55 acres located at the northeast corner of Durango Street and 125th Avenue. The Council will take appropriate action.

BACKGROUND:

Del Rio Ranch III Phase 3 is comprised of approximately 19.55 acres located at the southwest corner of Durango Street and 125th Avenue (Exhibits A and B). The property is part of the larger Del Rio Ranch master development consisting of over 440 acres bounded by Avondale Boulevard to the east, Lower Buckeye Road to the south, the Agua Fria River to the west, and Durango Street to the north (with some irregularities). The site was used as a dairy farm until 2007 and from 2007 until 2015, portions of the property were used for crop farming. Currently, the site is vacant, and all accessory structures used in conjunction with the prior agricultural use of the property have been demolished.

A pre-annexation development agreement for Del Rio Ranch was approved by City Council in January 2001. The pre-annexation development agreement allowed for development of a 1,665 single-family lot master planned community, with commercial sites at the northwest corner of Avondale Boulevard and Lower Buckeye Road as well as at the northeast corner of El Mirage Road and Lower Buckeye Road. The PAD was to be developed in three (3) segments, Units I and II east of El Mirage Road, and Unit III west of El Mirage Road.

Applications for annexation, rezoning to Del Rio Ranch Planned Area Development (PAD), and Preliminary Plat were approved by City Council in February 2005. The 2005 PAD and Preliminary Plat covered the full Del Rio Ranch property, inclusive of Units I, II, and III, allowing a maximum of 1,284 single family lots at a density of 3.43 dwelling units per acre, a 12-acre commercial parcel located at the northwest corner of Lower Buckeye Road and Avondale Boulevard, and a 6-acre commercial parcel located at the northeast corner of Lower Buckeye Road and El Mirage Road.

In September 2007, a Major PAD Amendment and new Preliminary Plat for Del Rio Ranch III were approved by the City Council. The purpose of these applications was to enlarge the Del Rio Ranch III site by incorporating 35 acres north of the original PAD boundary, immediately west of the Cashion Tank and Steel site. The 2007 approvals allowed for development of Del Rio Ranch III with 493 lots on 176 acres, a density of approximately 2.79 dwelling units per acre. A 17-acre school site for the Littleton Elementary School District was also included in the 2007 plan.

In 2017, in response to changing Federal Emergency Management Agency (FEMA) regulations pertaining to development adjacent to floodways that were created in the wake of Hurricane Katrina, the applicant processed a Minor PAD Amendment to remove lots from portions of the Del Rio Ranch III property that were no longer able to be developed due to the federal government's more severe restrictions on development. Additionally, due to the Littleton Elementary School District's determination that a school site was no longer needed in this development, the 2017 minor amendment eliminated the previously planned school site from the development plan, replacing it with additional single-family residential lots. The minor amendment was approved administratively in August 2017 and a corresponding Preliminary Plat was approved by City Council in October 2017. The 2017 Preliminary Plat allowed for development of Del Rio Ranch III with 491 single-family lots on 176 acres, a density of approximately 2.78 dwelling units per acre.

A Final Plat For Del Rio Ranch III Phase 1, creating 153 lots at the southwest corner of El Mirage Road and Durango Street, was approved in May 2018. Del Rio Ranch III Phase 1 is currently being developed by Beazer Homes.

In January 2021, the City administratively approved the applicant's request for an additional Minor PAD Amendment, reconfiguring streets within Del Rio Ranch III Phases 2 through 5 and eliminating a previously planned future connection of 125th Avenue to Buckeye Road (through the adjoining Cashion Tank and Steel site). The elimination of the 125th Avenue connection to Buckeye Road allowed more of the property to be developed with single-family homes and, as a result, the total number of lots within the community rose by 30, from 491 to 521. A Preliminary Plat in conformance with the 2021 amended PAD was approved by City Council in April 2021.

The Del Rio Ranch III Phase 3 property is designated by the General Plan Land Use Map (Exhibit C) as Medium High Density Residential (MHDR). The MHDR category allows for development of residences within a density range of four (4) to twelve (12) dwelling units per acre, with a target density of four (4). The MHDR category can accommodate development of a variety of housing types, including single-family detached homes, single-family attached homes, townhomes, condominiums, patio homes, etc. The property's approved Planned Area Development (PAD) zoning, approved under a previous General Plan, supersedes the General Plan designation applied to the site.

The existing uses and zoning of the properties surrounding Del Rio Ranch III are as follows:

NORTH: Multiple land uses border Del Rio Ranch III to the north. From east to west, these include:

- Cashion Tank and Steel (CT&S), a reseller of commercial and industrial storage tanks, which has operated on the property since at least 1976. The use involves a large outdoor yard where used tanks are stored and several structures. The majority of the CT&S property is located within the City of Avondale, having been annexed in 1984, and is zoned R1-6 (Single Family Urban Residential). A small portion of the CT&S property is not annexed in the City and is zoned Maricopa County RU-43 (Rural). The current use of the portions of the site annexed into the City of Avondale is not allowed in the R1-6

district and, as such, it is non-conforming.

- The Coldwater Springs Golf Club is adjacent to the northwestern portion of the subject property, separated from the site by Buckeye Road and the Union Pacific Railroad tracks. The golf course is zoned PAD (Planned Area Development).

EAST: Multiple land uses border the subject property to the east. From north to south, these include:

- Cashion Tank and Steel, the reseller of storage tanks for which more detail is provided above.
- Diamond Ridge, a single-family subdivision consisting of 210 single-family homes on 45 acres, a net density of 4.67 dwelling units per acre. Diamond Ridge began construction in 2002 with all homes being completed by 2005. The subdivision is zoned PAD (Planned Area Development).

SOUTH: The Rio Vista West residential subdivision, a community of 203 residential lots on approximately 45 acres. The community was platted in segments between 1971 and 1974 and developed with homes in the mid-1970s. Rio Vista West is zoned R1-6 (Single Family Residential – Urban Residential).

WEST: The Agua Fria River. As it relates to the Del Rio Ranch III project, development of homes will be allowed only on portions of the property located outside of the floodway or any flowage or fringe easements as determined by the Army Corps of Engineers.

SUMMARY OF REQUEST:

The applicant is requesting approval of a Final Plat for Del Rio Ranch III Phase 3 (Exhibit E). In conformance with the Del Rio Ranch III Preliminary Plat approved by City Council in April 2021, the proposed Final Plat will create 70 single-family residential lots with a minimum area of 6,960 square feet, featuring minimum widths of 58 feet and minimum depths of 120 feet on approximately 19.55 acres located at the southwest corner of Durango Street and 125th Avenue.

Additionally, the proposed Final Plat creates ten (10) common area tracts for active and passive open space totaling 3.35 acres. While Phase 3 will not include any formal park areas, residents within the Phase will have full access to parks and open space in other Phases of Del Rio Ranch III, including the 5.07-acre central park amenity constructed with Phase 1, which features a covered playground, full basketball court, two (2) sand volleyball courts, a ramada with picnic seating, a large turf area for active recreation, and benches throughout. Additionally, residents will have access to the community's 12-foot wide landscaped, lighted, multi-use trail, located within a 40-foot public easement along the edge of the Agua Fria River. In the future, this trail will be tied into the larger, planned regional system in the river corridor, connecting residents south to the Gila River and north to Friendship Park and beyond. Access from the elevated trail down into the Agua Fria River will be provided, offering residents opportunities to participate in riparian activities, such as bird watching and hiking.

In addition to creating lots and tracts as described above, the proposed Final Plat dedicates all rights-of-way and necessary easements to accommodate construction of the required street improvements for Del Rio Ranch III Phase 3. Vehicular access to this phase will be from 125th Avenue along Phase 3's western boundary. The developer will construct all street improvements adjacent to and internal to Phase 3. All streets will be public.

The Del Rio Ranch III Homeowner's Association will be responsible for maintaining all open space areas, landscape tracts, and right-of-way landscaping, including landscaped medians within or adjacent to the community. City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for the Del Rio Ranch III Phase 3 subdivision as a separate agenda item. The MID mechanism allows the City to assume maintenance responsibilities for the community's open space and landscaping in the event that the HOA goes defunct, providing for an assessment of residents to cover the maintenance costs.

PUBLIC PARTICIPATION:

Public notification is not required for Final Plat applications.

PLANNING COMMISSION ACTION:

The Planning Commission does not review Final Plat applications.

ANALYSIS:

- The proposed Final Plat has been reviewed by the City's contracted Registered Land Surveyor and the document has been confirmed as geometrically accurate and in conformance with Arizona Statutes governing the subdivision of real property.
- The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance, Subdivision Regulations, and Del Rio Ranch III Planned Area Development (PAD) and meets all conditions of these prior approvals.
- The proposed Final Plat conforms to the approved Preliminary Plat for Del Rio Ranch III, including conditions of approval.
- The proposed Final Plat dedicates rights-of-way and easements needed to allow the developer to complete water, sewer, and street improvements to serve the future development.

DISCUSSION:

The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance and Subdivision Regulations. The proposed Final Plat is in conformance with the Del Rio Ranch III PAD Development Plan, including conditions of approval. The proposed Final Plat is in conformance with the approved Del Rio Ranch III Preliminary Plat, including conditions of approval. The conditions of approval are reasonable to ensure conformance with the provisions as outlined in the Avondale Zoning Ordinance and all other applicable City codes, ordinances, and policies. Lastly, the City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for Del Rio Ranch III Phase 3 as a separate agenda item.

BUDGET IMPACT:

No budget impacts.

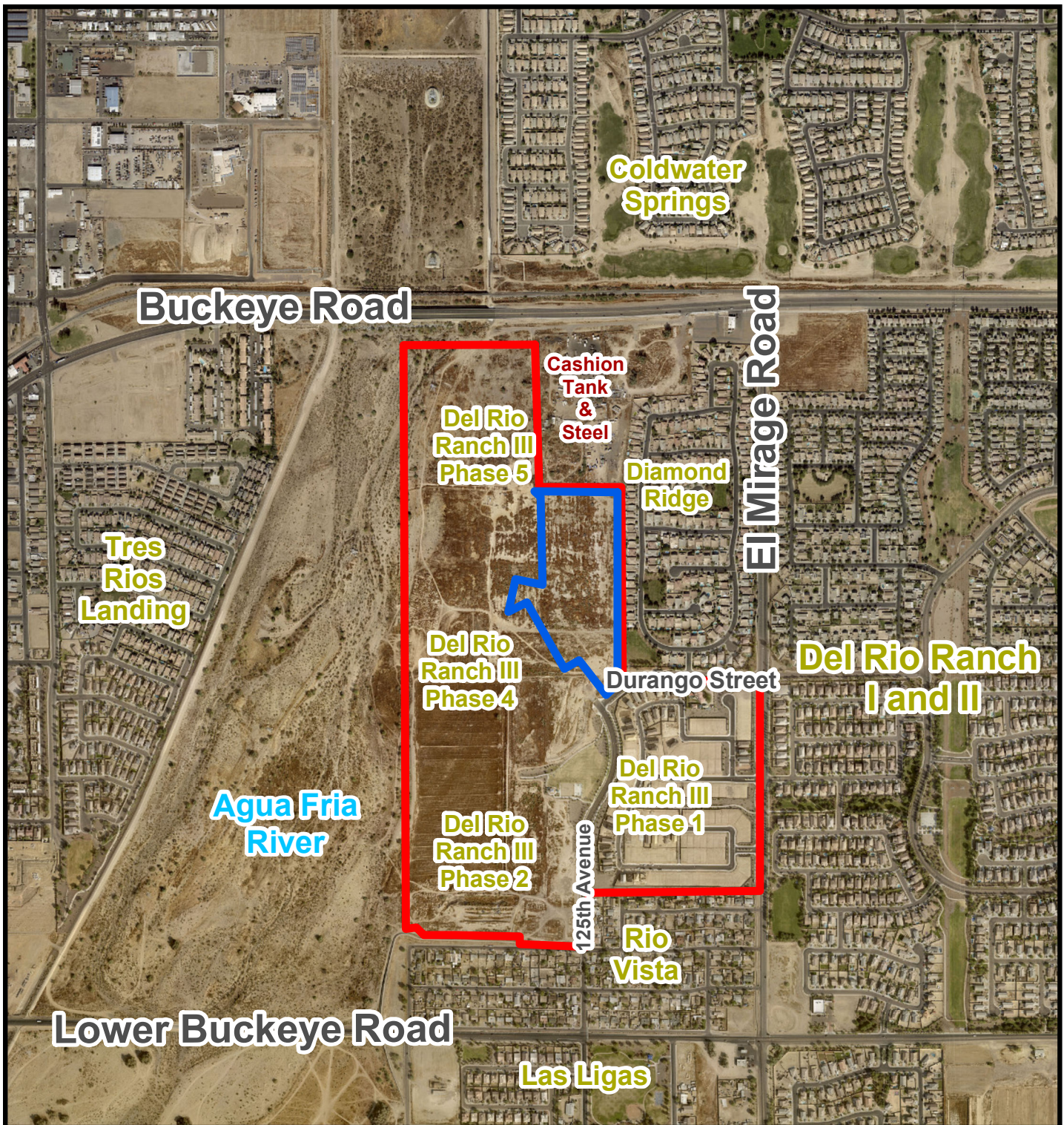
RECOMMENDATION:

No public hearing is required. The City Council will **APPROVE** Application PL-21-0115 Del Rio Ranch III Phase 3, a request for approval of the Final Plat for Del Rio Ranch III Phase 3, subject to the following two (2) conditions of approval:

1. The recorded plat shall be in conformance with the Del Rio Ranch III Phase 3 Final Plat submitted electronically on August 16, 2021.
2. Grandfathered groundwater rights for the property must be extinguished and pledged to the City of Avondale's designated account (26-002003.0000) prior to issuance of any construction permits for any portion of the project.

PROPOSED MOTION:

I move that City Council **APPROVE** Application PL-21-0115 Del Rio Ranch III Phase 3, a request for approval of the Final Plat for Del Rio Ranch III Phase 3, subject to two (2) recommended conditions of approval as listed in the Staff Report.

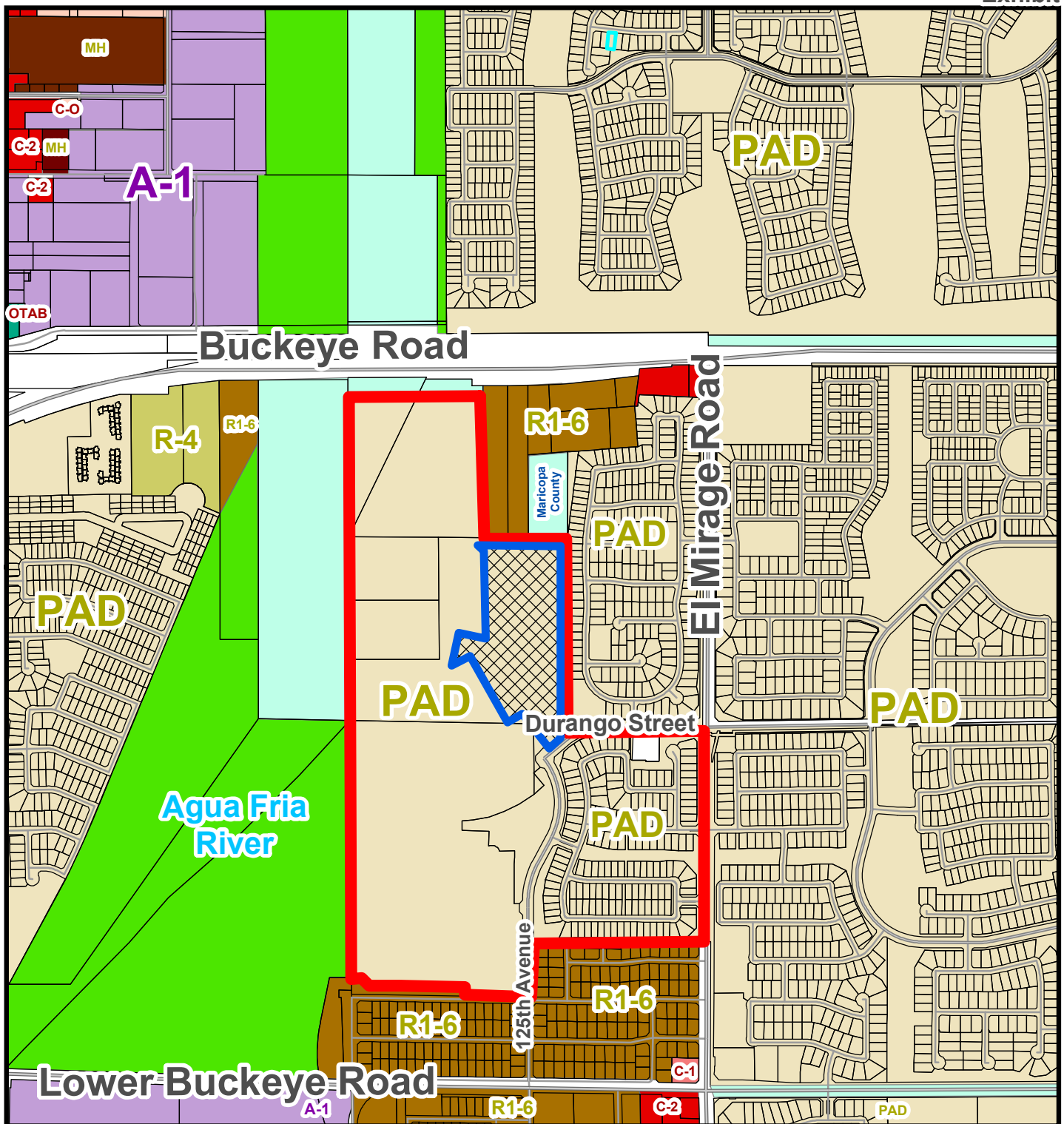


Aerial Photograph



Del Rio Ranch III

Phase 3



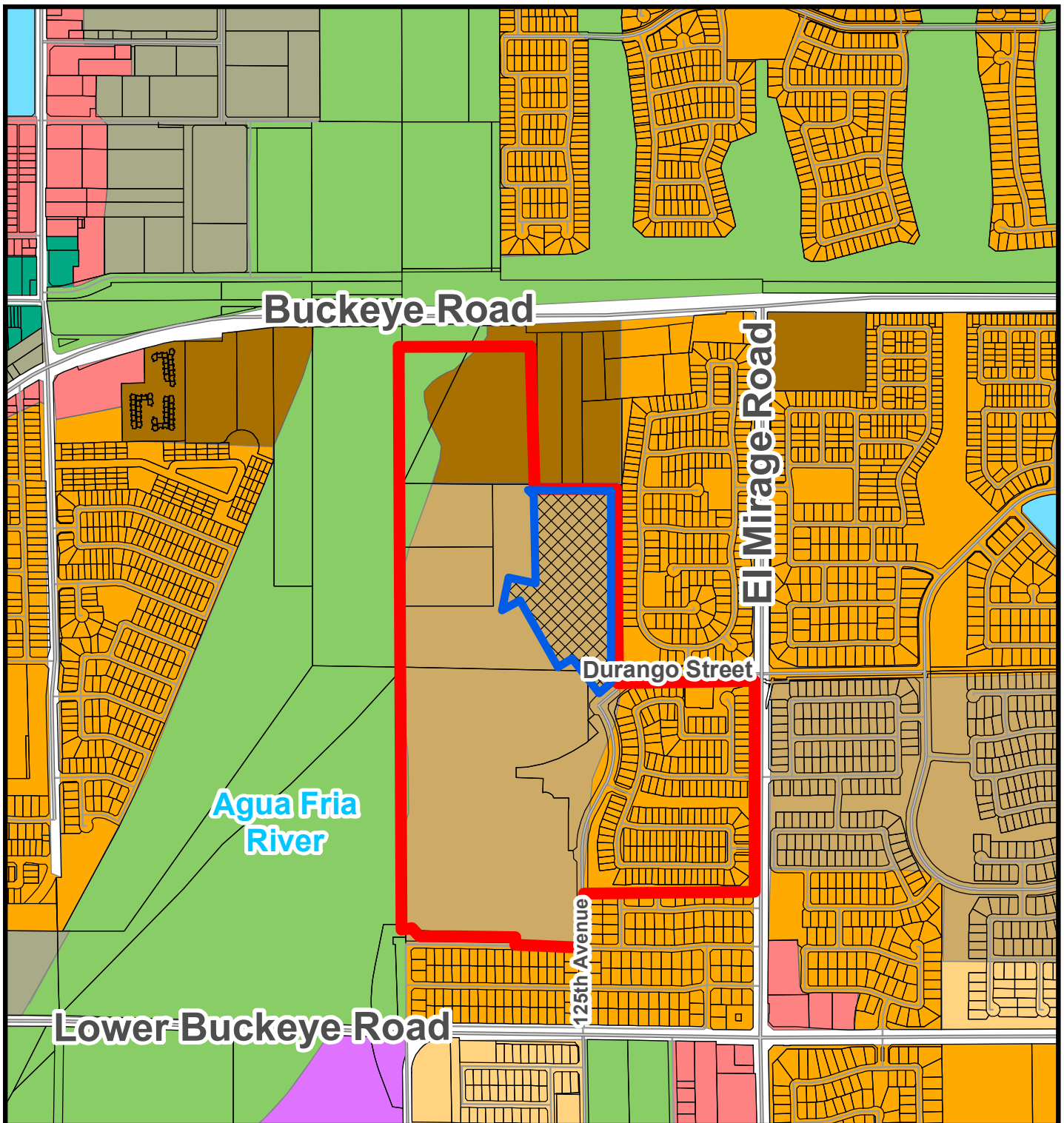
Zoning Vicinity Map



Del Rio Ranch III



Phase 3



General Plan Land Use Map

- | | | |
|---------------------------------|-------------------|----------------------------|
| Medium Density Residential | Open Space | Mixed Use |
| Medium High Density Residential | Local Commercial | Historic Avondale District |
| High Density Residential | Education | |
| Estate Low Density Residential | Del Rio Ranch III | Phase 3 |



SUMMARY OF RELATED FACTS

APPLICATION PL-21-0115

THE PROPERTY	
PROPERTY SIZE	Approximately 19.55 acres
LOCATION	Northeast corner of Durango Street and 125 th Avenue
PHYSICAL CHARACTERISTICS	The subject property is irregularly shaped and is relatively flat.
GENERAL PLAN LAND USE	The Phase 3 property is designated by the General Plan Land Use Map as Medium High Density Residential (MHDR). The MHDR category allows for development of residences within a density range of four (4) to twelve (12) dwelling units per acre, with a target density of four (4). The MHDR category can accommodate development of a variety of housing types, including single-family detached homes, single-family attached homes, townhomes, condominiums, patio homes, etc. The property's approved Planned Area Development (PAD) zoning, approved under a previous General Plan, supersedes the General Plan designation applied to the site.
EXISTING ZONING	Del Rio Ranch III PAD (Planned Area Development)
ZONING HISTORY	The property is part of the larger Del Rio Ranch master development which is bounded by Avondale Boulevard to the east, Lower Buckeye Road to the south, the Agua Fria River to the west, and Durango Street to the north (with some irregularities). A pre-annexation development agreement for Del Rio Ranch was approved by the City Council in January 2001. The pre-annexation development agreement allowed for development of a 1,665 single-family lot master planned community, with commercial sites at the northwest corner of Avondale Boulevard and Lower Buckeye Road as well as at the northeast corner of El Mirage Road and Lower Buckeye Road. The PAD was to be developed in three segments, Units I and II east of El Mirage Road, and Unit III west of El Mirage Road. Applications for annexation, rezoning (to Del Rio Ranch PAD), and Preliminary Plat were approved by the City Council in February 2005. The 2005 PAD and Preliminary Plat covered the full Del Rio Ranch property, inclusive of Units I, II, and III, allowing a maximum of 1,284 single family lots at a density of 3.43 dwelling units per acre, a 12-acre commercial parcel located at the northwest corner of Lower Buckeye Road and Avondale Boulevard, and a 6-acre commercial parcel located at the northeast corner of Lower Buckeye Road and El Mirage Road. Del Rio Ranch III, the property for which this application has been submitted, was originally comprised of 496 single family lots on a total site area of 139.99 acres with a maximum gross

	residential of 3.65 dwelling units an acre. In September 2007, a Major PAD Amendment and new Preliminary Plat for Del Rio Ranch III were approved by the City Council. The purpose of these applications was to enlarge the Del Rio Ranch III site by incorporating 35 acres north of the original PAD boundary, immediately west of the Cashion Tank and Steel site. The 2007 approvals allowed for development of Del Rio Ranch III with 493 lots on 176 acres, a density of approximately 2.79 dwelling units per acre. A 17-acre school site for the Littleton Elementary School District was also included in the 2007 plan. In 2017, in response to changing FEMA regulations pertaining to development adjacent to floodways resulting from Hurricane Katrina, the applicant processed a minor PAD Amendment to remove lots from portions of the Del Rio Ranch III property that were no longer able to be developed due to the federal government's more severe restrictions on development. Additionally, due to the Littleton Elementary School District's determination that a school site was no longer needed in this development, the minor amendment removed a school site from the development plan replacing it with additional single-family residential lots. The minor amendment was approved administratively in August 2017 and a corresponding Preliminary Plat was approved by the City Council in October 2017. The 2017 Preliminary Plat allowed for development of 491 single-family lots on 176 acres, a density of approximately 2.78 dwelling units per acre. A Final Plat For Del Rio Ranch III Phase 1, creating 153 lots at the southwest corner of El Mirage Road and Durango Street, was approved in May 2018. Del Rio Ranch III Phase 1 is currently being developed by Beazer Homes. In January 2021, the applicant's request for an additional Minor PAD Amendment to reconfigure streets within Del Rio Ranch III Phases 2 through 5, eliminating a future connection of 125th Avenue to Buckeye Road (through Cashion Tank and Steel), was approved administratively. Elimination of the 125th Avenue connection allowed more of the property to be developed with single-family homes and, as a result, the total number of lots within the community rose by 30, from 491 to 521. A Preliminary Plat in conformance with the 2021 amended PAD was approved by City Council in April 2021.
DEVELOPMENT HISTORY	The Del Rio Ranch III site was used as a dairy farm until 2007. From 2007 until 2015, portions of the property were used for crop farming. Excluding the Phase 1 portion of Del Rio Ranch III currently under development by Beazer Homes, the site is vacant, and all accessory structures used in conjunction with the prior agricultural use of the property have been demolished.

SURROUNDING ZONING AND LAND USE

NORTH	Multiple land uses border Del Rio Ranch III to the north. From east to west,
-------	--

	these include: • Cashion Tank and Steel (CT&S), a reseller of commercial and industrial storage tanks, which has operated on the property since at least 1976. The use involves a large outdoor yard where used tanks are stored and several structures. The majority of the CT&S property is located within the City of Avondale, having been annexed in 1984, and is zoned R1-6 (Single Family Urban Residential). A small portion of the CT&S property is not annexed in the City and is zoned Maricopa County RU-43 (Rural). The current use of the portions of the site annexed into the City of Avondale is not allowed in the R1-6 district and, as such, it is non-conforming. • The Coldwater Springs Golf Club is adjacent to the northwestern portion of the subject property, separated by Buckeye Road and the Union Pacific Railroad tracks. The golf course is zoned PAD (Planned Area Development).
EAST	Multiple land uses border Del Rio Ranch III to the east. From north to south, these include: • Cashion Tank and Steel, the reseller of storage tanks for which more detail is provided above. • Diamond Ridge, a single-family subdivision consisting of 210 single-family homes on 45 acres, for a net density of 4.67 dwelling units per acre. Diamond Ridge began construction in 2002 with all homes being completed by 2005. The subdivision is zoned PAD (Planned Area Development).
SOUTH	The Rio Vista West residential subdivision, a community of 203 residential lots on approximately 45 acres. The community was platted in segments between 1971 and 1974 and developed with homes in the mid-1970s. Rio Vista West is zoned R1-6 (Single Family Residential – Urban Residential).
WEST	The Agua Fria River. Development of the subject property will be allowed only on portions of the property located outside of the floodway or any flowage or fringe easements as determined by the Army Corps of Engineers.

<i>PUBLIC SCHOOLS</i>	
SCHOOL DISTRICT(S)	Littleton Elementary School District Tolleson Union High School District
ELEMENTARY SCHOOL	Student's Choice (No Defined School). The closest district school is Estrella Vista STEM Academy located at the southeast corner of 119 th Avenue and Cocopah Drive in Del Rio Ranch I.
HIGH SCHOOL	La Joya Community High School, located at the southwest corner of Avondale Boulevard and Durango Street in Del Rio Ranch I.

<i>ADJACENT STREETS</i>	
125th Avenue	
Classification	Minor Collector
Existing half street right-of-way	40 feet
Standard half street right-of-way	40 feet
Existing half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street

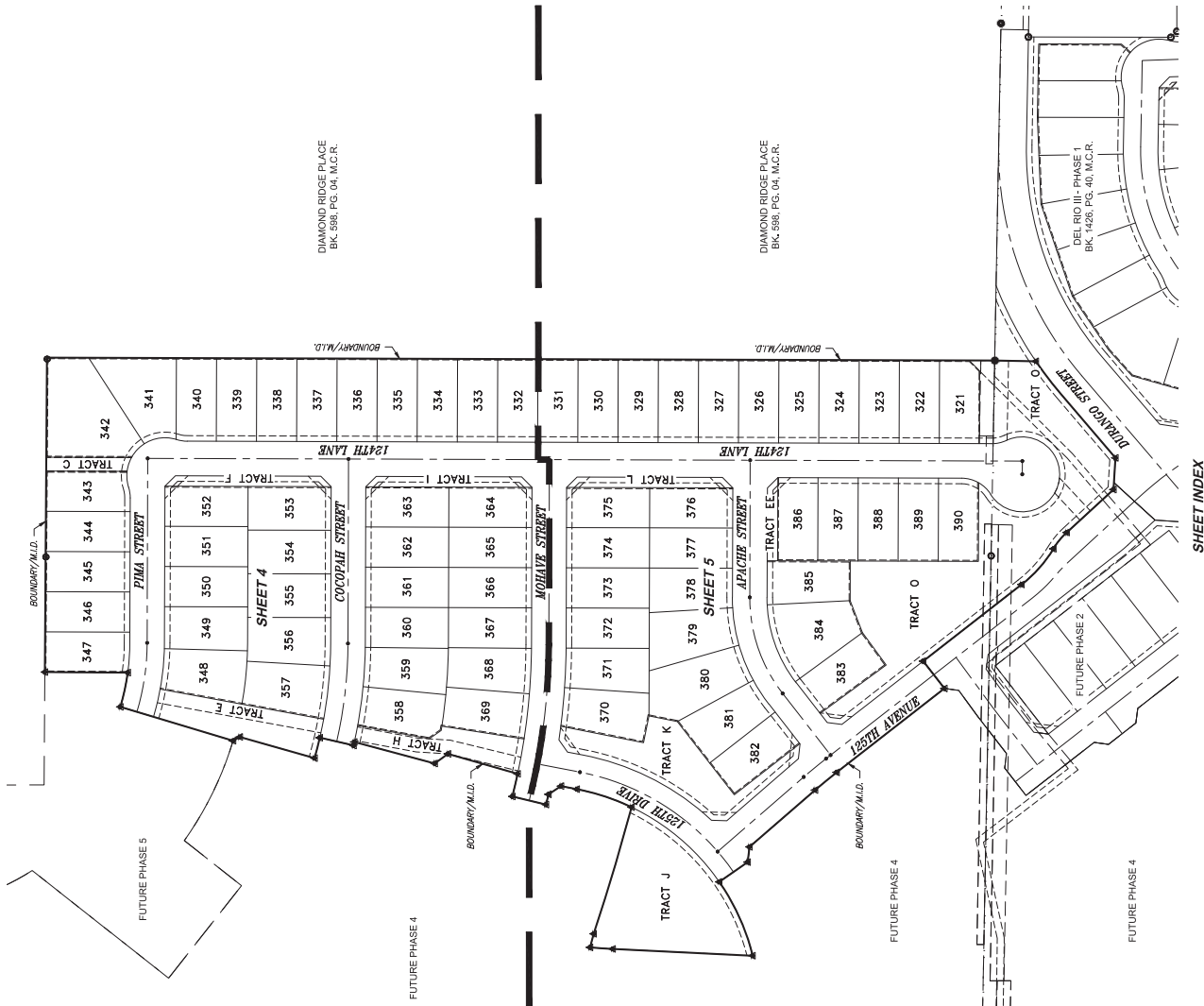
	lights, and landscaping.
Standard half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street lights, and landscaping.
Durango Street	
Classification	Minor Collector
Existing half street right-of-way	40 feet
Standard half street right-of-way	40 feet
Existing half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street lights, and landscaping.
Standard half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street lights, and landscaping.

<i>UTILITIES</i>	
Water service will be provided to the development via an existing 12-inch main in El Mirage Road and an existing 12-inch main in Durango Street. Sewer service will be provided to Parcel N, the portion of the development east of 125th Avenue, via an existing 36-inch sewer main in El Mirage Road. Sewer service will be provided to the portions of the development west of 125th Avenue via a new Rio Vista Lane sewer lift station, to be constructed by the developer and owned, operated and maintained by the City. SRP provides electrical service in this portion of Avondale.	

Exhibit E

Proposed Final Plat

Del Rio Ranch III Phase 3



SHEET INDEX

Project No.	16178
Project Manager	ADRIAN M. BURCHAM
Date	08/12/21
Project Eng.	

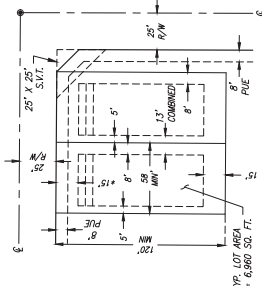
LEGEND

- MATCH LINE
- PHASE 1 BOUNDARY/M.L.D. BOUNDARY
- FUTURE PHASES
- DEDICATED EASEMENT
- EXISTING EASEMENT
- LOT LINE
- RIGHT OF WAY
- CENTERLINE
- MAINTENANCE IMPROVEMENT DISTRICT
- M.L.D.
- SET BACKS: N/204' L/5' 47222'

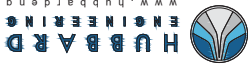
NOTES

* 18" TO FACE OF GARAGE, 15" TO SIDE ENTRY GARAGE. FRONT SETBACKS TO BE STAGGERED A MINIMUM OF 3' FROM A MINIMUM OF 18" TO 21"

** MINIMUM LOT WIDTH IS 58' AND MINIMUM LOT AREA IS 6,960 SQ. FT. AS ESTABLISHED IN THE DEL RIO PDG.



DEL RIO III - PHASE 3
FINAL PLAT
City of Avondale, Maricopa County, Arizona



1201 S. Alma School Rd.
Mesa, AZ 85210
P: 480.882.3313
F: 480.882.3313
www.hubbardengineering.com



LOT TABLE		
LOT #	SQUARE FEET	ACRES
321	6847.00	0.1572
322	6960.00	0.1598
323	6960.00	0.1598
324	6960.00	0.1598
325	6960.00	0.1598
326	6957.00	0.1597
327	6960.00	0.1598
328	6960.00	0.1598
329	6960.00	0.1598
330	6960.00	0.1598
331	6960.00	0.1598
332	6960.00	0.1598
333	6960.00	0.1598
334	6960.00	0.1598
335	6960.00	0.1598
336	6960.00	0.1598
337	6960.00	0.1598
338	6960.00	0.1598
339	6960.00	0.1598
340	6946.00	0.1595
341	10395.00	0.2386
342	15880.00	0.3622
343	6950.00	0.1596
344	7067.00	0.1622
345	7067.00	0.1625
346	7032.00	0.1628
347	7084.00	0.1626
348	8189.00	0.1880
349	7433.00	0.1706
350	6960.00	0.1598
351	6960.00	0.1598
352	6960.00	0.1598
353	7580.00	0.1738
354	7580.00	0.1738
355	7985.00	0.1826
356	8404.00	0.1929
357	7312.00	0.1679
358	7415.00	0.1702
359	7415.00	0.1702
360	7012.00	0.1610
361	6960.00	0.1598
362	6960.00	0.1598
363	6960.00	0.1598
364	6960.00	0.1598
365	6960.00	0.1598
366	6960.00	0.1598
367	6993.00	0.1605
368	7357.00	0.1689
369	7360.00	0.1690
370	7886.00	0.1810
371	7363.00	0.1690
372	6960.00	0.1598
373	6960.00	0.1598
374	6960.00	0.1598
375	6960.00	0.1598
376	6960.00	0.1598
377	6960.00	0.1598
378	7198.00	0.1675
379	8674.00	0.1991
380	10188.00	0.2339
381	7961.00	0.1828
382	6960.00	0.1598
383	6904.00	0.1585
384	10218.00	0.2371
385	7752.00	0.1765
386	6960.00	0.1598
387	6960.00	0.1598
388	6960.00	0.1598
389	6960.00	0.1598
390	6908.00	0.1586
TOTAL	517930.00	11.8000

TRACT TABLE	
TRACT	USAGE
C	LANDSCAPE / PUBLIC UTILITY EASEMENT
E	LANDSCAPE / PUBLIC UTILITY EASEMENT / SEWER EASEMENT
F	LANDSCAPE / PUBLIC UTILITY EASEMENT
H	LANDSCAPE / PUBLIC UTILITY EASEMENT / SEWER EASEMENT
I	LANDSCAPE / PUBLIC UTILITY EASEMENT
J	LANDSCAPE / PUBLIC UTILITY EASEMENT / RETENTION
K	LANDSCAPE / PUBLIC UTILITY EASEMENT / RETENTION
L	LANDSCAPE / PUBLIC UTILITY EASEMENT / SEWER EASEMENT
O	LANDSCAPE / PUBLIC UTILITY EASEMENT / PRIVATE IRRIGATION EASEMENT
EE	LANDSCAPE / PUBLIC UTILITY EASEMENT
TOTAL	

TRACT TABLE	
TRACT	USAGE
C	LANDSCAPE / PUBLIC UTILITY EASEMENT
E	LANDSCAPE / PUBLIC UTILITY EASEMENT / SEWER EASEMENT
F	LANDSCAPE / PUBLIC UTILITY EASEMENT
H	LANDSCAPE / PUBLIC UTILITY EASEMENT / SEWER EASEMENT
I	LANDSCAPE / PUBLIC UTILITY EASEMENT
J	LANDSCAPE / PUBLIC UTILITY EASEMENT / RETENTION
K	LANDSCAPE / PUBLIC UTILITY EASEMENT / RETENTION
L	LANDSCAPE / PUBLIC UTILITY EASEMENT / SEWER EASEMENT
O	LANDSCAPE / PUBLIC UTILITY EASEMENT / PRIVATE IRRIGATION EASEMENT
EE	LANDSCAPE / PUBLIC UTILITY EASEMENT
TOTAL	

TRACT TABLE		
TRACT	SQUARE FEET	ACRES
C	2386.00	0.0548
E	11991.00	0.2753
F	3375.00	0.0775
H	8972.00	0.2060
I	3375.00	0.0775
J	29846.00	0.6852
K	17489.00	0.4015
L	3375.00	0.0775
O	63746.00	1.4634
EE	1687.00	0.0387
TOTAL	146242.00	3.3573

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S70°33'37" W	59.50'
L2	N69°27'11" W	45.89'
L3	N45°10'00" W	123.31'
L4	N63°23'56" W	22.11'
L5	N34°46'07" W	50.00'
L6	S70°36'21" E	20.22'
L7	S72°08'35" E	53.01'
L8	S72°59'22" E	53.00'
L9	S74°17'51" E	84.81'
L10	N19°50'43" E	21.11'
L11	N3°10'47" W	21.57'
L12	N95°17'48" W	15.27'
L13	N35°40'23" W	23.64'
L14	N75°29'24" E	50.00'
L15	N25°59'17" W	11.81'
L16	N25°05'55" E	11.24'
L17	S89°49'24" E	19.02'
L18	N19°50'43" E	62.79'
L19	N45°10'36" E	21.21'
L20	N44°49'24" W	21.21'
L21	N45°10'36" E	21.21'
L22	N44°49'24" W	21.21'
L23	N44°49'24" W	21.21'
L24	S70°35'55" W	21.21'
L25	N63°44'17" W	21.52'
L26	N73°57'25" E	22.11'
L27	N5°52'12" E	21.57'
L28	S44°49'24" E	21.21'
L29	S45°10'36" W	21.21'
L30	S34°52'02" E	20.96'
L31	S78°21'33" E	39.37'
L32	S11°14'00" W	41.64'
L33	N45°10'36" E	21.21'
L34	N1°35'29" E	104.36'
L35	N23°30'4" E	45.89'
L36	N10°31'44" E	90.50'
L37	S10°31'44" W	86.95'
L38	S33°30'4" W	46.43'
L39	S12°52'29" W	102.26'
L40	N45°57'26" E	53.79'
L41	S45°57'26" W	65.10'
L42	N49°27'48" E	78.62'
L43	N44°49'48" E	176.29'
L44	S85°55'07" E	16.68'
L45	N45°56'07" W	22.30'
L46	S44°49'48" W	158.65'
L47	S49°25'43" W	78.60'
L48	N85°49'24" W	105.00'

CURVE TABLE				
CURVE #	DELTA	RADIUS	LENGTH	CHORD
C1	17°03'49"	540.00'	59.00'	532'35"39" W 59.00'
C2	16°06'13"	108.00'	30.35'	N57°36'42" W 30.35'
C3	20°45'43"	192.00'	69.57'	N45°16'57" W 69.19'
C4	25°59'54"	175.00'	40.33'	N39°23'32" W 40.33'
C5	20°45'09"	325.00'	117.71'	S85°36'27" W 117.07'
C6	27°29'49"	755.00'	32.68'	N40°01'13" E 32.68'
C7	144°4'08"	325.00'	83.59'	N48°12'47" E 83.36'
C8	20°72'31"	905.00'	33.54'	S78°32'16" E 33.54'
C9	07°06'15"	665.00'	5.08'	N77°15'43" W 5.08'
C10	25°04'41"	615.00'	30.54'	N75°37'15" W 30.53'
C11	6°56'32"	325.00'	50.72'	S77°45'40" E 50.67'
C12	25°59'54"	800.00'	41.63'	N39°23'32" W 41.63'
C13	38°04'41"	225.00'	146.53'	N71°08'15" E 146.80'
C14	44°23'10"	350.00'	271.14'	N37°02'18" E 264.41'
C15	17°59'57"	930.00'	227.23'	S82°49'26" E 226.66'
C16	12°46'48"	640.00'	142.75'	S83°26'00" E 142.46'
C17	16°52'00"	350.00'	101.00'	N81°33'24" W 100.65'
C18	44°23'10"	325.00'	251.77'	S33°02'18" W 245.92'
C19	14°00'50"	905.00'	221.35'	N82°48'59" W 220.80'
C20	12°46'48"	665.00'	146.33'	S83°26'00" E 146.02'
C21	12°46'48"	615.00'	137.18'	N83°26'00" W 136.89'
C22	16°32'00"	375.00'	108.21'	S81°33'24" E 107.84'
C23	16°32'00"	325.00'	93.79'	N81°33'24" W 93.46'
C24	17°45'10"	50.00'	15.49'	S81°18'01" W 15.43'
C25	125°30'20"	55.00'	120.48'	N44°49'24" W 97.79'
C26	17°45'10"	50.00'	15.49'	N49°03'11" E 15.43'
C27	25°18'15"	50.00'	22.08'	N72°28'51" W 21.90'
C28	262°44'21"	54.00'	247.63'	S73°45'28" E 21.06'
C29	57°28'06"	50.00'	50.12'	S38°53'39" W 48.05'
C30	38°04'41"	200.00'	132.82'	N71°08'15" E 130.49'
C31	04°17'16"	835.00'	11.34'	N47°29'22" W 11.34'
C32	37°09'25"	375.00'	210.47'	N26°55'25" E 207.72'
C33	6°16'06"	955.00'	137.82'	S85°41'21" E 137.70'
C34	38°04'41"	250.00'	166.15'	S71°08'15" W 163.11'
C35	10°15'21"	495.00'	86.60'	S84°41'44" E 86.46'
C36	02°27'01"	785.00'	6.17'	N87°56'33" W 6.17'
C37	6°32'59"	800.47'	119.44'	S85°28'44" E 119.33'

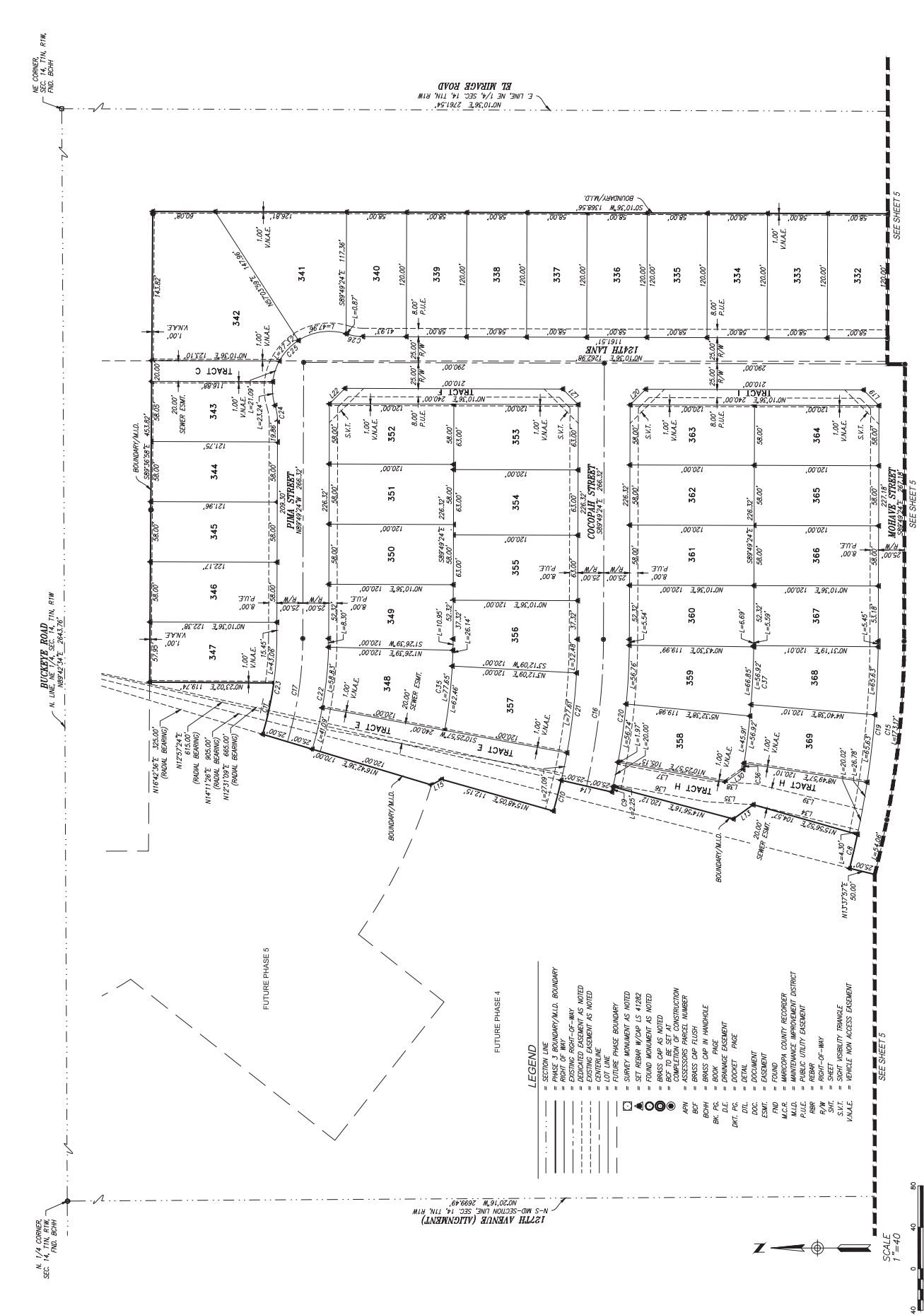
Project No.	16178
Project Manager	ADRIAN BURCHAM
Date	08/12/21
Project Eng.	



DEL RIO III - PHASE 3
FINAL PLAT
City of Avondale, Maricopa County, Arizona

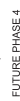


www.hubbardengineering.com
1201 S. Alma School Rd.
Mesa, AZ 85210
Phone: 480.882.3313
Fax: 480.882.3313



- LEGEND**
- SECTION LINE
 - BOUNDARY/M.I.D.
 - PHASE 3 OF 3
 - EXISTING RIGHT-OF-WAY
 - DEDICATED EASEMENT AS NOTED
 - EXISTING EASEMENT AS NOTED
 - SECTION LINE
 - LOT LINE
 - FUTURE PHASE BOUNDARY
 - SURVEY MONUMENT AS NOTED
 - SET REBAR W/CAP IS 41282
 - FOUND MONUMENT AS NOTED
 - BRASS CAP AS NOTED
 - POST TO BE SET CONSTRUCTION
 - ASSESSORS PARCEL NUMBER
 - BRASS CAP FLUSH
 - BOH
 - BRASS CAP IN HANDHOLE
 - BOOK PAGE
 - DRAINAGE EASEMENT
 - DIT. PL. DETAIL PAGE
 - DOCUMENT
 - EASEMENT
 - FOUND
 - M.C.R. - MARICOPA COUNTY RECORDER
 - M.I.D. - MAINTENANCE IMPROVEMENT DISTRICT
 - PAVE - PAVING UTILITY EASEMENT
 - REBAR
 - RIGHT-OF-WAY
 - SHEET
 - SHORT VISION TRIANGLE
 - S.V.T.
 - VEHICLE NON ACCESS EASEMENT
 - V.A.E.





CITY COUNCIL REPORT

SUBJECT: Final Plat of Del Rio Ranch III Phase 4 (Application PL-21-0196)

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include workforce housing.

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Maintain and expand quality infrastructure and improve connectivity to City amenities.
-

PURPOSE:

City Council will consider a request by Mr. Jason Burm, Kimley-Horn & Associates, Inc., for approval of a Final Plat for Del Rio Ranch III Phase 4. In conformance with the Del Rio Ranch III Preliminary Plat approved by City Council in April 2021, the proposed Final Plat creates 85 single-family residential lots, 14 common area tracts, and dedicates streets and easements on approximately 37.95 acres located at the northwest corner of Durango Street and 125th Avenue. The Council will take appropriate action.

BACKGROUND:

Del Rio Ranch III Phase 4 is comprised of approximately 37.95 acres located at the northwest corner of Durango Street and 125th Avenue (Exhibits A and B). The property is part of the larger Del Rio Ranch master development consisting of over 440 acres bounded by Avondale Boulevard to the east, Lower Buckeye Road to the south, the Agua Fria River to the west, and Durango Street to the north (with some irregularities). The site was used as a dairy farm until 2007 and from 2007 until 2015, portions of the property were used for crop farming. Currently, the site is vacant, and all accessory structures used in conjunction with the prior agricultural use of the property have been demolished.

A pre-annexation development agreement for Del Rio Ranch was approved by City Council in January 2001. The pre-annexation development agreement allowed for development of a 1,665 single-family lot master planned community, with commercial sites at the northwest corner of Avondale Boulevard and Lower Buckeye Road as well as at the northeast corner of El Mirage Road and Lower Buckeye Road. The PAD was to be developed in three (3) segments, Units I and II east of El Mirage Road, and Unit III west of El Mirage Road.

Applications for annexation, rezoning to Del Rio Ranch Planned Area Development (PAD), and Preliminary Plat were approved by City Council in February 2005. The 2005 PAD and Preliminary Plat covered the full Del Rio Ranch property, inclusive of Units I, II, and III, allowing a maximum of 1,284 single family lots at a density of 3.43 dwelling units per acre, a 12-acre commercial parcel located at the northwest corner of Lower Buckeye Road and Avondale Boulevard, and a 6-acre commercial parcel located at the northeast corner of Lower Buckeye Road and El Mirage Road.

In September 2007, a Major PAD Amendment and new Preliminary Plat for Del Rio Ranch III were approved by the City Council. The purpose of these applications was to enlarge the Del Rio Ranch III site by incorporating 35 acres north of the original PAD boundary, immediately west of the Cashion Tank and Steel site. The 2007 approvals allowed for development of Del Rio Ranch III with 493 lots on 176 acres, a density of approximately 2.79 dwelling units per acre. A 17-acre school site for the Littleton Elementary School District was also included in the 2007 plan.

In 2017, in response to changing Federal Emergency Management Agency (FEMA) regulations pertaining to development adjacent to floodways that were created in the wake of Hurricane Katrina, the applicant processed a Minor PAD Amendment to remove lots from portions of the Del Rio Ranch III property that were no longer able to be developed due to the federal government's more severe restrictions on development. Additionally, due to the Littleton Elementary School District's determination that a school site was no longer needed in this development, the 2017 minor amendment eliminated the previously planned school site from the development plan, replacing it with additional single-family residential lots. The minor amendment was approved administratively in August 2017 and a corresponding Preliminary Plat was approved by City Council in October 2017. The 2017 Preliminary Plat allowed for development of Del Rio Ranch III with 491 single-family lots on 176 acres, a density of approximately 2.78 dwelling units per acre.

A Final Plat For Del Rio Ranch III Phase 1, creating 153 lots at the southwest corner of El Mirage Road and Durango Street, was approved in May 2018. Del Rio Ranch III Phase 1 is currently being developed by Beazer Homes.

In January 2021, the City administratively approved the applicant's request for an additional Minor PAD Amendment, reconfiguring streets within Del Rio Ranch III Phases 2 through 5 and eliminating a previously planned future connection of 125th Avenue to Buckeye Road (through the adjoining Cashion Tank and Steel site). The elimination of the 125th Avenue connection to Buckeye Road allowed more of the property to be developed with single-family homes and, as a result, the total number of lots within the community rose by 30, from 491 to 521. A Preliminary Plat in conformance with the 2021 amended PAD was approved by City Council in April 2021.

The majority of the Phase 4 property is designated by the General Plan Land Use Map as Medium High Density Residential (MHDR). The MHDR category allows for development of residences within a density range of four (4) to twelve (12) dwelling units per acre, with a target density of four (4). The MHDR category can accommodate development of a variety of housing types, including single-family detached homes, single-family attached homes, townhomes, condominiums, patio homes, etc. Small portions of Phase 4 at the northern and northwestern ends of the site are designated High Density Residential (HDR) and Open Space and Parks, respectively. The HDR category accommodates development of apartments, condominiums, or townhomes at a density within a range of twelve (12) to 30 dwelling units per acre, while the Open Space and Parks category is applied to properties to set aside land for active and passive recreational use. No development is proposed within the portion of the site with this designation. The property's approved Planned Area Development (PAD) zoning, approved under a previous General Plan, supersedes the General Plan Designations applied to the site.

The existing uses and zoning of the properties surrounding Del Rio Ranch III are as follows:

NORTH: Multiple land uses border Del Rio Ranch III to the north. From east to west, these include:

- Cashion Tank and Steel (CT&S), a reseller of commercial and industrial storage tanks, which has

operated on the property since at least 1976. The use involves a large outdoor yard where used tanks are stored and several structures. The majority of the CT&S property is located within the City of Avondale, having been annexed in 1984, and is zoned R1-6 (Single Family Urban Residential). A small portion of the CT&S property is not annexed in the City and is zoned Maricopa County RU-43 (Rural). The current use of the portions of the site annexed into the City of Avondale is not allowed in the R1-6 district and, as such, it is non-conforming.

- The Coldwater Springs Golf Club is adjacent to the northwestern portion of the subject property, separated from the site by Buckeye Road and the Union Pacific Railroad tracks. The golf course is zoned PAD (Planned Area Development).

EAST: Multiple land uses border the subject property to the east. From north to south, these include:

- Cashion Tank and Steel, the reseller of storage tanks for which more detail is provided above.
- Diamond Ridge, a single-family subdivision consisting of 210 single-family homes on 45 acres, a net density of 4.67 dwelling units per acre. Diamond Ridge began construction in 2002 with all homes being completed by 2005. The subdivision is zoned PAD (Planned Area Development).

SOUTH: The Rio Vista West residential subdivision, a community of 203 residential lots on approximately 45 acres. The community was platted in segments between 1971 and 1974 and developed with homes in the mid-1970s. Rio Vista West is zoned R1-6 (Single Family Residential – Urban Residential).

WEST: The Agua Fria River. As it relates to the Del Rio Ranch III project, development of homes will be allowed only on portions of the property located outside of the floodway or any flowage or fringe easements as determined by the Army Corps of Engineers.

SUMMARY OF REQUEST:

The applicant is requesting approval of a Final Plat for Del Rio Ranch III Phase 4 (Exhibit E). In conformance with the Del Rio Ranch III Preliminary Plat approved by City Council in April 2021, the proposed Final Plat will create 85 single-family residential lots with a minimum area of 6,360 square feet, featuring minimum widths of 53 feet and minimum depths of 120 feet on approximately 37.95 acres located at the northwest corner of Durango Street and 125th Avenue.

Additionally, the proposed Final Plat creates fourteen (14) common area tracts for active and passive open space totaling 20.16 acres. The most significant amenity in Phase 4 is a meandering 12-foot wide landscaped, lighted, multi-use trail, located within a 40-foot public easement along the edge of the Agua Fria River. In the future, this trail will be tied into the larger, planned regional system in the river corridor, connecting residents south to the Gila River and north to Friendship Park and beyond. Access from the elevated trail down into the Agua Fria River will be provided, offering residents opportunities to participate in riparian activities, such as bird watching and hiking. Residents in Phase 4 will also have full access to the 5.07-acre central park amenity constructed with Phase 1; the central park features a covered playground, full basketball court, two (2) sand volleyball courts, a ramada with picnic seating, a large turf area for active recreation, and benches throughout.

In addition to creating lots and tracts as described above, the proposed Final Plat dedicates all rights-of-way and necessary easements to accommodate construction of the required street improvements for Del Rio Ranch III Phase 4. Vehicular access to this phase will be from 125th Avenue at Phase 4's southeastern corner. The developer will construct all street improvements adjacent to and internal to Phase 4. All streets will be public.

The Del Rio Ranch III Homeowner's Association will be responsible for maintaining all open space areas, landscape tracts, and right-of-way landscaping, including landscaped medians within or adjacent to the community. City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for the Del Rio Ranch III Phase 4 subdivision as a separate agenda item. The MID mechanism allows

the City to assume maintenance responsibilities for the community's open space and landscaping in the event that the HOA goes defunct, providing for an assessment of residents to cover the maintenance costs.

PUBLIC PARTICIPATION:

Public notification is not required for Final Plat applications.

PLANNING COMMISSION ACTION:

The Planning Commission does not review Final Plat applications.

ANALYSIS:

- The proposed Final Plat has been reviewed by the City's contracted Registered Land Surveyor and the document has been confirmed as geometrically accurate and in conformance with Arizona Statutes governing the subdivision of real property.
- The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance, Subdivision Regulations, and Del Rio Ranch III Planned Area Development (PAD) and meets all conditions of these prior approvals.
- The proposed Final Plat conforms to the approved Preliminary Plat for Del Rio Ranch III, including conditions of approval.
- The proposed Final Plat dedicates rights-of-way and easements needed to allow the developer to complete water, sewer, and street improvements to serve the future development.

DISCUSSION:

The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance and Subdivision Regulations. The proposed Final Plat is in conformance with the Del Rio Ranch III PAD Development Plan, including conditions of approval. The proposed Final Plat is in conformance with the approved Del Rio Ranch III Preliminary Plat, including conditions of approval. The conditions of approval are reasonable to ensure conformance with the provisions as outlined in the Avondale Zoning Ordinance and all other applicable City codes, ordinances, and policies. Lastly, the City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for Del Rio Ranch III Phase 4 as a separate agenda item.

BUDGET IMPACT:

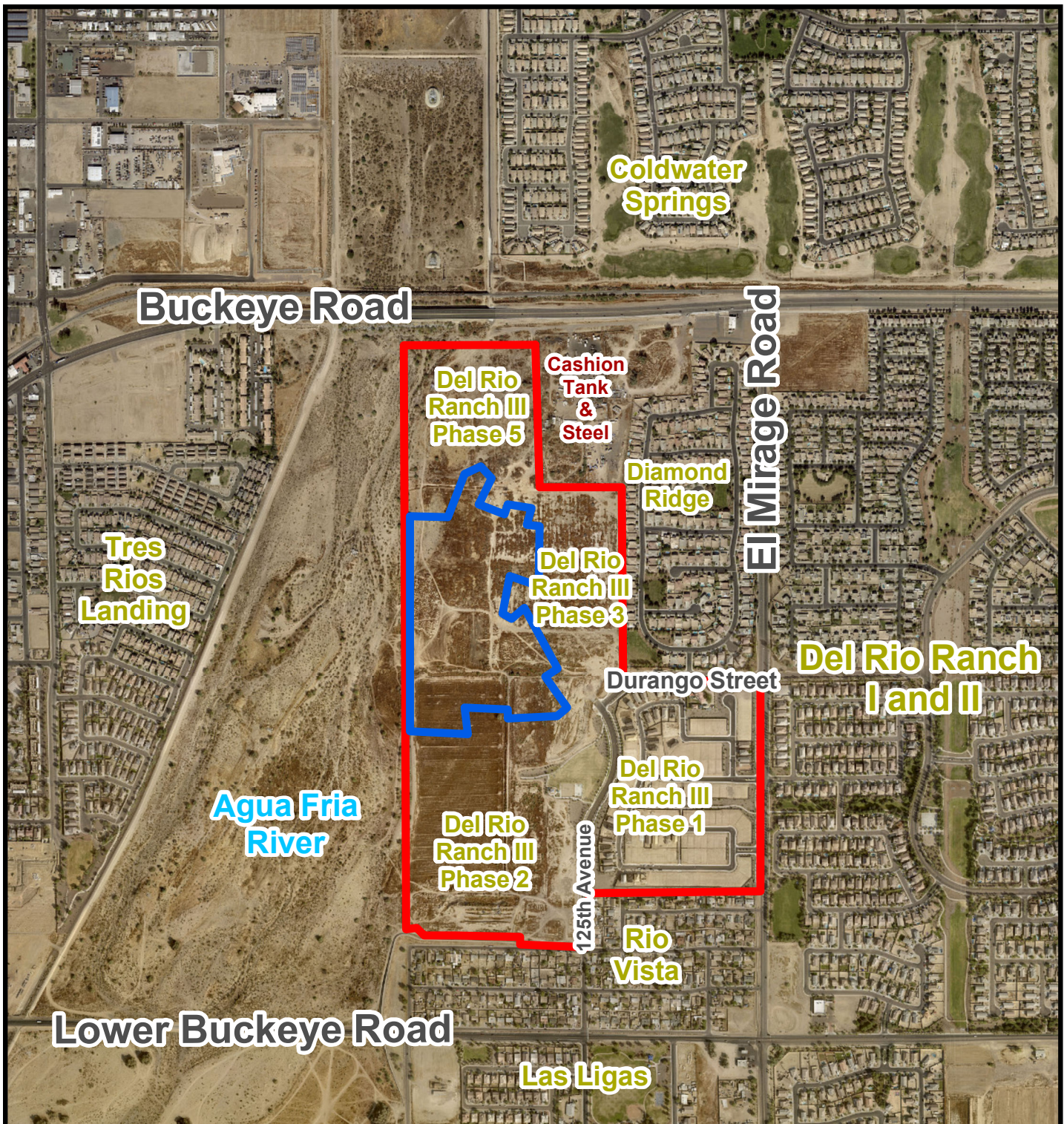
No budget impacts.

RECOMMENDATION:

No public hearing is required. The City Council will **APPROVE** Application PL-21-0196 Del Rio Ranch III Phase 4, a request for approval of the Final Plat for Del Rio Ranch III Phase 4, subject to the following two (2) conditions of approval: 1. The recorded plat shall be in conformance with the Del Rio Ranch III Phase 4 Final Plat submitted electronically on August 26, 2021; and 2. Grandfathered groundwater rights for the property must be extinguished and pledged to the City of Avondale's designated account (26-002003.0000) prior to issuance of any construction permits for any portion of the project.

PROPOSED MOTION:

I move that City Council **APPROVE** Application PL-21-0116 Del Rio Ranch III Phase 4, a request for approval of the Final Plat for Del Rio Ranch III Phase 4, subject to two (2) recommended conditions of approval as listed in the Staff Report.

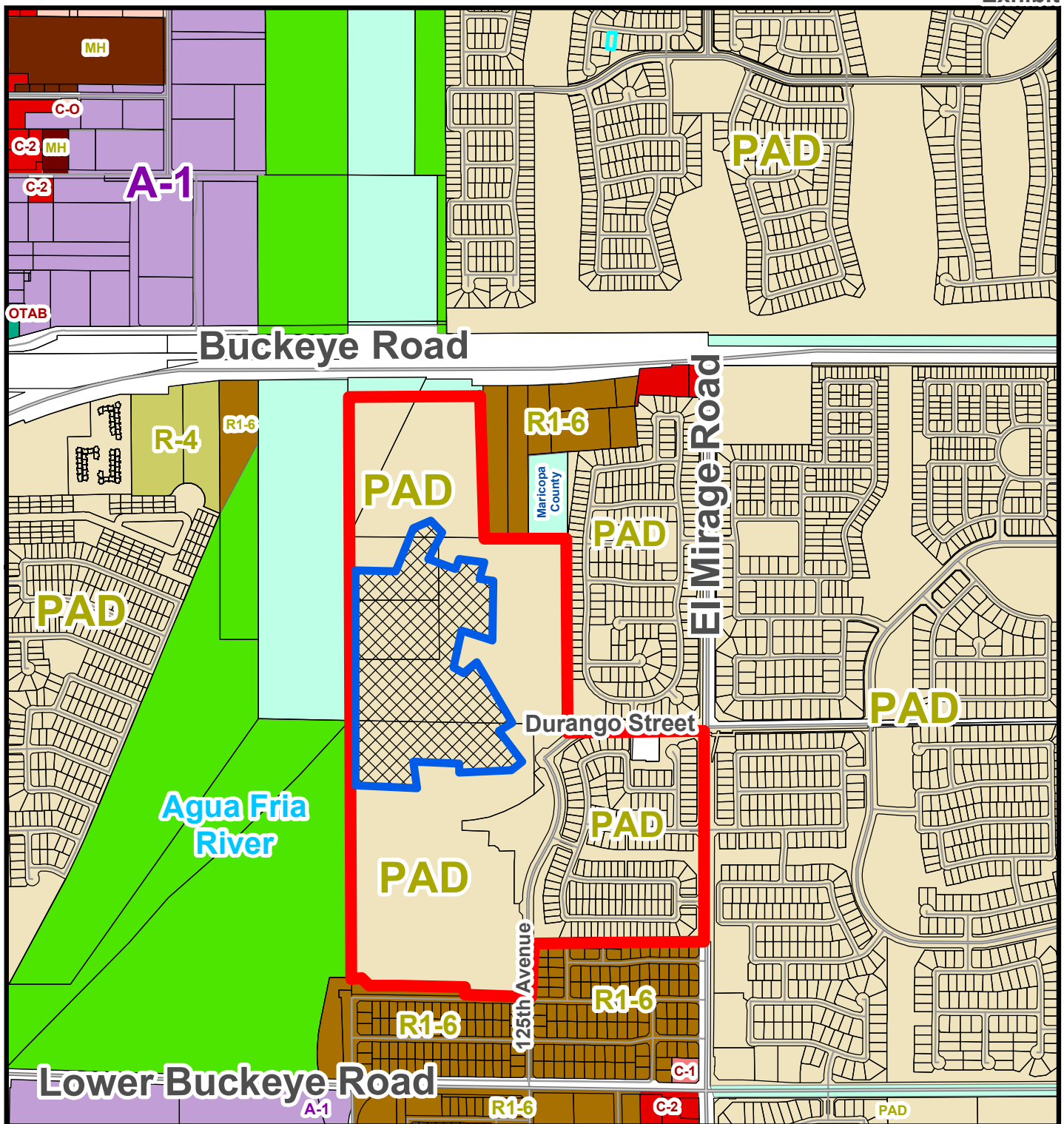


Aerial Photograph



Del Rio Ranch III

Phase 4



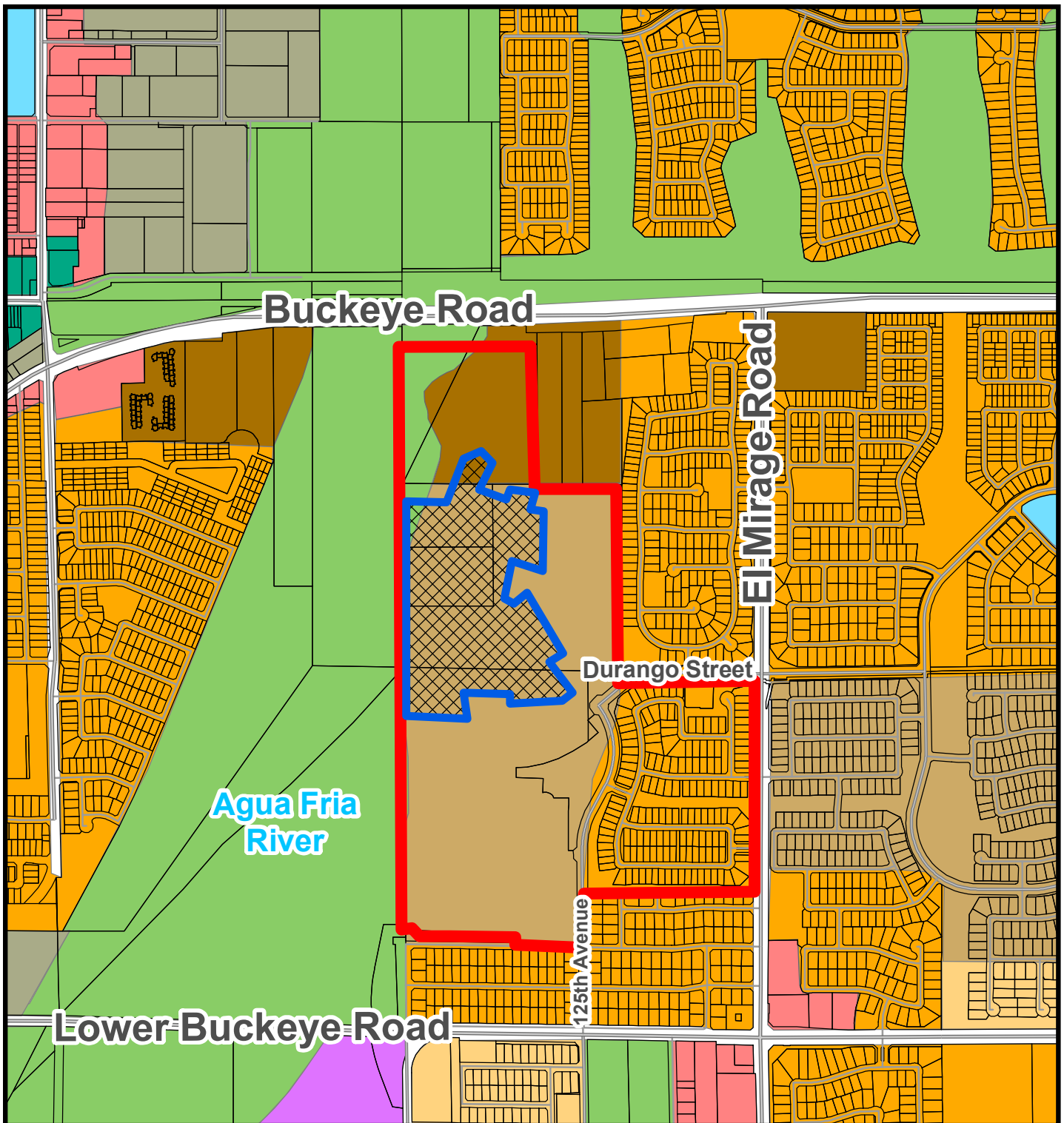
Zoning Vicinity Map



Del Rio Ranch III



Phase 4



General Plan Land Use Map

- | | | |
|---------------------------------|-------------------|----------------------------|
| Medium Density Residential | Open Space | Mixed Use |
| Medium High Density Residential | Local Commercial | Historic Avondale District |
| High Density Residential | Education | |
| Estate Low Density Residential | Del Rio Ranch III | Phase 4 |



SUMMARY OF RELATED FACTS

APPLICATION PL-21-0196

THE PROPERTY	
PROPERTY SIZE	Approximately 37.95 acres
LOCATION	Northwest corner of Durango Street and 125 th Avenue
PHYSICAL CHARACTERISTICS	The subject property is irregularly shaped and is relatively flat.
GENERAL PLAN LAND USE	The majority of the Phase 4 property is designated by the General Plan Land Use Map as Medium High Density Residential (MHDR). The MHDR category allows for development of residences within a density range of four (4) to twelve (12) dwelling units per acre, with a target density of four (4). The MHDR category can accommodate development of a variety of housing types, including single-family detached homes, single-family attached homes, townhomes, condominiums, patio homes, etc. Small portions of the property at the northern and northwestern end of the site are designated High Density Residential (HDR) and Open Space and Parks, respectively. The HDR category accommodates development of apartments, condominiums, or townhomes at a density within a range of twelve (12) to 30 dwelling units per acre, while the Open Space and Parks category is applied to properties to set aside land for active and passive recreational use. No development is proposed within the portion of the site with this designation. The property's approved Planned Area Development (PAD) zoning, approved under a previous General Plan, supersedes the General Plan designations applied to the site.
EXISTING ZONING	Del Rio Ranch III PAD (Planned Area Development)
ZONING HISTORY	The property is part of the larger Del Rio Ranch master development, which is bounded by Avondale Boulevard to the east, Lower Buckeye Road to the south, the Agua Fria River to the west, and Durango Street to the north (with some irregularities). A pre-annexation development agreement for Del Rio Ranch was approved by the City Council in January 2001. The pre-annexation development agreement allowed for development of a 1,665 single-family lot master planned community, with commercial sites at the northwest corner of Avondale Boulevard and Lower Buckeye Road as well as at the northeast corner of El Mirage Road and Lower Buckeye Road. The PAD was to be developed in three segments, Units I and II east of El Mirage Road, and Unit III west of El Mirage Road. Applications for annexation, rezoning (to Del Rio Ranch PAD), and Preliminary Plat were approved by the City Council in February 2005. The 2005 PAD and Preliminary Plat covered the full Del Rio Ranch property, inclusive of Units I, II, and III,

	allowing a maximum of 1,284 single family lots at a density of 3.43 dwelling units per acre, a 12-acre commercial parcel located at the northwest corner of Lower Buckeye Road and Avondale Boulevard, and a 6-acre commercial parcel located at the northeast corner of Lower Buckeye Road and El Mirage Road. Del Rio Ranch III, the property for which this application has been submitted, was originally comprised of 496 single family lots on a total site area of 139.99 acres with a maximum gross residential of 3.65 dwelling units an acre. In September 2007, a Major PAD Amendment and new Preliminary Plat for Del Rio Ranch III were approved by the City Council. The purpose of these applications was to enlarge the Del Rio Ranch III site by incorporating 35 acres north of the original PAD boundary, immediately west of the Cashion Tank and Steel site. The 2007 approvals allowed for development of Del Rio Ranch III with 493 lots on 176 acres, a density of approximately 2.79 dwelling units per acre. A 17-acre school site for the Littleton Elementary School District was also included in the 2007 plan. In 2017, in response to changing FEMA regulations pertaining to development adjacent to floodways resulting from Hurricane Katrina, the applicant processed a minor PAD Amendment to remove lots from portions of the Del Rio Ranch III property that were no longer able to be developed due to the federal government's more severe restrictions on development. Additionally, due to the Littleton Elementary School District's determination that a school site was no longer needed in this development, the minor amendment removed a school site from the development plan replacing it with additional single-family residential lots. The minor amendment was approved administratively in August 2017 and a corresponding Preliminary Plat was approved by the City Council in October 2017. The 2017 Preliminary Plat allowed for development of 491 single-family lots on 176 acres, a density of approximately 2.78 dwelling units per acre. A Final Plat For Del Rio Ranch III Phase 1, creating 153 lots at the southwest corner of El Mirage Road and Durango Street, was approved in May 2018. Del Rio Ranch III Phase 1 is currently being developed by Beazer Homes. In January 2021, the applicant's request for an additional Minor PAD Amendment to reconfigure streets within Del Rio Ranch III Phases 2 through 5, eliminating a future connection of 125th Avenue to Buckeye Road (through Cashion Tank and Steel), was approved administratively. Elimination of the 125th Avenue connection allowed more of the property to be developed with single-family homes and, as a result, the total number of lots within the community rose by 30, from 491 to 521. A Preliminary Plat in conformance with the 2021 amended PAD was approved by City Council in April 2021.
--	---

DEVELOPMENT HISTORY	The Del Rio Ranch III site was used as a dairy farm until 2007. From 2007 until 2015, portions of the property were used for crop farming. Excluding the Phase 1 portion of Del Rio Ranch III currently under development by Beazer Homes, the site is vacant, and all accessory structures used in conjunction with the prior agricultural use of the property have been demolished.
---------------------	---

<i>SURROUNDING ZONING AND LAND USE</i>	
NORTH	Multiple land uses border Del Rio Ranch III to the north. From east to west, these include: • Cashion Tank and Steel (CT&S), a reseller of commercial and industrial storage tanks, which has operated on the property since at least 1976. The use involves a large outdoor yard where used tanks are stored and several structures. The majority of the CT&S property is located within the City of Avondale, having been annexed in 1984, and is zoned R1-6 (Single Family Urban Residential). A small portion of the CT&S property is not annexed in the City and is zoned Maricopa County RU-43 (Rural). The current use of the portions of the site annexed into the City of Avondale is not allowed in the R1-6 district and, as such, it is non-conforming. • The Coldwater Springs Golf Club is adjacent to the northwestern portion of the subject property, separated by Buckeye Road and the Union Pacific Railroad tracks. The golf course is zoned PAD (Planned Area Development).
EAST	Multiple land uses border Del Rio Ranch III to the east. From north to south, these include: • Cashion Tank and Steel, the reseller of storage tanks for which more detail is provided above. • Diamond Ridge, a single-family subdivision consisting of 210 single-family homes on 45 acres, for a net density of 4.67 dwelling units per acre. Diamond Ridge began construction in 2002 with all homes being completed by 2005. The subdivision is zoned PAD (Planned Area Development).
SOUTH	The Rio Vista West residential subdivision, a community of 203 residential lots on approximately 45 acres. The community was platted in segments between 1971 and 1974 and developed with homes in the mid-1970s. Rio Vista West is zoned R1-6 (Single Family Residential – Urban Residential).
WEST	The Agua Fria River. Development of the subject property will be allowed only on portions of the property located outside of the floodway or any flowage or fringe easements as determined by the Army Corps of Engineers.

<i>PUBLIC SCHOOLS</i>	
SCHOOL DISTRICT(S)	Littleton Elementary School District Tolleson Union High School District
ELEMENTARY SCHOOL	Student's Choice (No Defined School). The closest district school is Estrella Vista STEM Academy located at the southeast corner of 119 th Avenue and Cocopah Drive in Del Rio Ranch I.
HIGH SCHOOL	La Joya Community High School, located at the southwest corner of Avondale Boulevard and Durango Street in Del Rio Ranch I.

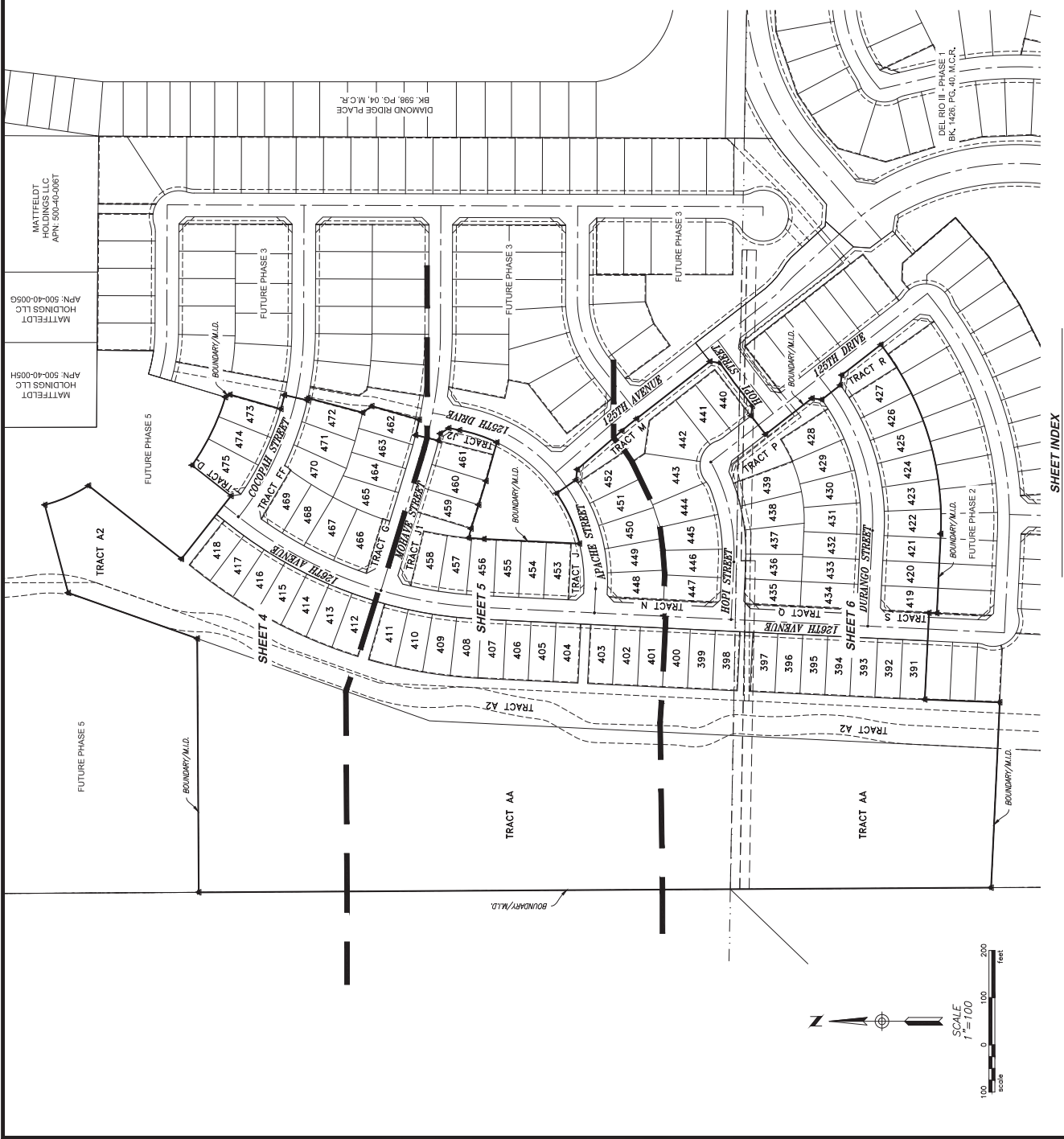
<i>ADJACENT STREETS</i>	
125th Avenue	
Classification	Minor Collector
Existing half street right-of-way	40 feet
Standard half street right-of-way	40 feet
Existing half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street lights, and landscaping.
Standard half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street lights, and landscaping.
Durango Street	
Classification	Minor Collector
Existing half street right-of-way	40 feet
Standard half street right-of-way	40 feet
Existing half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street lights, and landscaping.
Standard half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street lights, and landscaping.

<i>UTILITIES</i>
Water service will be provided to the development via an existing 12-inch main in El Mirage Road and an existing 12-inch main in Durango Street. Sewer service will be provided to Parcel N, the portion of the development east of 125th Avenue, via an existing 36-inch sewer main in El Mirage Road. Sewer service will be provided to the portions of the development west of 125th Avenue via a new Rio Vista Lane sewer lift station, to be constructed by the developer and owned, operated and maintained by the City. SRP provides electrical service in this portion of Avondale.

Exhibit E

Proposed Final Plat

Del Rio Ranch III Phase 4



LEGEND

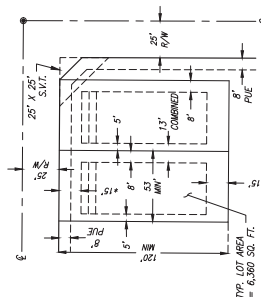
- MATCH LINE
- PRICE / BOUNDARY/M.I.D. BOUNDARY
- FUTURE PHASE
- - - DEDICATED EASEMENT
- - - EXISTING EASEMENT
- - - LOT LINE
- - - RIGHT OF WAY
- - - CENTERLINE
- M.I.D. = MAINTENANCE IMPROVEMENT DISTRICT
- - - SET REBAR W/ CAP 15' 41/2"

NOTES

NTS

* 18" TO FACE OF GARAGE, 15' TO SIDE ENTRY GARAGE. FRONT SETBACKS TO BE STAGGERED A MINIMUM OF 3' FROM A MINIMUM OF 18' TO 21'

53' LOT TYPICAL



LINE TABLE		
LINE #	BEARING	LENGTH
L1	S08°38'17"E	11.14'
L2	S12°52'24"W	50.00'
L3	S12°52'24"W	23.84'
L4	S35°40'23"E	50.00'
L5	S13°52'52"W	50.00'
L6	S76°17'48"E	15.27'
L7	S13°52'52"W	21.97'
L8	S10°50'43"W	23.11'
L9	N05°08'17"E	20.22'
L10	S34°46'07"E	50.00'
L11	S87°23'58"E	22.11'
L12	S79°04'17"W	20.80'
L13	S53°46'27"W	45.86'
L14	S20°05'55"W	55.97'
L15	S62°54'05"W	21.21'
L16	S50°25'55"W	50.00'
L17	S73°53'13"W	21.03'
L18	S73°54'05"E	50.03'
L19	S82°27'35"E	21.88'
L20	N2°46'14"E	16.72'
L21	N87°13'12"W	20.21'
L22	N2°46'14"E	22.51'
L23	N87°13'12"W	21.99'
L24	N87°13'12"W	51.00'
L25	N38°15'18"E	39.86'
L26	N87°44'12"E	21.33'
L27	N2°12'46"W	20.92'
L28	N62°30'12"E	20.71'
L29	N47°13'12"W	21.21'
L30	N47°46'14"E	21.21'
L31	N47°13'12"W	21.21'
L32	S73°54'05"E	23.80'
L33	N67°05'58"E	7.04'
L34	N47°46'14"E	21.21'
L35	N47°13'12"W	21.21'
L36	N47°46'14"E	21.21'
L37	N87°13'12"W	20.85'
L38	N52°05'55"E	125.00'
L39	N2°46'14"E	229.06'
L40	S87°13'12"E	53.03'
L41	N65°39'54"E	52.03'
L42	N83°10'10"E	49.40'
L43	S77°48'53"W	50.04'
L44	N33°55'40"W	31.44'
L45	N65°15'11"E	27.18'
L46	S07°22'29"E	63.77'
L47	N2°46'14"E	10.01'
L48	S50°22'52"W	17.05'
L49	N88°17'58"W	20.97'
L50	N47°46'14"E	14.75'
L51	S88°31'59"E	10.09'
L52	N50°24'17"E	6.96'

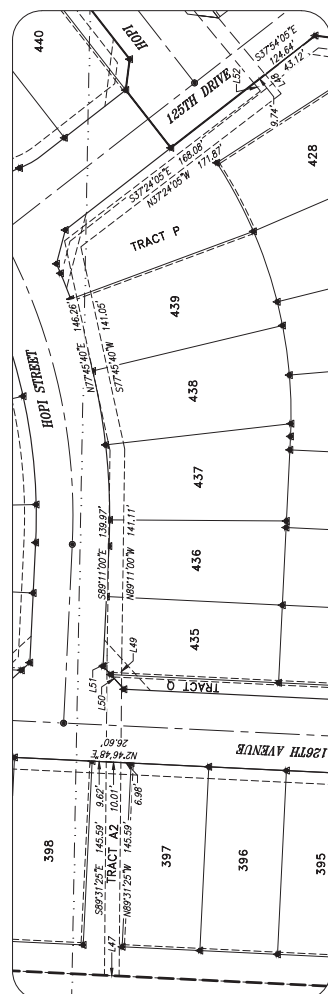
CURVE TABLE		
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C1	17°34'35"	325.00'
C2	18°30'41"	415.00'
C3	2°30'41"	615.00'
C4	0°26'15"	665.00'
C5	2°07'23"	905.00'
C6	14°44'39"	325.00'
C7	2°28'49"	755.00'
C8	3°48'47"	460.00'
C9	2°58'54"	375.00'
C10	1°40'32"	455.00'
C11	4°40'53"	605.00'
C12	3°48'47"	460.00'
C13	31°31'00"	400.00'
C14	37°32'35"	355.00'
C15	35°28'37"	900.00'
C16	1°30'09"	930.00'
C17	2°51'34"	640.00'
C18	1°49'08"	665.00'
C19	16°31'53"	875.00'
C20	2°49'12"	955.00'
C21	2°50'57"	955.00'
C22	17°02'07"	875.00'
C23	37°32'35"	325.00'
C24	37°32'35"	375.00'
C25	2°31'04"	375.00'
C26	18°33'03"	55.00'
C27	10°23'43"	55.00'
C28	17°20'29"	55.00'
C29	25°40'37"	425.00'
C30	39°42'17"	435.00'
C31	38°54'34"	465.00'
C32	35°28'37"	925.00'
C33	21°34'16"	615.00'
C34	15°17'08"	1045.00'

CURVE TABLE		
CURVE #	DELTA	CHORD
C35	20°57'03"	1045.00'
C36	35°42'59"	315.00'
C37	16°47'46"	325.00'
C38	7°22'18"	755.00'
C39	19°14'16"	755.00'
C40	9°09'11"	600.00'
C41	16°44'35"	425.00'
C42	11°00'29"	575.00'
C43	32°29'34"	50.00'
C44	5°18'26"	52.00'
C45	5°18'26"	52.00'
C46	28°17'12"	95.00'
C47	2°24'13"	50.00'
C48	6°51'27"	102.00'
C49	20°27'10"	202.00'
C50	2°51'07"	355.00'
C51	16°03'03"	360.00'
C52	35°52'52"	175.00'
C53	19°49'49"	260.00'
C54	1°28'26"	270.00'
C55	19°49'49"	220.00'
C56	35°52'52"	215.00'
C57	16°03'03"	320.00'
C58	2°51'07"	345.00'
C59	20°27'10"	242.00'
C60	6°51'27"	95.00'
C61	2°24'13"	90.00'
C62	28°17'12"	58.00'
C63	5°18'26"	92.00'
C64	35°16'17"	58.00'
C65	32°29'34"	90.00'
C66	11°00'29"	635.00'
C67	16°44'35"	512.00'
C68	9°09'11"	560.00'

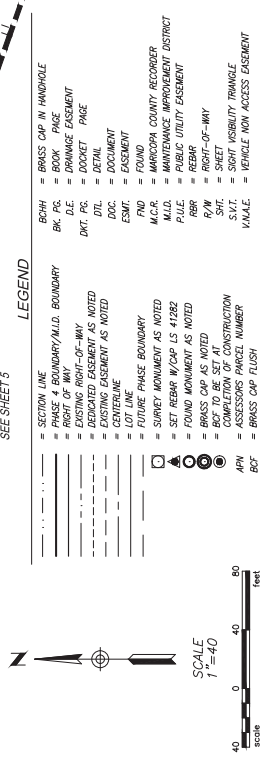
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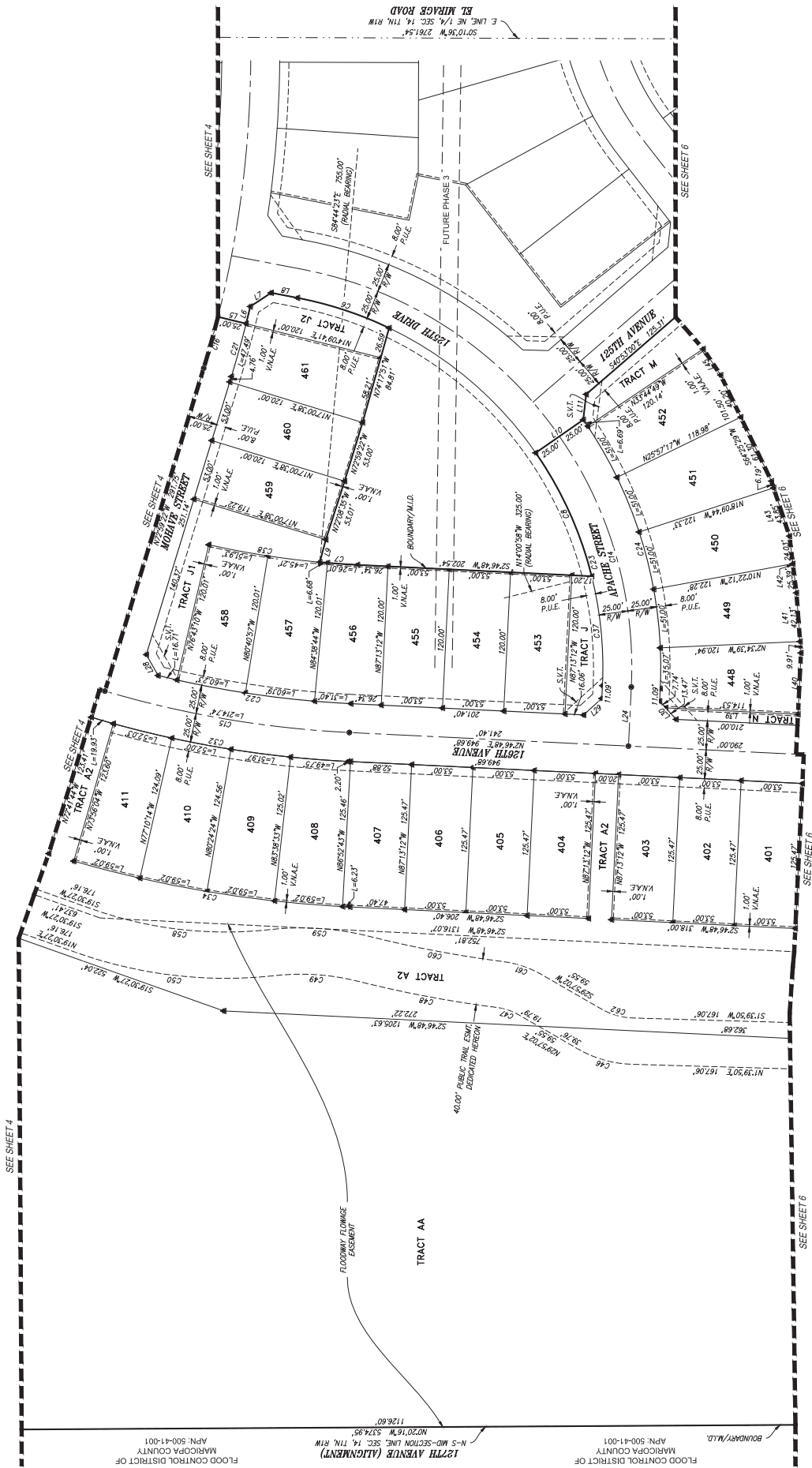
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469	65,736.00	0.1521
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TOTAL	587,800.00	13.4825

SERVICE		PROVIDER
WATER		CITY OF AVONDALE
SEWER		CITY OF AVONDALE
POWER		SALT RIVER PROJECT
TELEPHONE		CENTURYLINK
CABLE		COX COMMUNICATIONS
GAS		SOUTHWEST GAS
POLICE		CITY OF AVONDALE
FIRE		CITY OF AVONDALE
REFUSE		CITY OF AVONDALE
ELMENTARY		TOLLESON SCHOOL DISTRICT
HIGH SCHOOL		TOLLESON SCHOOL DISTRICT



DETAIL 'A'





LEGEND

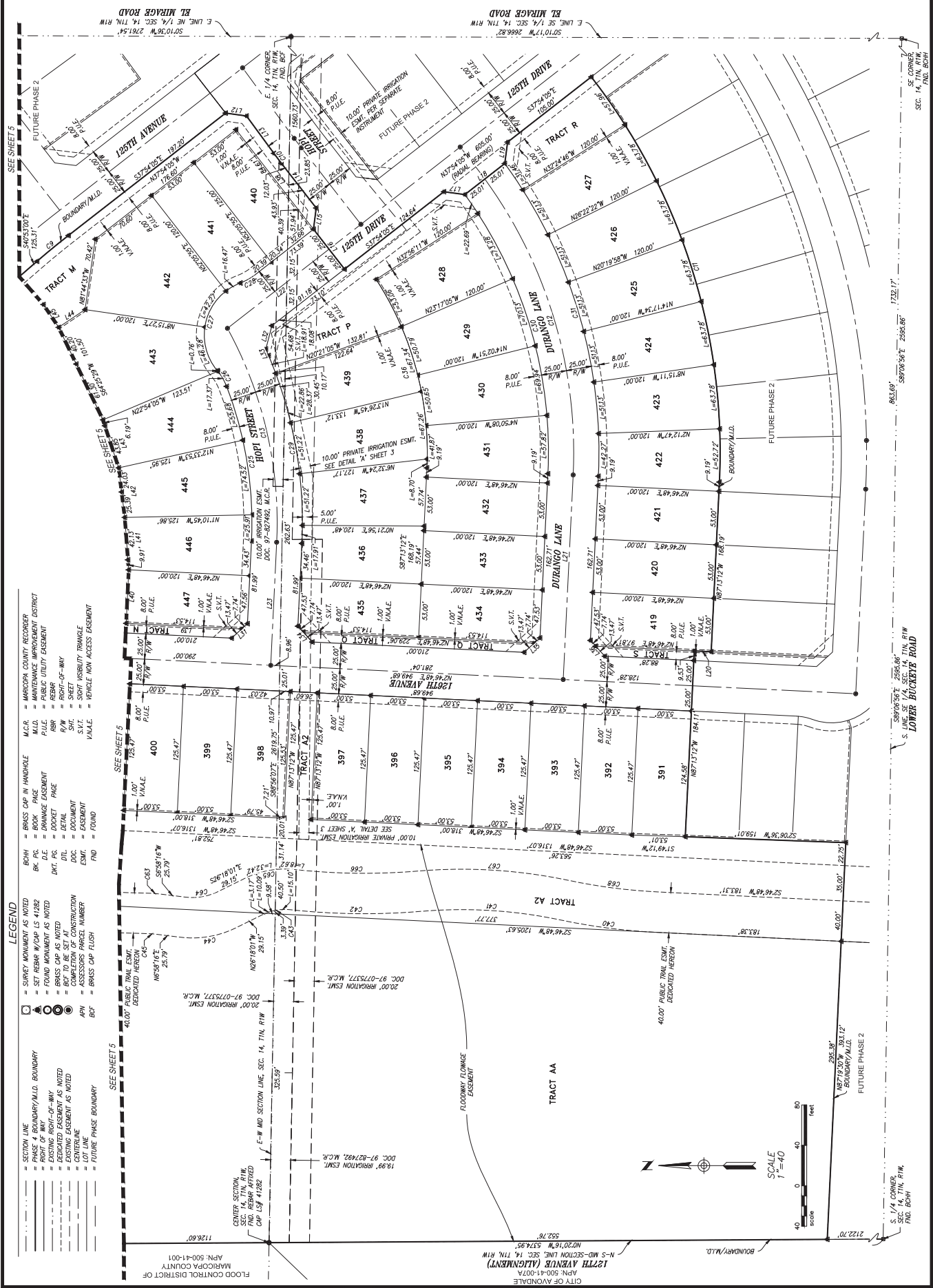
- | | |
|----------------------------------|----------------------------------|
| SECTION LINE | BRASS CAP IN HANDHOLE |
| PHASE 4 BOUNDARY/M.I.D. BOUNDARY | BK. PG. |
| RIGHT-OF-WAY | BOOK PAGE |
| RIGHT-OF-WAY | DRAINAGE EASEMENT |
| RIGHT-OF-WAY | DOCKET PAGE |
| DEDICATED EASEMENT AS NOTED | DTL |
| EXISTING EASEMENT AS NOTED | DOCUMENT |
| CENTERLINE | EASEMENT |
| FUTURE PHASE BOUNDARY | ESMT |
| SURVEY MONUMENT AS NOTED | FOUND |
| SET PEAR W/ CAP LS 41282 | M.C.R. |
| FOUND MONUMENT AS NOTED | M.I.D. |
| BRASS CAP AS NOTED | FILE |
| BRASS CAP AS NOTED | MAINTENANCE IMPROVEMENT DISTRICT |
| BOF TO BE SET AT | REBAR |
| BOF TO BE SET AT | RIGHT-OF-WAY |
| CONSTRUCTION | SHE |
| ASSESSORS PARCEL NUMBER | S.V.T. |
| BRASS CAP FLUSH | V.N.A.E. |
| | SIGHT VISIBILITY TRIANGLE |
| | VEHICLE NON-CESS EASEMENT |

SCALE
1"=40'



Project No.	16178
Project Manager	ADRIAN BURCHAM
Date	08/12/21
Project Eng.	

SHEET 5



- LEGEND**
- SECTION LINE
 - PHASE 4 BOUNDARY/M.I.D. BOUNDARY
 - RIGHT-OF-WAY
 - EXISTING RIGHT-OF-WAY, NOTED
 - EXISTING EASEMENT AS NOTED
 - CENTERLINE
 - LOT LINE
 - FUTURE PHASE BOUNDARY
 - SURVEY MONUMENT AS NOTED
 - SET BEAR W/ CAP L/S 41282
 - FOUND MONUMENT AS NOTED
 - BRASS CAP AS NOTED
 - BCF TO BE SET AT
 - COMPLETION OF CONSTRUCTION
 - APPROXIMATE BEAR/DEEL NUMBER
 - BRASS CAP FLUSH
 - BRASS CAP IN HANDS
 - BACK PACE
 - PHASE EASEMENT
 - DOCKET PAGE
 - DETAIL
 - DOCUMENT
 - EASEMENT
 - ROUND
 - MARICOPA COUNTY RECORDER
 - MAINTENANCE IMPROVEMENT DISTRICT
 - PUBLIC UTILITY EASEMENT
 - REBAR
 - RIGHT-OF-WAY
 - SHORT VISIBILITY TRIANGLE
 - VEHICLE NON ACCESS EASEMENT

SCALE
1"=40'



CITY COUNCIL REPORT

SUBJECT: Final Plat of Del Rio Ranch III Phase 5 (Application PL-21-0197)

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include workforce housing.

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Maintain and expand quality infrastructure and improve connectivity to City amenities.
-

PURPOSE:

City Council will consider a request by Mr. Jason Burm, Kimley-Horn & Associates, Inc., for approval of a Final Plat for Del Rio Ranch III Phase 5. In conformance with Del Rio Ranch III Preliminary Plat approved by City Council in April 2021, the proposed Final Plat creates 36 single-family residential lots, 5 common area tracts, and dedicates streets and easements on approximately 27.46 acres at the southeast corner of Buckeye Road and the Agua Fria River. The Council will take appropriate action.

BACKGROUND:

Del Rio Ranch III Phase 5 is comprised of approximately 27.46 acres located at the southeast corner of Buckeye Road and the Agua Fria River (Exhibits A and B). The property is part of the larger Del Rio Ranch master development consisting of over 440 acres bounded by Avondale Boulevard to the east, Lower Buckeye Road to the south, the Agua Fria River to the west, and Durango Street to the north (with some irregularities). The site was used as a dairy farm until 2007 and from 2007 until 2015, portions of the property were used for crop farming. Currently, the site is vacant, and all accessory structures used in conjunction with the prior agricultural use of the property have been demolished.

A pre-annexation development agreement for Del Rio Ranch was approved by City Council in January 2001. The pre-annexation development agreement allowed for development of a 1,665 single-family lot master planned community, with commercial sites at the northwest corner of Avondale Boulevard and Lower Buckeye Road as well as at the northeast corner of El Mirage Road and Lower Buckeye Road. The PAD was to be developed in three (3) segments, Units I and II east of El Mirage Road, and Unit III west of El Mirage Road.

Applications for annexation, rezoning to Del Rio Ranch Planned Area Development (PAD), and Preliminary Plat were approved by City Council in February 2005. The 2005 PAD and Preliminary Plat covered the full Del Rio Ranch property, inclusive of Units I, II, and III, allowing a maximum of 1,284 single family lots at a density of 3.43 dwelling units per acre, a 12-acre commercial parcel located at the northwest corner of Lower Buckeye Road and Avondale Boulevard, and a 6-acre commercial parcel located at the northeast corner of Lower Buckeye Road and El Mirage Road.

In September 2007, a Major PAD Amendment and new Preliminary Plat for Del Rio Ranch III were approved by the City Council. The purpose of these applications was to enlarge the Del Rio Ranch III site by incorporating 35 acres north of the original PAD boundary, immediately west of the Cashion Tank and Steel site. The 2007 approvals allowed for development of Del Rio Ranch III with 493 lots on 176 acres, a density of approximately 2.79 dwelling units per acre. A 17-acre school site for the Littleton Elementary School District was also included in the 2007 plan.

In 2017, in response to changing Federal Emergency Management Agency (FEMA) regulations pertaining to development adjacent to floodways that were created in the wake of Hurricane Katrina, the applicant processed a Minor PAD Amendment to remove lots from portions of the Del Rio Ranch III property that were no longer able to be developed due to the federal government's more severe restrictions on development. Additionally, due to the Littleton Elementary School District's determination that a school site was no longer needed in this development, the 2017 minor amendment eliminated the previously planned school site from the development plan, replacing it with additional single-family residential lots. The minor amendment was approved administratively in August 2017 and a corresponding Preliminary Plat was approved by City Council in October 2017. The 2017 Preliminary Plat allowed for development of Del Rio Ranch III with 491 single-family lots on 176 acres, a density of approximately 2.78 dwelling units per acre.

A Final Plat For Del Rio Ranch III Phase 1, creating 153 lots at the southwest corner of El Mirage Road and Durango Street, was approved in May 2018. Del Rio Ranch III Phase 1 is currently being developed by Beazer Homes.

In January 2021, the City administratively approved the applicant's request for an additional Minor PAD Amendment, reconfiguring streets within Del Rio Ranch III Phases 2 through 5 and eliminating a previously planned future connection of 125th Avenue to Buckeye Road (through the adjoining Cashion Tank and Steel site). The elimination of the 125th Avenue connection to Buckeye Road allowed more of the property to be developed with single-family homes and, as a result, the total number of lots within the community rose by 30, from 491 to 521. A Preliminary Plat in conformance with the 2021 amended PAD was approved by City Council in April 2021.

The majority of the Phase 5 property is designated by the General Plan Land Use Map as High Density Residential (HDR). The HDR category accommodates development of apartments, condominiums, or townhomes at a density within a range of twelve (12) to 30 dwelling units per acre. Smaller portions of the property along the southern and western edges are designated Medium High Density Residential (MHDR) and Open Space and Parks, respectively. The MHDR category allows for development of residences within a density range of four (4) to twelve (12) dwelling units per acre, while the Open Space and Parks category is applied to properties to set aside land for active and passive recreational use. No development is proposed within the portion of the site with this designation. The property's approved Planned Area Development (PAD) zoning, approved under a previous General Plan, supersedes the General Plan designations applied to the site.

The existing uses and zoning of the properties surrounding Del Rio Ranch III are as follows:

NORTH: Multiple land uses border Del Rio Ranch III to the north. From east to west, these include:

- Cashion Tank and Steel (CT&S), a reseller of commercial and industrial storage tanks, which has operated on the property since at least 1976. The use involves a large outdoor yard where used tanks are stored and several structures. The majority of the CT&S property is located within the City of

Avondale, having been annexed in 1984, and is zoned R1-6 (Single Family Urban Residential). A small portion of the CT&S property is not annexed in the City and is zoned Maricopa County RU-43 (Rural). The current use of the portions of the site annexed into the City of Avondale is not allowed in the R1-6 district and, as such, it is non-conforming.

- The Coldwater Springs Golf Club is adjacent to the northwestern portion of the subject property, separated from the site by Buckeye Road and the Union Pacific Railroad tracks. The golf course is zoned PAD (Planned Area Development).

EAST: Multiple land uses border the subject property to the east. From north to south, these include:

- Cashion Tank and Steel, the reseller of storage tanks for which more detail is provided above.
- Diamond Ridge, a single-family subdivision consisting of 210 single-family homes on 45 acres, a net density of 4.67 dwelling units per acre. Diamond Ridge began construction in 2002 with all homes being completed by 2005. The subdivision is zoned PAD (Planned Area Development).

SOUTH: The Rio Vista West residential subdivision, a community of 203 residential lots on approximately 45 acres. The community was platted in segments between 1971 and 1974 and developed with homes in the mid-1970s. Rio Vista West is zoned R1-6 (Single Family Residential – Urban Residential).

WEST: The Agua Fria River. As it relates to the Del Rio Ranch III project, development of homes will be allowed only on portions of the property located outside of the floodway or any flowage or fringe easements as determined by the Army Corps of Engineers.

SUMMARY OF REQUEST:

The applicant is requesting approval of a Final Plat for Del Rio Ranch III Phase 5 (Exhibit E). In conformance with the Del Rio Ranch III Preliminary Plat approved by City Council in April 2021, the proposed Final Plat will create 36 single-family residential lots with a minimum area of 6,360 square feet, featuring minimum widths of 53 feet and minimum depths of 120 feet on approximately 27.46 acres located at the southeast corner of Buckeye Road and the Agua Fria River.

Additionally, the proposed Final Plat creates five (5) common area tracts for active and passive open space totaling 20.16 acres. The most significant amenity in Phase 5 is a meandering 12-foot wide landscaped, lighted, multi-use trail, located within a 40-foot public easement along the edge of the Agua Fria River. In the future, this trail will be tied into the larger, planned regional system in the river corridor, connecting residents south to the Gila River and north to Friendship Park and beyond. Access from the elevated trail down into the Agua Fria River will be provided, offering residents opportunities to participate in riparian activities, such as bird watching and hiking. Residents in Phase 5 will also have full access to the 5.07-acre central park amenity constructed with Phase 1; the central park features a covered playground, full basketball court, two (2) sand volleyball courts, a ramada with picnic seating, a large turf area for active recreation, and benches throughout.

In addition to creating lots and tracts as described above, the proposed Final Plat dedicates all rights-of-way and necessary easements to accommodate construction of the required street improvements for Del Rio Ranch III Phase 5. Vehicular access to this phase will be through Phase 4 from 125th Avenue southeast of the Phase 5 area. The developer will construct all street improvements adjacent to and internal to Phase 5. All streets will be public.

The Del Rio Ranch III Homeowner's Association will be responsible for maintaining all open space areas, landscape tracts, and right-of-way landscaping, including landscaped medians within or adjacent to the community. City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for the Del Rio Ranch III Phase 5 subdivision as a separate agenda item. The MID mechanism allows the City to assume maintenance responsibilities for the community's open space and landscaping in the event that the HOA goes defunct, providing for an assessment of residents to cover the maintenance costs.

PUBLIC PARTICIPATION:

Public notification is not required for Final Plat applications.

PLANNING COMMISSION ACTION:

The Planning Commission does not review Final Plat applications.

ANALYSIS:

- The proposed Final Plat has been reviewed by the City's contracted Registered Land Surveyor and the document has been confirmed as geometrically accurate and in conformance with Arizona Statutes governing the subdivision of real property.
- The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance, Subdivision Regulations, and Del Rio Ranch III Planned Area Development (PAD) and meets all conditions of these prior approvals.
- The proposed Final Plat conforms to the approved Preliminary Plat for Del Rio Ranch III, including conditions of approval.
- The proposed Final Plat dedicates rights-of-way and easements needed to allow the developer to complete water, sewer, and street improvements to serve the future development.

DISCUSSION:

The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance and Subdivision Regulations. The proposed Final Plat is in conformance with the Del Rio Ranch III PAD Development Plan, including conditions of approval. The proposed Final Plat is in conformance with the approved Del Rio Ranch III Preliminary Plat, including conditions of approval. The conditions of approval are reasonable to ensure conformance with the provisions as outlined in the Avondale Zoning Ordinance and all other applicable City codes, ordinances, and policies. Lastly, the City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for Del Rio Ranch III Phase 5 as a separate agenda item.

BUDGET IMPACT:

No budget impacts.

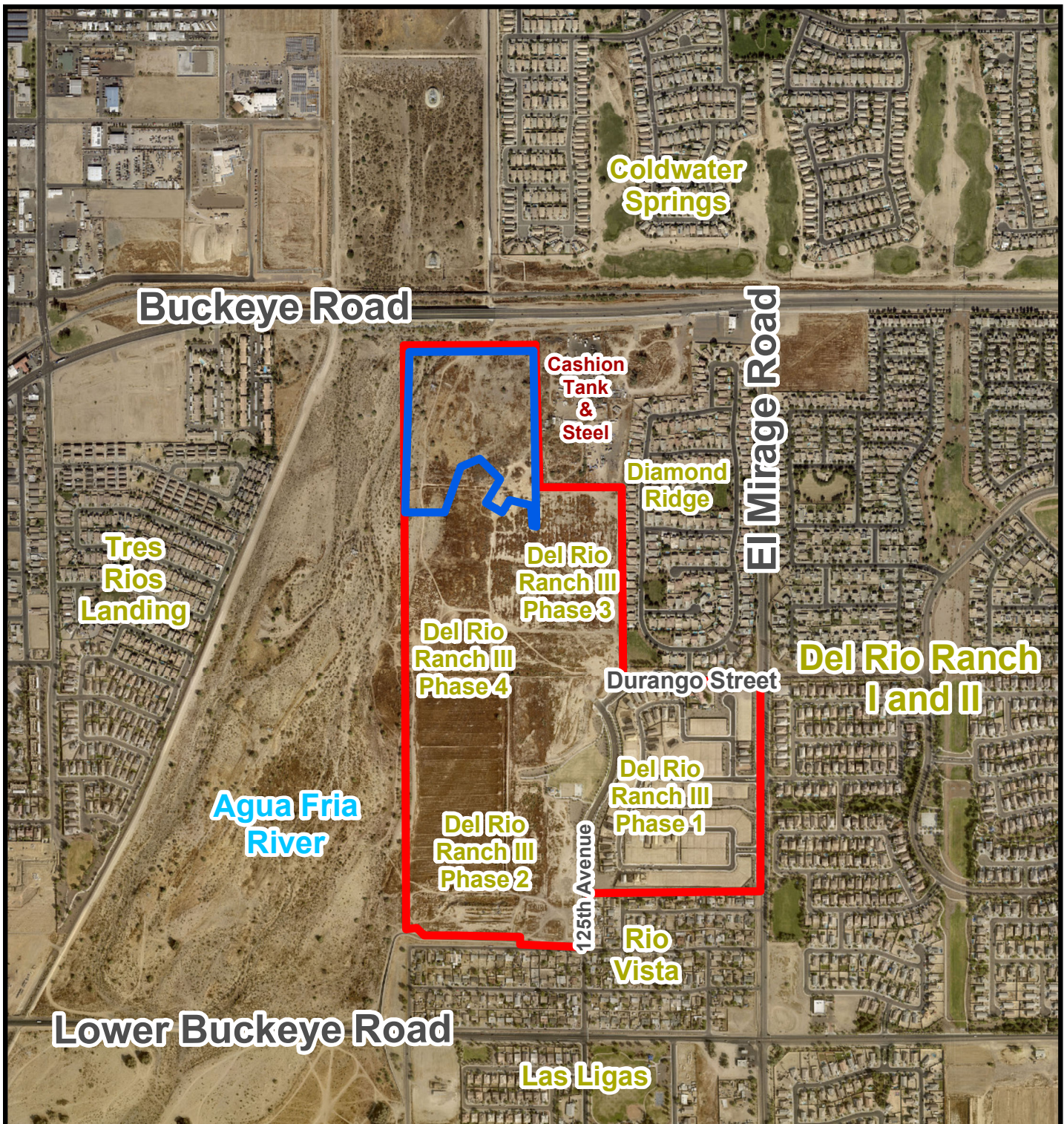
RECOMMENDATION:

No public hearing is required. The City Council will **APPROVE** Application PL-21-0197 Del Rio Ranch III Phase 5, a request for approval of the Final Plat for Del Rio Ranch III Phase 5 subject to the following two (2) conditions of approval:

1. The recorded plat shall be in conformance with the Del Rio Ranch III Phase 5 Final Plat submitted electronically on August 26, 2021.
2. Grandfathered groundwater rights for the property must be extinguished and pledged to the City of Avondale's designated account (26-002003.0000) prior to issuance of any construction permits for any portion of the project.

PROPOSED MOTION:

I move that City Council **APPROVE** Application PL-21-0197 Del Rio Ranch III Phase 5, a request for approval of the Final Plat for Del Rio Ranch III Phase 5, subject to two (2) recommended conditions of approval as listed in the Staff Report.

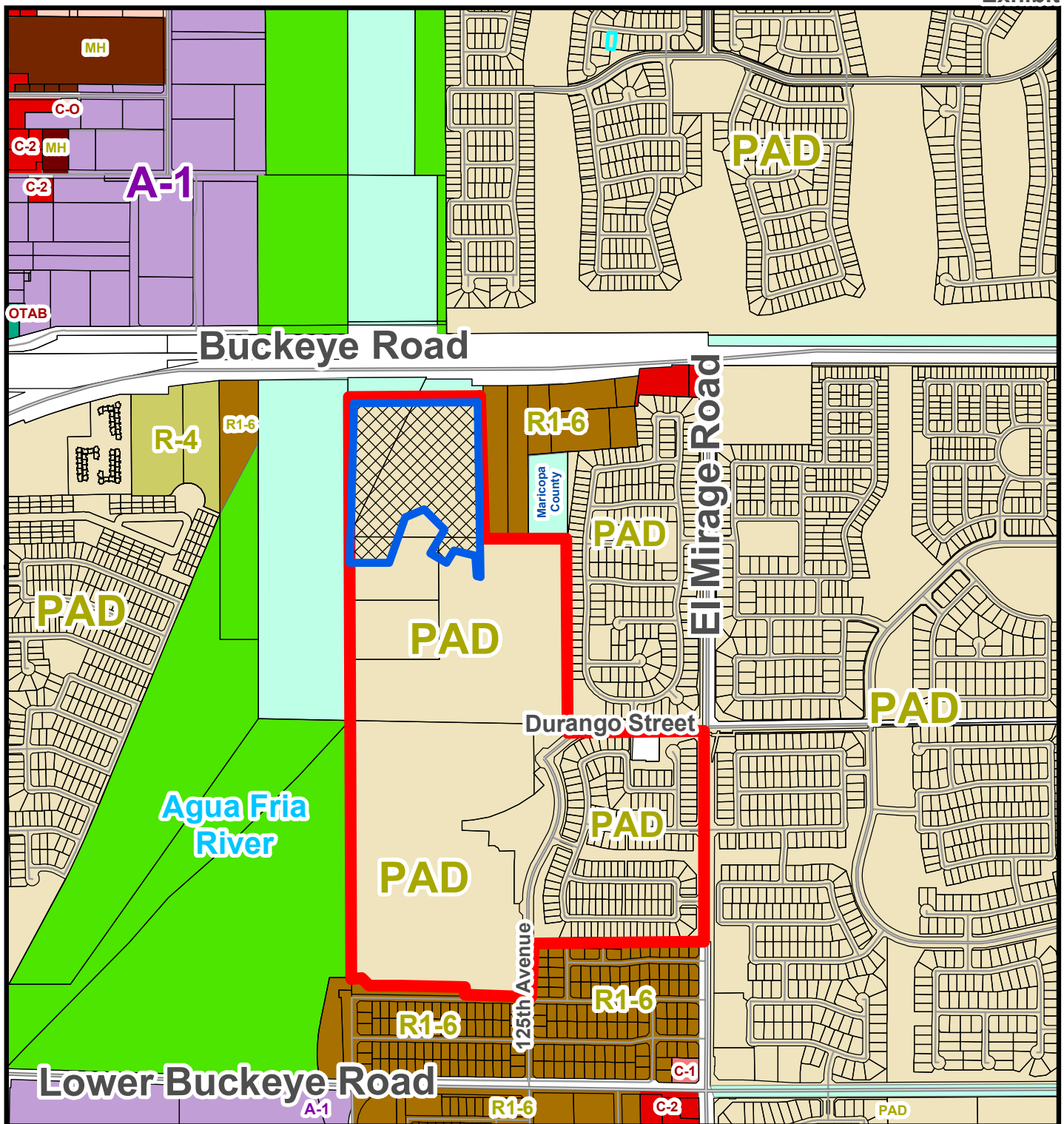


Aerial Photograph



Del Rio Ranch III

Phase 5



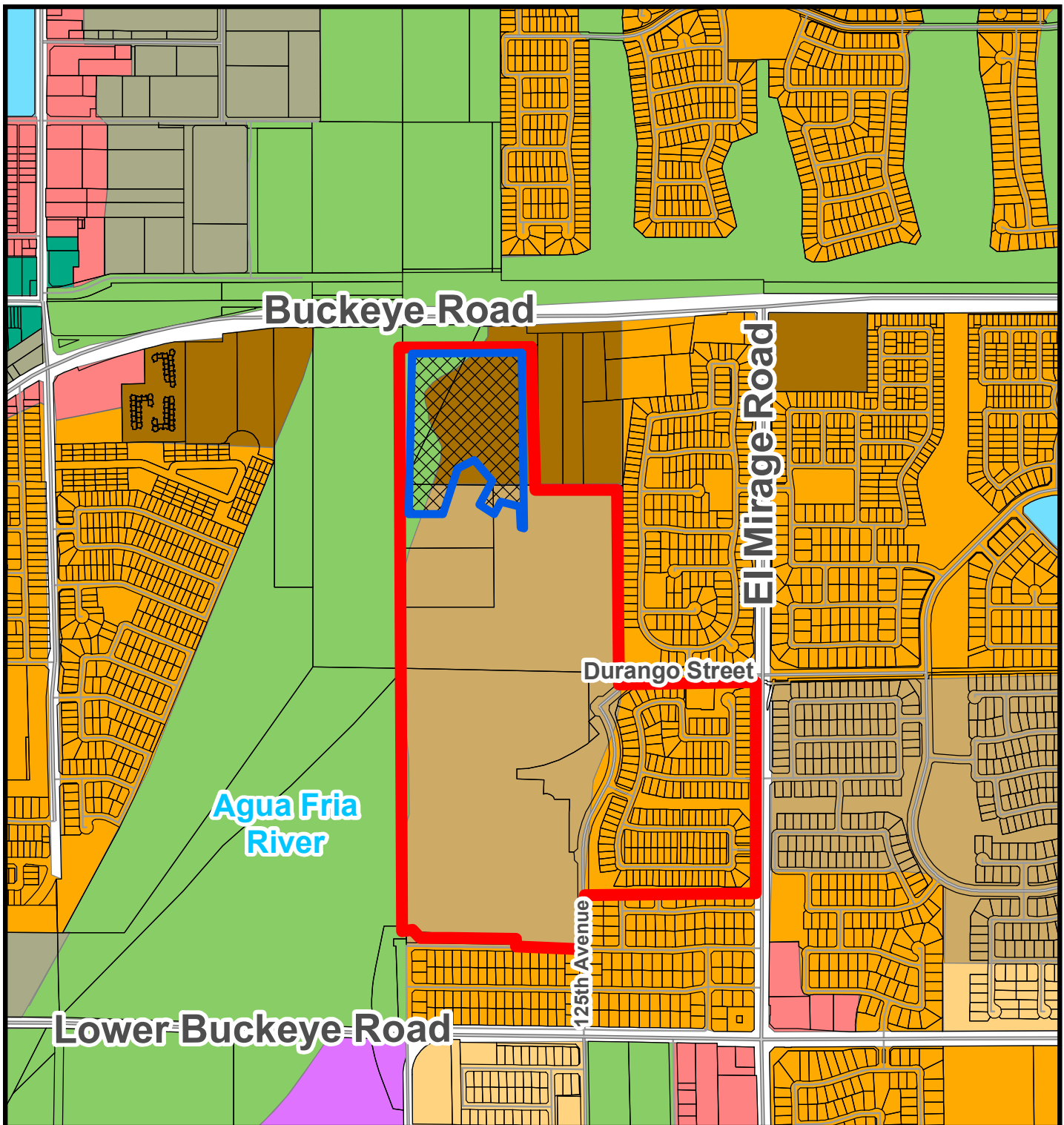
Zoning Vicinity Map



Del Rio Ranch III



Phase 5



General Plan Land Use Map

- | | | |
|---------------------------------|-------------------|----------------------------|
| Medium Density Residential | Open Space | Mixed Use |
| Medium High Density Residential | Local Commercial | Historic Avondale District |
| High Density Residential | Education | |
| Estate Low Density Residential | Del Rio Ranch III | Phase 5 |



SUMMARY OF RELATED FACTS

APPLICATION PL-21-0197

THE PROPERTY	
PROPERTY SIZE	Approximately 27.46 acres
LOCATION	Southeast corner of Buckeye Road and the Agua Fria River
PHYSICAL CHARACTERISTICS	The subject property is irregularly shaped and is relatively flat.
GENERAL PLAN LAND USE	The majority of the Phase 4 property is designated by the General Plan Land Use Map as High Density Residential (HDR). The HDR category accommodates development of apartments, condominiums, or townhomes at a density within a range of twelve (12) to 30 dwelling units per acre. Smaller portions of the property along the southern and western edges are designated Medium High Density Residential (MHDR) and Open Space and Parks, respectively. The MHDR category allows for development of residences within a density range of four (4) to twelve (12) dwelling units per acre, while the Open Space and Parks category is applied to properties to set aside land for active and passive recreational use. No development is proposed within the portion of the site with this designation. The property's approved Planned Area Development (PAD) zoning, approved under a previous General Plan, supersedes the General Plan designations applied to the site.
EXISTING ZONING	Del Rio Ranch III PAD (Planned Area Development)
ZONING HISTORY	The property is part of the larger Del Rio Ranch master development, which is bounded by Avondale Boulevard to the east, Lower Buckeye Road to the south, the Agua Fria River to the west, and Durango Street to the north (with some irregularities). A pre-annexation development agreement for Del Rio Ranch was approved by the City Council in January 2001. The pre-annexation development agreement allowed for development of a 1,665 single-family lot master planned community, with commercial sites at the northwest corner of Avondale Boulevard and Lower Buckeye Road as well as at the northeast corner of El Mirage Road and Lower Buckeye Road. The PAD was to be developed in three segments, Units I and II east of El Mirage Road, and Unit III west of El Mirage Road. Applications for annexation, rezoning (to Del Rio Ranch PAD), and Preliminary Plat were approved by the City Council in February 2005. The 2005 PAD and Preliminary Plat covered the full Del Rio Ranch property, inclusive of Units I, II, and III, allowing a maximum of 1,284 single family lots at a density of 3.43 dwelling units per acre, a 12-acre commercial parcel located at the northwest corner of Lower Buckeye Road and Avondale Boulevard, and a 6-acre commercial parcel located at the northeast corner of Lower Buckeye Road and El Mirage Road.

	Del Rio Ranch III, the property for which this application has been submitted, was originally comprised of 496 single family lots on a total site area of 139.99 acres with a maximum gross residential of 3.65 dwelling units an acre. In September 2007, a Major PAD Amendment and new Preliminary Plat for Del Rio Ranch III were approved by the City Council. The purpose of these applications was to enlarge the Del Rio Ranch III site by incorporating 35 acres north of the original PAD boundary, immediately west of the Cashion Tank and Steel site. The 2007 approvals allowed for development of Del Rio Ranch III with 493 lots on 176 acres, a density of approximately 2.79 dwelling units per acre. A 17-acre school site for the Littleton Elementary School District was also included in the 2007 plan. In 2017, in response to changing FEMA regulations pertaining to development adjacent to floodways resulting from Hurricane Katrina, the applicant processed a minor PAD Amendment to remove lots from portions of the Del Rio Ranch III property that were no longer able to be developed due to the federal government's more severe restrictions on development. Additionally, due to the Littleton Elementary School District's determination that a school site was no longer needed in this development, the minor amendment removed a school site from the development plan replacing it with additional single-family residential lots. The minor amendment was approved administratively in August 2017 and a corresponding Preliminary Plat was approved by the City Council in October 2017. The 2017 Preliminary Plat allowed for development of 491 single-family lots on 176 acres, a density of approximately 2.78 dwelling units per acre. A Final Plat For Del Rio Ranch III Phase 1, creating 153 lots at the southwest corner of El Mirage Road and Durango Street, was approved in May 2018. Del Rio Ranch III Phase 1 is currently being developed by Beazer Homes. In January 2021, the applicant's request for an additional Minor PAD Amendment to reconfigure streets within Del Rio Ranch III Phases 2 through 5, eliminating a future connection of 125th Avenue to Buckeye Road (through Cashion Tank and Steel), was approved administratively. Elimination of the 125th Avenue connection allowed more of the property to be developed with single-family homes and, as a result, the total number of lots within the community rose by 30, from 491 to 521. A Preliminary Plat in conformance with the 2021 amended PAD was approved by City Council in April 2021.
DEVELOPMENT HISTORY	The Del Rio Ranch III site was used as a dairy farm until 2007. From 2007 until 2015, portions of the property were used for crop farming. Excluding the Phase 1 portion of Del Rio Ranch III currently under development by Beazer Homes, the site is vacant, and all accessory structures used in conjunction with the prior agricultural use of the property have been demolished.

<i>SURROUNDING ZONING AND LAND USE</i>	
NORTH	Multiple land uses border Del Rio Ranch III to the north. From east to west, these include: • Cashion Tank and Steel (CT&S), a reseller of commercial and industrial storage tanks, which has operated on the property since at least 1976. The use involves a large outdoor yard where used tanks are stored and several structures. The majority of the CT&S property is located within the City of Avondale, having been annexed in 1984, and is zoned R1-6 (Single Family Urban Residential). A small portion of the CT&S property is not annexed in the City and is zoned Maricopa County RU-43 (Rural). The current use of the portions of the site annexed into the City of Avondale is not allowed in the R1-6 district and, as such, it is non-conforming. • The Coldwater Springs Golf Club is adjacent to the northwestern portion of the subject property, separated by Buckeye Road and the Union Pacific Railroad tracks. The golf course is zoned PAD (Planned Area Development).
EAST	Multiple land uses border Del Rio Ranch III to the east. From north to south, these include: • Cashion Tank and Steel, the reseller of storage tanks for which more detail is provided above. • Diamond Ridge, a single-family subdivision consisting of 210 single-family homes on 45 acres, for a net density of 4.67 dwelling units per acre. Diamond Ridge began construction in 2002 with all homes being completed by 2005. The subdivision is zoned PAD (Planned Area Development).
SOUTH	The Rio Vista West residential subdivision, a community of 203 residential lots on approximately 45 acres. The community was platted in segments between 1971 and 1974 and developed with homes in the mid-1970s. Rio Vista West is zoned R1-6 (Single Family Residential – Urban Residential).
WEST	The Agua Fria River. Development of the subject property will be allowed only on portions of the property located outside of the floodway or any flowage or fringe easements as determined by the Army Corps of Engineers.

<i>PUBLIC SCHOOLS</i>	
SCHOOL DISTRICT(S)	Littleton Elementary School District Tolleson Union High School District
ELEMENTARY SCHOOL	Student's Choice (No Defined School). The closest district school is Estrella Vista STEM Academy located at the southeast corner of 119 th Avenue and Cocopah Drive in Del Rio Ranch I.
HIGH SCHOOL	La Joya Community High School, located at the southwest corner of Avondale Boulevard and Durango Street in Del Rio Ranch I.

<i>ADJACENT STREETS</i>	
125th Avenue	
Classification	Minor Collector

Existing half street right-of-way	40 feet
Standard half street right-of-way	40 feet
Existing half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street lights, and landscaping.
Standard half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street lights, and landscaping.
Durango Street	
Classification	Minor Collector
Existing half street right-of-way	40 feet
Standard half street right-of-way	40 feet
Existing half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street lights, and landscaping.
Standard half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, street lights, and landscaping.

<i>UTILITIES</i>
Water service will be provided to the development via an existing 12-inch main in El Mirage Road and an existing 12-inch main in Durango Street. Sewer service will be provided to Parcel N, the portion of the development east of 125th Avenue, via an existing 36-inch sewer main in El Mirage Road. Sewer service will be provided to the portions of the development west of 125th Avenue via a new Rio Vista Lane sewer lift station, to be constructed by the developer and owned, operated and maintained by the City. SRP provides electrical service in this portion of Avondale.

Exhibit E

Proposed Final Plat

Del Rio Ranch III Phase 5

SHEET 5

Project No. 16178
Project Manager ADRIAN BURCHAM
Date 08/12/21
Project Eng.



DEL RIO III - PHASE 5
FINAL PLAT
City of Avondale, Maricopa County, Arizona

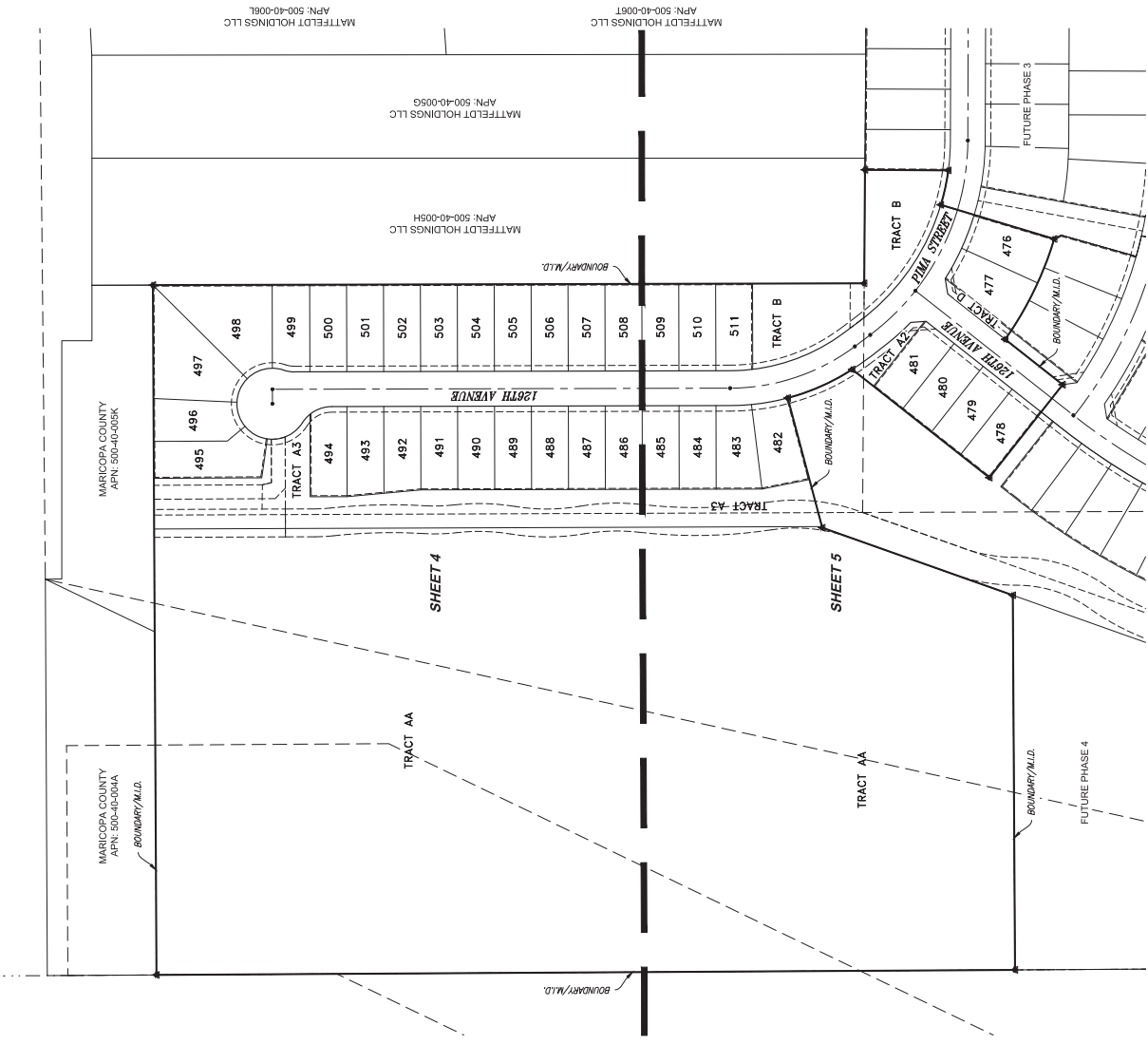
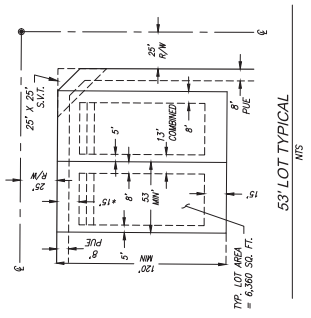


1201 S. Alma School Rd.
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Mesa, AZ 85210
PH: 480.882.3313
www.hubbardengineering.com

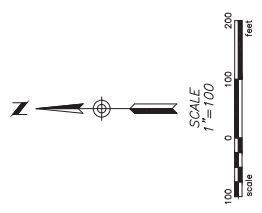
- LEGEND
- METEY LINE
 - PHASE 5 BOUNDARY/M.L.D. BOUNDARY
 - FUTURE PHASES
 - EASEMENT
 - RIGHT OF WAY
 - CENTERLINE
 - MAINTENANCE IMPROVEMENT DISTRICT
 - M.L.D.
 - ▲ SET REBAR W/CAP LS 41282

NOTES

- * 18" TO FACE OF GARAGE, 15" TO SIDE ENTRY GARAGE. FRONT SETBACKS TO BE STAGGERED A MINIMUM OF 3' FROM A MINIMUM OF 18' TO 21'



SHEET INDEX



SPRING

Project No. 16178
Project Manager ADRIAN BURCHAM

Date 08/12/21
Project Eng.



DEL RIO III - PHASE 5
FINAL PLAN
City of Avondale, Maricopa County, Arizona



www.hubbardengineering.com
HUBBARD ENGINEERING

1201 S. Alma School Rd.
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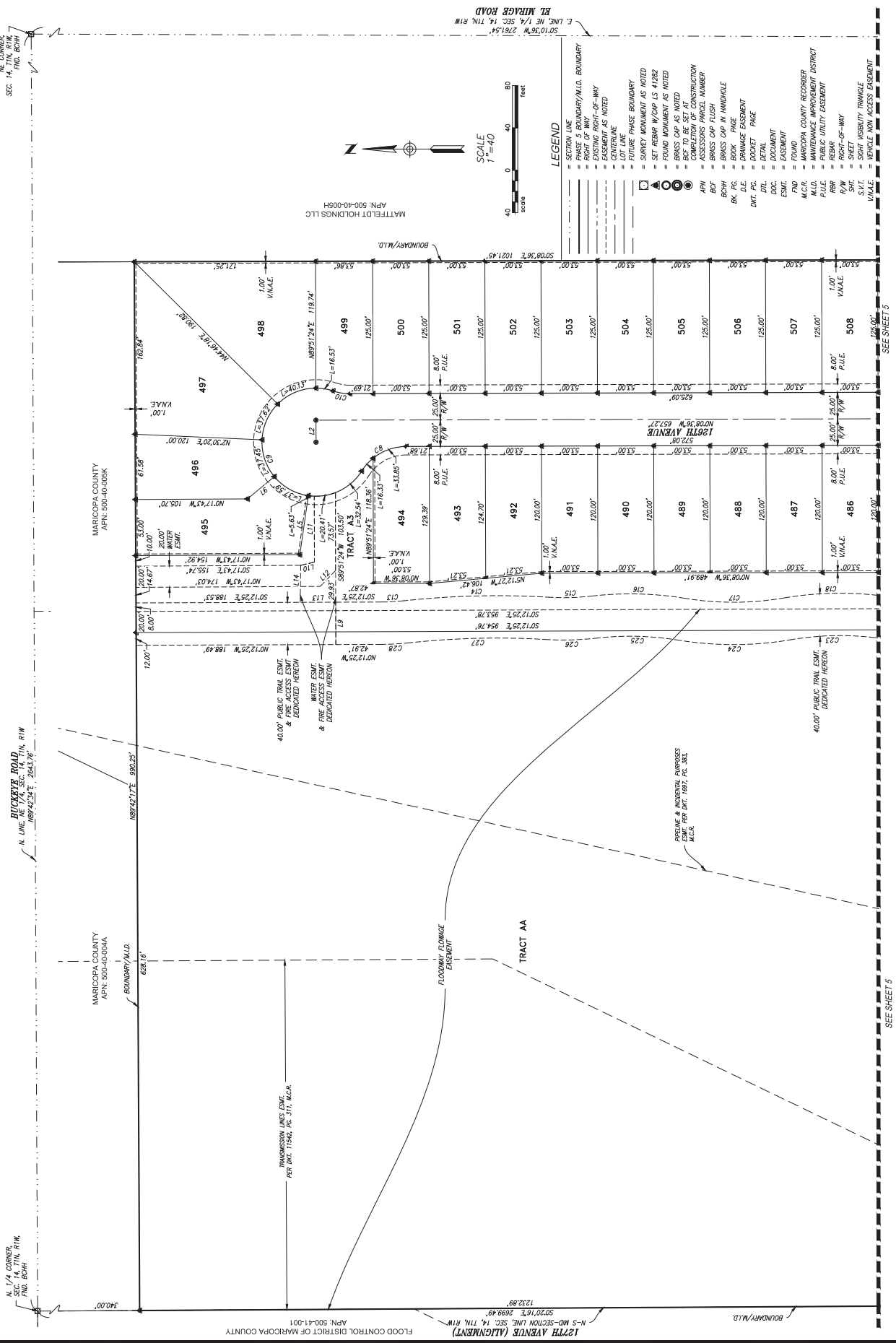
LOT TABLE		
LOT #	SQUARE FEET	ACRES
476	712,500.00	0.1638
477	785,900.00	0.1785
478	686,000.00	0.1480
479	636,000.00	0.1380
480	636,000.00	0.1380
481	636,000.00	0.1380
482	792,000.00	0.1697
483	792,000.00	0.1697
484	636,000.00	0.1380
485	636,000.00	0.1380
486	636,000.00	0.1380
487	636,000.00	0.1380
488	636,000.00	0.1380
489	636,000.00	0.1380
490	636,000.00	0.1380
491	636,000.00	0.1380
492	644,000.00	0.1389
493	673,000.00	0.1456
494	674,000.00	0.1456
495	894,000.00	0.2062
496	717,000.00	0.1554
497	1294,000.00	0.2972
498	1359,000.00	0.3121
499	664,000.00	0.1436
500	662,500.00	0.1431
501	662,500.00	0.1431
502	662,500.00	0.1431
503	662,500.00	0.1431
504	662,500.00	0.1431
505	662,500.00	0.1431
506	662,500.00	0.1431
507	662,500.00	0.1431
508	662,500.00	0.1431
509	662,500.00	0.1431
510	662,500.00	0.1431
511	6604,000.00	0.1516
TOTAL	254,4809.00	5.8381

TRACT TABLE			
TRACT	SQUARE FEET	ACRES	USAGE
AA	612,825.00	14.0886	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT / MULTI-USE TRAIL
A2	232,392.00	5.3350	FLOODWAY FLOWAGE EASEMENT / AGUA RIA RIVER CORRIDOR / MULTI-USE TRAIL
A3	232,392.00	5.3350	FLOODWAY FLOWAGE EASEMENT / AGUA RIA RIVER CORRIDOR / MULTI-USE TRAIL / WATER EASEMENT
B	1690.00	0.0388	LANDSCAPE / PUBLIC UTILITY EASEMENT
D	1690.00	0.0388	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
TOTAL	1080993.00	24.8162	

SERVICE	PROVIDER
WATER	CITY OF AVONDALE
SEWER	CITY OF AVONDALE
POWER	SALT RIVER PROJECT
TELEPHONE	CENTURYLINK
CABLE	COM COMMUNICATIONS
GAS	SOUTHWEST GAS
POLICE	CITY OF AVONDALE
FIRE	CITY OF AVONDALE
REFUSE	CITY OF AVONDALE
RECREATION	UTTERTON SCHOOL DISTRICT
HIGH SCHOOL	TOLLESON SCHOOL DISTRICT

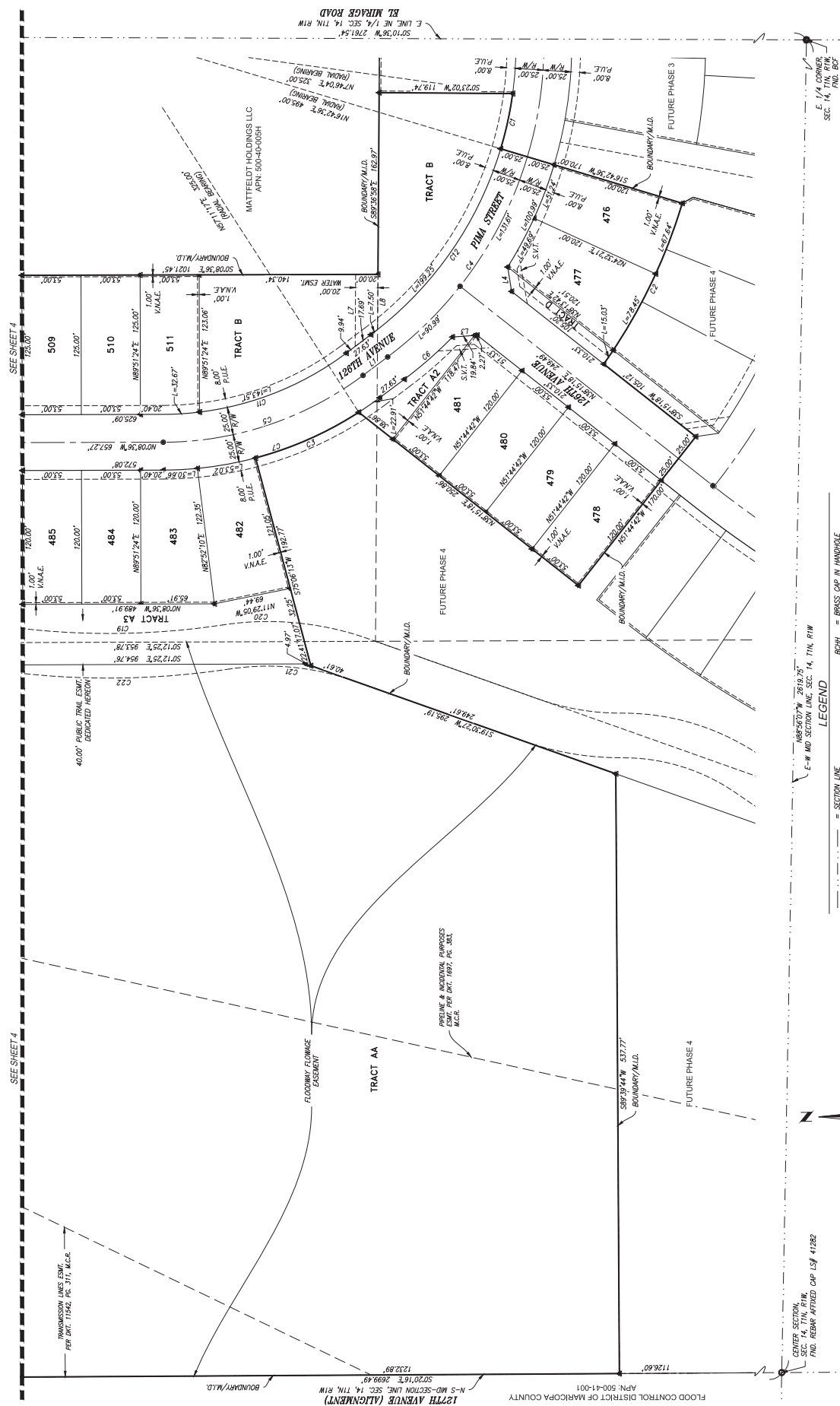
CURVE TABLE		
CURVE #	DELTA	RADIUS
C1	89°56'32"	325.00'
C2	19°29'01"	495.00'
C3	17°54'55"	325.00'
C4	39°29'23"	350.00'
C5	39°42'26"	300.00'
C6	8°46'48"	375.00'
C7	39°42'26"	325.00'
C8	57°50'16"	50.00'
C9	259°04'42"	51.00'
C10	18°34'27"	50.00'
C11	39°42'26"	275.00'
C12	39°29'23"	325.00'
C13	5°59'16"	210.00'
C14	9°50'19"	816.00'
C15	9°59'08"	232.00'
C16	1°54'38"	316.00'
C17	1°00'42"	282.00'
C18	1°01'10"	316.00'
C19	1°07'53"	682.00'
C20	14°38'56"	270.00'
C21	2°07'22"	230.00'
C22	1°07'53"	722.00'
C23	1°01'10"	278.00'
C24	1°00'42"	322.00'
C25	1°54'19"	278.00'
C26	9°59'08"	272.00'
C27	9°50'19"	778.00'
C28	5°58'16"	250.00'

CHORD		
CHORD	BEARING	LENGTH
L1	N89°51'01"W	27.63'
L2	S89°51'24"W	20.74'
L3	N4°15'38"W	22.11'
L4	S80°46'15"W	22.11'
L5	N87°47'52"W	56.41'
L6	N39°34'05"W	33.09'
L7	S89°36'58"E	64.53'
L8	N89°36'58"W	49.41'
L9	N89°51'24"E	40.00'
L10	S17°13'44"E	13.30'
L11	N89°51'24"E	62.29'
L12	N45°55'29"W	20.94'
L13	N07°12'25"W	33.51'
L14	S89°13'33"E	34.92'



SEE SHEET 5

SEE SHEET 5

SEC. 14, 17N, 17W,
FND. REBAR AFFIXED CAP LSN 41282

SCALE
1"=40'

LEGEND

- | | | |
|----------------------------------|--------------------------|----------------------------------|
| SECTION LINE | BOH1 | BRASS CAP IN HANDHOLE |
| PHASE 5 BOUNDARY/M.I.D. BOUNDARY | BK. PC. | BRASS PAGE |
| RIGHT OF WAY | D.E. | DRAINAGE EASEMENT |
| EXISTING RIGHT-OF-WAY | DWT. PC. | DOCKET PAGE |
| EXISTING RIGHT-OF-WAY | DTL | DETAIL |
| EXISTING RIGHT-OF-WAY | DOC. | DOCUMENT |
| EXISTING RIGHT-OF-WAY | EMT. | EASEMENT |
| EXISTING RIGHT-OF-WAY | END | END |
| EXISTING RIGHT-OF-WAY | MC. | MCCORD COUNTY RECORDER |
| EXISTING RIGHT-OF-WAY | M.I.D. | MAINTENANCE IMPROVEMENT DISTRICT |
| EXISTING RIGHT-OF-WAY | P.U.E. | PUBLIC UTILITY EASEMENT |
| EXISTING RIGHT-OF-WAY | REAR | REAR |
| EXISTING RIGHT-OF-WAY | R/W | RIGHT-OF-WAY |
| EXISTING RIGHT-OF-WAY | SHT. | SPLIT EASEMENT TRIANGLE |
| EXISTING RIGHT-OF-WAY | SPR. | SPRINKLER |
| EXISTING RIGHT-OF-WAY | ASSESSOR'S PARCEL NUMBER | VEHICLE NON ACCESS EASEMENT |
| EXISTING RIGHT-OF-WAY | BRASS CAP FLUSH | VEHICLE NON ACCESS EASEMENT |

CITY COUNCIL REPORT

SUBJECT: Final Plat for McDowell 117 (Hancock Communities at McDowell 117) (Application PL-21-0194)

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include housing that is affordable to workers and close to their jobs.
-

PURPOSE:

City Council will consider a request by Mr. Matt Cawley, Bowman, for approval of a Final Plat for McDowell 117 (Hancock Communities at McDowell 117), approximately 19.06 gross acres of land located approximately 1,330 feet south of the southwest corner of McDowell Road and 117th Avenue. Consistent with the approved Hancock Communities at McDowell 117 Planned Area Development, the proposed Final Plat consolidates 2 existing parcels into a single 19.06-acre lot and dedicates water line, access, and public utility easements on the property. The Council will take appropriate action.

BACKGROUND:

The 19.06-acre subject property (Exhibits A and B) is located approximately 1,330 feet south of the southwest corner of McDowell Road and 117th Avenue, directly north of Interstate 10 (I-10). The property is bisected by a high voltage powerline corridor that runs north to south, dividing the eastern and western (approximate) halves of the property. Additionally, a sound attenuation wall that mitigates freeway noise to existing residential developments north of I-10 is located within the adjoining ADOT right-of-way and runs the full width of the site, restricting visibility into the property. Portions of the site are currently in agricultural/farming production.

The property was annexed in two (2) segments in October 1983 and March 1999 and rezoned from a combination of Manufactured Home Park (MH) and Crystal Springs Planned Area Development (PAD) to Hancock Communities at McDowell 117 Planned Area Development (PAD) in October 2020. The approved Hancock Communities at McDowell 117 PAD allows for development of the site with a 217-unit, single-story multi-family residential development at a density of 11.3 dwelling units per acre.

The property is designated by the General Plan 2030 Land Use Map as Medium/High Density Residential

(MHDR). The MHDR designation allows for a variety of single-family and multi-family residential types in a density range of 4.0 to 12.0 dwelling units per acre (4.0 du/acre target density).

The property is also located within the boundaries of the Freeway Corridor Specific Plan (FCSP), which places a priority on the City's appearance from the I-10 freeway by establishing supplemental design requirements for sites that are visible from the freeway.

The existing uses and zoning of surrounding properties include:

NORTH: Multiple uses are occurring along the northern boundary of the property, from east to west:

- Crystal Springs Apartments, a fully developed 26-acre, 390-unit multi-family residential development. The Crystal Springs Apartments property is zoned Crystal Springs Planned Area Development (PAD) which allows for multi-family uses on that property.
- Country Hills Mobile Home Park, a manufactured home park containing 115 manufactured homes that also provides additional spaces for seasonal parking of recreational vehicles for habitation. The park was developed between 1969 and 1976 while in Maricopa County; the property is zoned Manufactured Home Park (MH).

EAST: Sun Valley Academy, a K-8 charter school that opened in 2020. The school site is zoned Crystal Springs PAD; by Arizona statute, charter schools are not required to comply with City zoning regulations.

SOUTH: Interstate 10 (I-10), a major federal highway zoned AG (Agricultural). The width of I-10 right-of-way adjacent to the subject property ranges from 600 to 660 feet and is developed with a ten-lane median separated highway and a large drainage channel north of the westbound lanes. An existing sound attenuation wall that runs the full width of the subject site is located between the channel and highway.

WEST: An undeveloped portion of Friendship Park, zoned Agricultural (AG). It is anticipated this land, owned by the City of Avondale, will be developed by the City with park amenities at a later, undetermined date. With development of the Hancock Communities project, the developer will be constructing a temporary trail connection between the community and the park's sidewalk system while also providing the City with a financial contribution to use towards construction of a permanent trail when the undeveloped portion of the park is improved.

SUMMARY OF REQUEST:

The applicant is requesting approval of a Final Plat for McDowell 117 (Exhibit E). The proposed Final Plat consolidates the two (2) existing parcels that comprise the Hancock Communities at McDowell 117 site into a single 19.06-acre lot.

The proposed Final Plat also dedicates public easements in conformance with the approved Hancock Communities at McDowell 117 Site Plan, as follows:

- **Public Utility Easements:** Per City standards, the proposed Final Plat dedicates a public utility easement (PUE) adjacent to 117th Avenue to accommodate future utility service enhancements in the area.
- **Water Line and Access Easements:** The proposed Final Plat dedicates a 20-foot-wide public water line easement over an existing City of Avondale waterline that traverses through the property. To allow City Staff access to the public water line, the Plat also dedicates a 15-foot-wide access easement.

PUBLIC PARTICIPATION:

Public notification is not required for Final Plat applications.

PLANNING COMMISSION ACTION:

The Planning Commission does not review Final Plat applications.

ANALYSIS:

- The proposed Final Plat has been reviewed by the City's contracted Registered Land Surveyor and the document has been confirmed as geometrically accurate and in conformance with Arizona Statutes governing the subdivision of real property.
- The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance and Subdivision Regulations.
- The proposed Final Plat conforms to the approved Hancock Communities at McDowell 117 Planned Area Development and Site Plan, dedicating easements as needed to accommodate existing utility infrastructure and to serve the new development.

DISCUSSION:

1. The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance and Subdivision Regulations.
2. The proposed Final Plat is in conformance with the approved Hancock Communities at McDowell 117 Planned Area Development and approved Site Plan and Design Review applications, including conditions of approval of each application.
3. The conditions of approval are reasonable to ensure conformance with the provisions as outlined in the Avondale Zoning Ordinance and all other applicable City codes, ordinances, and policies.

BUDGET IMPACT:

The contribution from the developer will be used for the construction of a path from the development to Friendship Park.

RECOMMENDATION:

No public hearing is required. The City Council will **APPROVE** Application PL-21-0194, a Final Plat for McDowell 117, subject to the following three (3) conditions of approval:

1. The recorded plat shall be in conformance with the Final Plat of McDowell 117 submitted electronically on August 16, 2021.
2. Grandfathered groundwater rights for the property must be extinguished and pledged to the City of Avondale's designated account (26-002003.0000) prior to issuance of any construction permits for any portion of the project.
3. Prior to issuance of any permits for the project, the developer shall make a contribution of twenty-one thousand dollars (\$21,000.00) to be used by the City, at a later date, towards construction of a permanent trail connecting the Hancock Communities at McDowell 117 development to the existing permanent pathway network in Friendship Park.

PROPOSED MOTION:

I move that City Council **APPROVE** Application PL-21-0194, a Final Plat for McDowell 117, subject to three (3) recommended conditions of approval as listed in the Staff Report.

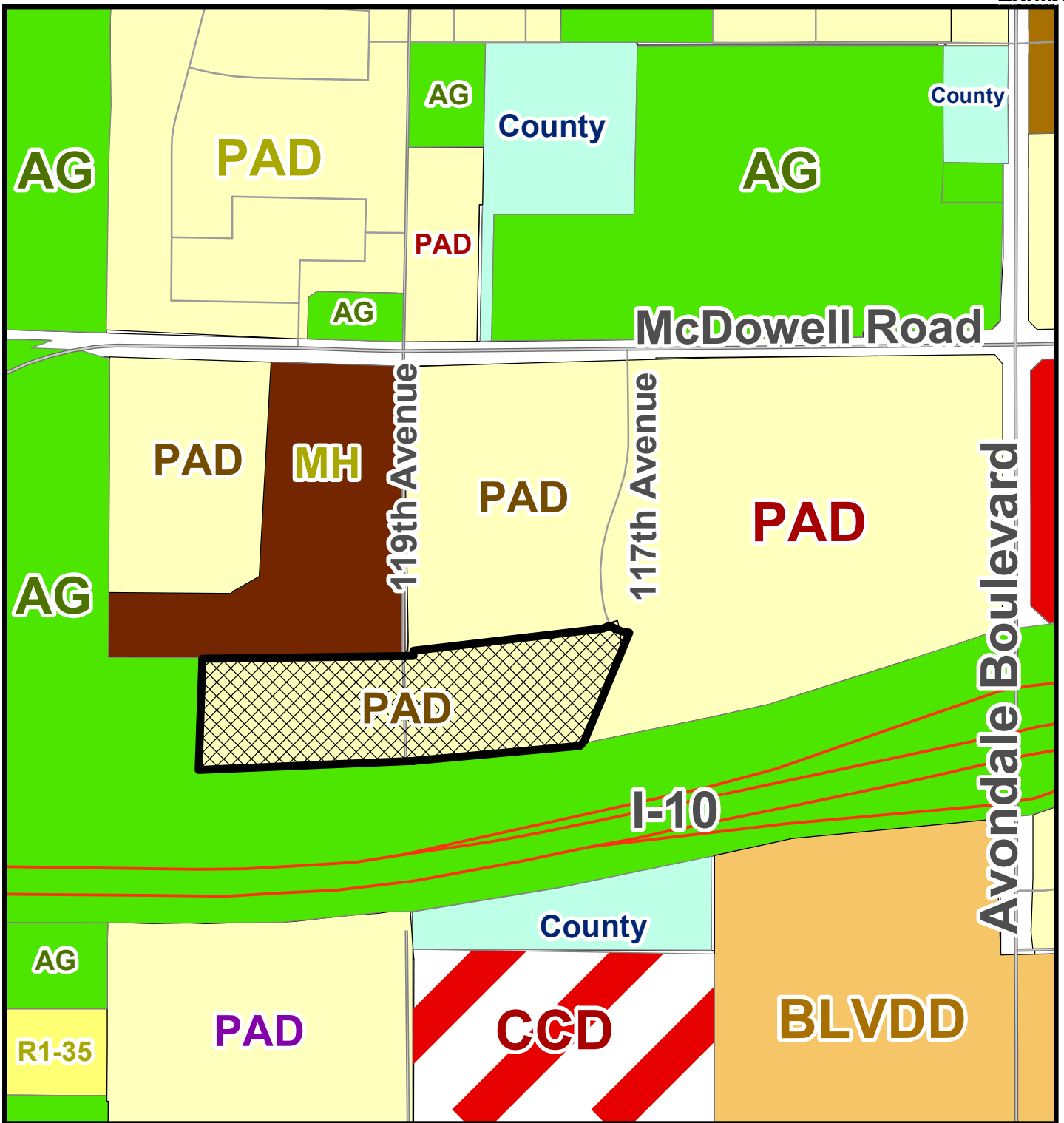


Aerial Photograph

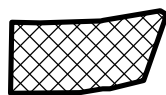


Subject Property



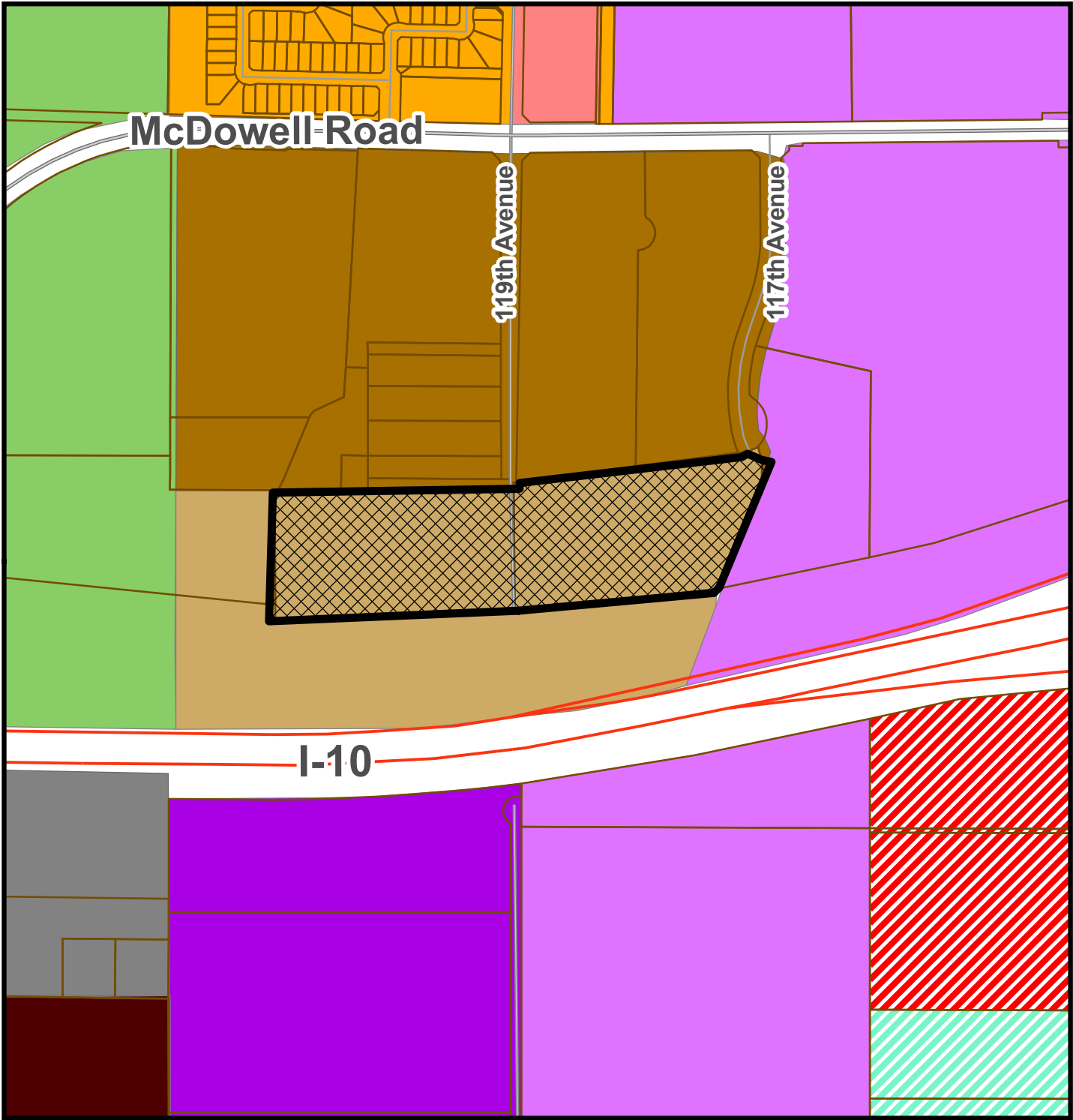


Zoning Vicinity Map



Subject Property

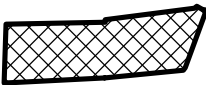




General Plan Land Use Map



- | | |
|---------------------------------|---------------------------|
| Medium Density Residential | The BLVD Gateway District |
| Medium/High Density Residential | The BLVD Village District |
| High Density Residential | Local Commercial |
| Urban Residential | High Intensity Office |
| Open Space and Parks | Business Park |
| Mixed Use | |



Subject Property

SUMMARY OF RELATED FACTS

APPLICATIONS PL-21-0194

THE PROPERTY	
SIZE	19.06 acres
LOCATION	Approximately 1,330 feet south of the southwest corner of McDowell Road and 117 th Avenue
PHYSICAL CHARACTERISTICS	The irregular rectangular site is bisected by a high voltage powerline corridor that runs north/south, dividing the eastern and western (approximate) halves of the property. The site directly abuts I-10 right-of-way owned by the Arizona Department of Transportation (ADOT) to the south; an existing sound attenuation wall located just south of the property limits visibility into the site from the perspective of I-10.
EXISTING LAND USE	The eastern 9.83 acres are used for crop farming and this portion of the site is currently in agricultural production. The western 9.24 acres not currently in use.
EXISTING ZONING	Hancock Communities at McDowell 117 Planned Area Development (PAD)
ZONING HISTORY	The property was annexed in two (2) segments in October 1983 and March 1999. The site was rezoned from a combination of Manufactured Home Park (MH) and Crystal Springs Planned Area Development (PAD) to Hancock Communities at McDowell 117 Planned Area Development (PAD) in October 2020. The approved Hancock Communities at McDowell 117 PAD allows for development of the site with a 217-unit, single-story multi-family residential development at a density of 11.3 dwelling units per acre.

SURROUNDING ZONING AND LAND USE	
NORTH	Multiple uses are occurring along the northern boundary of the property, from east to west: - Crystal Springs Apartments, a fully developed 26-acre, 390-unit multi-family residential development. The Crystal Springs Apartments property is zoned Crystal Springs Planned Area Development (PAD) which allows for multi-family uses on that property. - Country Hills Mobile Home Park, a manufactured home park containing 115 manufactured homes that also provides additional spaces for seasonal parking of recreational vehicles for habitation. The park was developed between 1969 and 1976 while in Maricopa County; the property is zoned Manufactured Home Park (MH).
EAST	Sun Valley Academy, a K-8 charter school that opened in 2020. The school site is zoned Crystal Springs PAD; by Arizona statute, charter schools are not required to comply with City zoning regulations.
SOUTH	Interstate 10 (I-10), a major federal highway zoned AG (Agricultural). The width of I-10 right-of-way adjacent to the subject property ranges from 600 to 660 feet and is developed with a ten-lane median separated highway and a large drainage channel north of the westbound lanes. An existing sound

	attenuation wall that runs the full width of the subject site is located between the channel and highway.
WEST	An undeveloped portion of Friendship Park zoned Agricultural (AG). It is anticipated this land, owned by the City of Avondale, will be developed by the City with park amenities at a later, undetermined date. With development of the Hancock Communities project, the developer will be constructing a temporary trail connection between the community and the park's sidewalk system while also providing the City with a financial contribution to use towards construction of a permanent trail when the undeveloped portion of the park is improved.

<i>GENERAL PLAN</i>	
The property is designated by the General Plan 2030 Land Use Map as Medium/High Density Residential (MHDR). The MHDR designation allows for development of a variety of single-family and multi-family residential types with a density of four (4) to twelve (12) dwelling units per acre (Target Density = 4).	

<i>PUBLIC SCHOOLS</i>	
SCHOOL DISTRICT(S)	Littleton Elementary School District Tolleson Union High School District
ELEMENTARY SCHOOL	Student's choice (No defined school). The closest district school is Canyon Breeze Elementary School located at the southwest corner of Encanto Boulevard and 116th Lane.
HIGH SCHOOL	West Point High School located at the northwest corner of Avondale Boulevard and Encanto Boulevard.

<i>ADJACENT STREETS</i>	
117th Avenue	
Classification	Minor Collector
Existing half-street ROW	40 feet
Standard half-street ROW	40 feet
Existing half-street improvements	One through lane, half center turn lane, bike lane, detached sidewalk, curb, gutter, landscaping, street lights
Standard half-street improvements	One through lane, half center turn lane, bike lane, detached sidewalk, curb, gutter, landscaping, street lights
119th Avenue	
Classification	Minor Collector
Existing full-street ROW	40 feet
Standard full-street ROW	40 feet
Existing full-street improvements	Two through lanes, detached sidewalk (east side only), curb (east side only), gutter (east side only), landscaping (east side only), street lights (east side only)

Standard full-street improvements	Two through lanes, center turn lane, bike lanes, detached sidewalks, curbs, gutters, landscaping, street lights
-----------------------------------	---

<i>UTILITIES</i>	
Future development on the site will access existing twelve-inch water lines in 117th Avenue and 119th Avenue. Sewer service to the site will be accommodated by an existing 30-inch main line in 119th Avenue. Salt River Project (SRP) provides electrical service in this portion of the City.	

Exhibit E

Proposed Final Plat

McDowell 117 (Hancock Communities at McDowell 117)

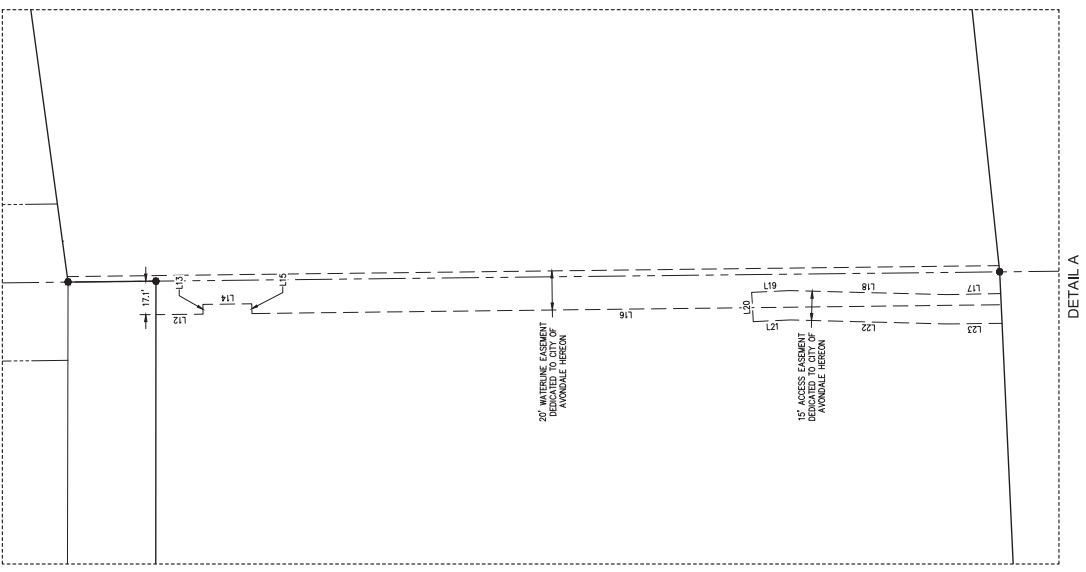
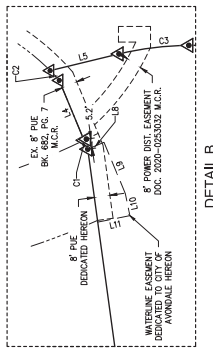
DATE:	8/13/21
PROJ. NO.:	650744-01
DATE:	8/13/21
DESIGNED BY:	DL
DRAWN BY:	DL
CHECKED BY:	DL
QUALITY:	DL
CLIENT NO.:	DL
SCALE:	1" = 60'
3	of 3

Bowman Consulting Group, Ltd.

FINAL PLAT OF MCDOWELL 117 AVONDALE, ARIZONA



Bowman
CONSULTING
Bowman Consulting Group, Ltd.
8000 N. Desert Drive, #200
Tempe, AZ 85281
Phone: (480) 628-6600
Fax: (480) 628-6641
www.bowmanconsulting.com



CITY COUNCIL REPORT

SUBJECT: Final Plat Parkside Phase 1 (Application PL-21-0167)

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development and Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include workforce housing.

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Maintain and expand quality infrastructure and improve connectivity to City amenities.
-

PURPOSE:

City Council will consider a request by Mr. Michael Park, Atwell LLC, on behalf of William Lyon Homes, Inc., for approval of a Final Plat for Parkside Phase 1. In conformance with the Parkside Preliminary plat approved by City Council on September 20, 2021, the proposed Final Plat for Phase 1 creates 456-lot single-family residential lots, 32 common area tracts, and dedicates streets and easements on approximately 68.53 net acres south of the southwest corner of 99th Avenue and Indian School Road. The Council will take appropriate action.

BACKGROUND:

Parkside Phase 1 is comprised of approximately 68.53 net acres located south of the southwest corner of 99th Avenue and Indian School Road (Exhibits A and B). The property is part of the larger Parkside master development consisting of over 137 acres and 716 single-family residential lots. The site, which is undeveloped and is no longer in agricultural use, was annexed in two segments, on May 26, 1981 and October 21, 1989.

The property was rezoned from Agricultural (AG) to Entorno Planned Area Development (PAD) in October 2007. When the Entorno project did not develop, the property was rezoned from Entorno PAD to Parkside Village PAD in June 2014. Most recently, a Major Amendment to the Parkside Village PAD was approved by City Council in August 2019. The approved Parkside Village PAD, as amended, allows for development of a master planned community consisting of 662 single-family residences including 415 traditional single-family lots with areas ranging from 4,500 square feet (45'x100') to 6,600 square feet (55'x120') and 247 rear-loaded "villas", a compact single-family detached home where garages will be accessed from common driveways and fronts of homes will face onto common open space corridors. In addition, the approved PAD designates a 21.3-acre commercial mixed-use parcel at the southwest corner of Indian School Road and 99th Avenue in the property's northeast corner and a 9.9-acre office parcel at southeast corner of the property adjacent to

99th Avenue.

Following the 2019 PAD Amendment approval, the name of the future community was modified by the developer to eliminate "Village" from the name; moving forward, the development will simply be called Parkside.

A Development Agreement between the City and property owner was approved by City Council in June 2014 and amended in August 2019. The Agreement establishes phasing for development of Parkside, allowing for limited permitting and Certificate of Occupancy issuance before 99th Avenue or Indian School Road off-site improvements are completed.

A Preliminary Plat for Parkside, consistent with the amended PAD, was approved by City Council on December 9, 2019. The approved Preliminary Plat divides the property into 662 single-family residential lots, 9.9-acre parcel for future office development at the southeast corner of the property, and a 21.3-acre parcel for future commercial mixed use development at the northeast corner of the property. The developer has begun off-site infrastructure work related to the site. Undergrounding of the large Salt River Project (SRP) irrigation canal that had run along the property's eastern boundary was completed in early 2021. Undergrounding of the canal adjacent to Indian School Road along the property's northern boundary is scheduled to occur in early 2022. When undergrounding of both canals is complete, construction of the adjacent roadway improvements will be able to commence.

NORTH OF INDIAN SCHOOL ROAD: Multiple parcels located in City of Phoenix's jurisdiction have developed with a mix of uses including a gas station with convenience store, a drive-through restaurant, medical offices, a single-family detached residential neighborhood, and a single-family attached condominium complex. In addition to the developed parcels, there is an 11.1-acre undeveloped parcel in the City of Phoenix zoned C-2 (Intermediate Commercial).

EAST OF 99th AVENUE: An undeveloped 133.8-acre property located in City of Phoenix's jurisdiction. The property is currently being farmed and a time frame for development is unknown.

SOUTH: A 148.5-acre undeveloped property located in the City of Avondale, zoned Fulton Homes Acclaim Planned Area Development (PAD). The Fulton Homes Acclaim PAD allows for development of the site with a 581-lot single-family residential subdivision. The developer is processing final approvals with construction of the community expected to start within the next year.

WEST: Westwind, a 132-acre single-family residential community located within the City of Avondale, zoned Planned Area Development (PAD). The community is fully developed with 534 detached single-family residences built between 1997 and 2000.

SOUTHWEST: Glenarm Farms, a 150-acre large lot single-family residential subdivision located in the City of Avondale and zoned RR-18 (Rural Residential, Minimum 18,000 S.F. lot area). The community is fully developed with 150 detached single-family residences, some featuring accessory structures for the keeping of horses and livestock.

SUMMARY OF REQUEST:

The applicant is requesting approval of a Final plat for Parkside Phase 1 (Exhibit D). In conformance with the Parkside Preliminary Plat approved by City Council on September 20, 2021, the proposed Final Plat will create 456 single-family residential lots with a minimum area of 4,500 square feet (traditional subdivision lots) to 6,600 square feet (rear-loaded villas lots).

Additionally, the proposed Final Plat creates 32 common area tracts for active and passive open space, and private tracts to access garages in the villas product totaling 18.42 acres. Tracts A, C, O, and BB will provide parks and amenities for Phase 1. The Parkside Homeowner's Association will be responsible for maintaining all open space areas, landscape tracts, and right-of-way landscaping, including landscape medians within or adjacent to the community. City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for the overall Parkside subdivision as a future application. The MID mechanism

allows the City to assume maintenance responsibilities for the community's open space and landscaping in the event that the HOA goes defunct, providing for an assessment of residents to cover the maintenance costs.

PUBLIC PARTICIPATION:

Public notification is not required for Final Plat applications.

PLANNING COMMISSION ACTION:

The Planning Commission does not review Final Plat applications.

ANALYSIS:

- The proposed Final Plat has been reviewed by the City's contracted Registered Land Surveyor and the document has been confirmed as geometrically accurate and in conformance with Arizona Statutes governing the subdivision of real property.
- The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance, Subdivision Regulations, and Parkside Village "Parkside" Planned Area Development (PAD) and meets all conditions of these prior approvals.
- The proposed Final Plat conforms to the approved Preliminary Plat for Parkside, including conditions of approval.
- The proposed Final Plat dedicates rights-of-way and easements needed to allow the developer to complete water, sewer, and street improvements to serve the future development.

DISCUSSION:

1. The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance and Subdivision Regulations.
2. The proposed Final Plat is in conformance with the Parkside Village "Parkside" PAD Development Plan, including conditions of approval.
3. The proposed Final Plat is in conformance with the approved Parkside Preliminary Plat, including conditions of approval.
4. The conditions of approval are reasonable to ensure conformance with the provisions as outlined in the Avondale Zoning Ordinance and all other applicable City codes, ordinances, and policies.

BUDGET IMPACT:

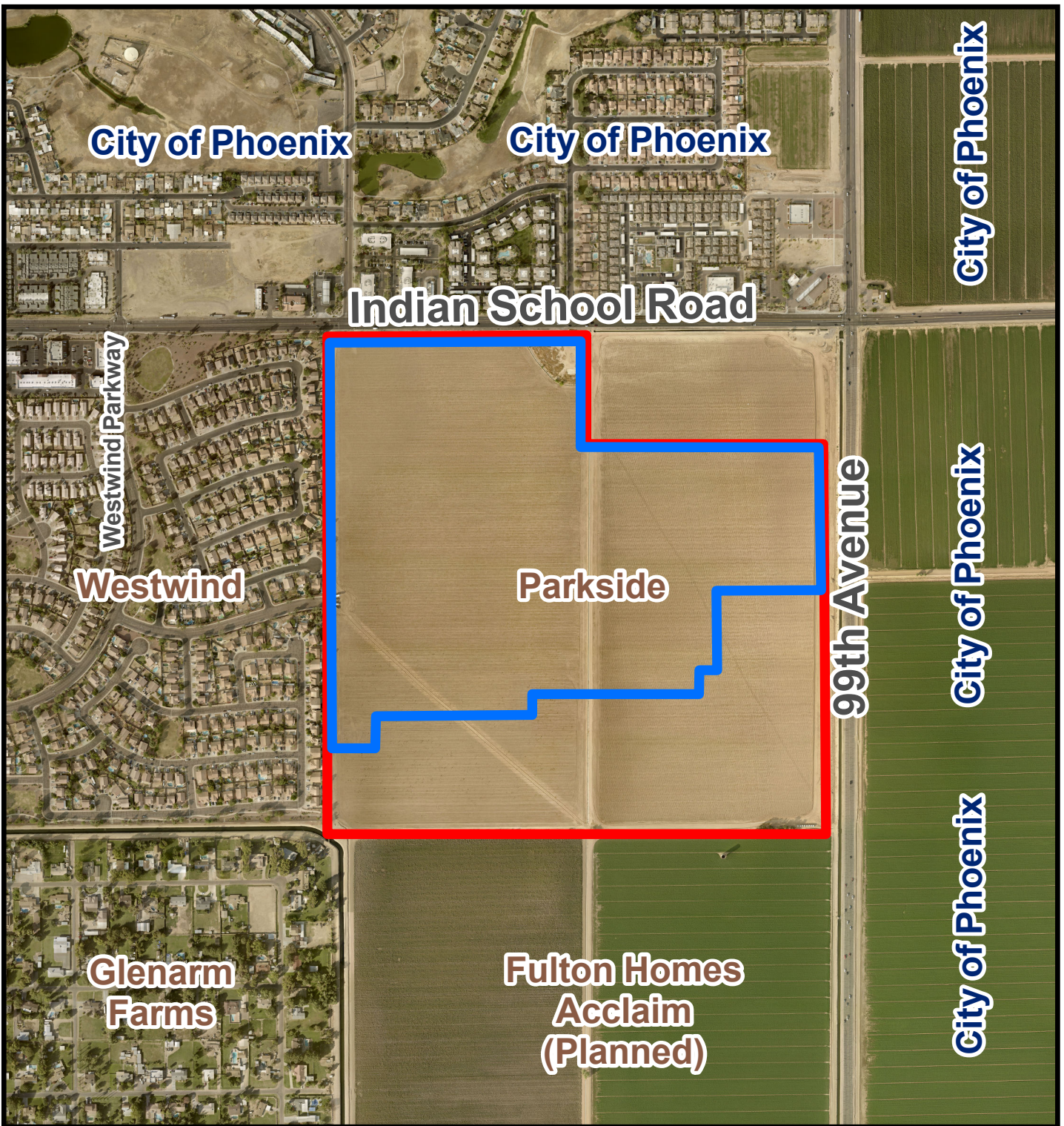
No budget impacts.

RECOMMENDATION:

No public hearing is required. The City Council will **APPROVE** Application PL-21-0167, a request for approval of the Final Plat for Parkside Phase 1, subject to the following two (2) conditions of approval: 1. The recorded plat shall be in conformance with the Parkside Phase 1 Final Plat submitted electronically on September 9, 2021.; and 2. Grandfathered groundwater rights for the property must be extinguished and pledged to the City of Avondale's designated account (26-002003.0000) prior to issuance of any construction permits for any portion of the project.

PROPOSED MOTION:

I move that City Council **APPROVE** Application PL-21-0167, a request for approval of the Final Plat for Parkside Phase 1, subject to two (2) recommended conditions of approval as listed in the staff report.



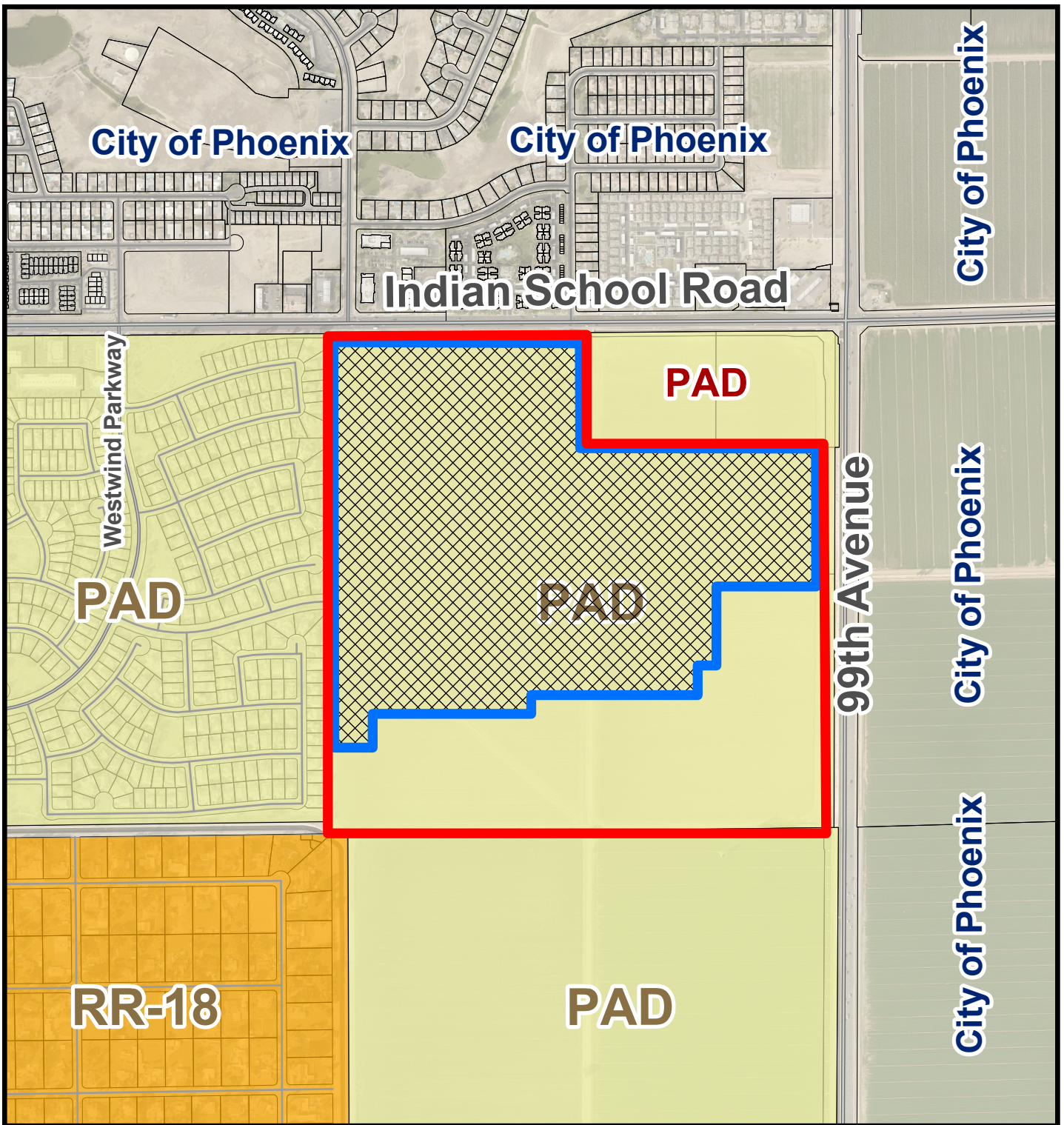
Aerial Photograph



Parkside



Phase 1

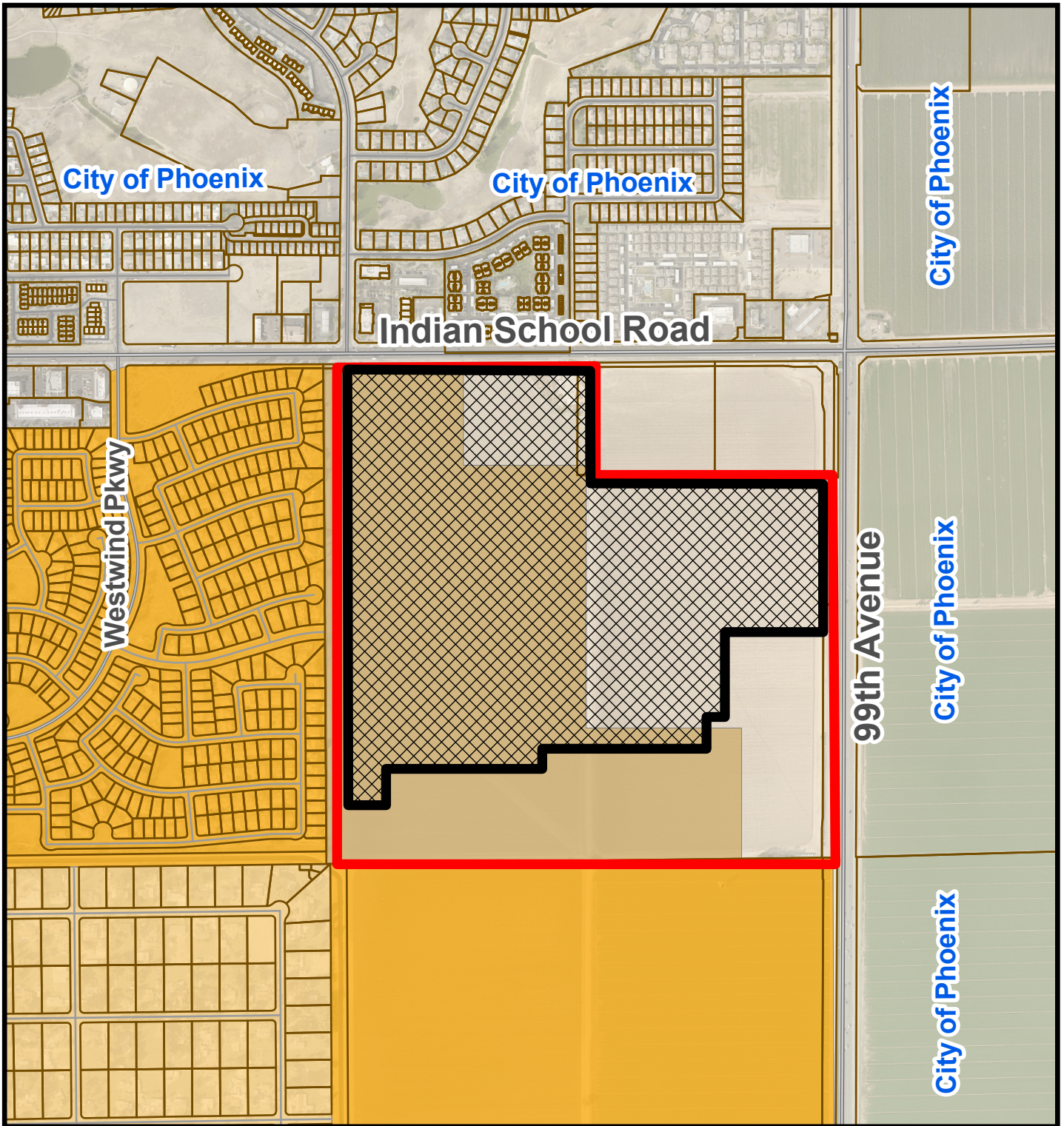


Zoning Vicinity Map



Parkside

Phase 1



General Plan Land Use Map



-  Estate/Low Density Residential
-  Medium Density Residential
-  Medium/High Density Residential



Project Location



Parkside Phase 1

SUBMITTED 9/9/2021 to City of Avondale.

DEDICATION:

STATE OF ARIZONA }
COUNTY OF MARICOPA } S.S.

KNOW ALL MEN BY THESE PRESENTS:

THAT WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, AS OWNER, HAS SUBDIVIDED UNDER THE NAME "PARKSIDE - PHASE 1", A PORTION OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF AVONDALE, MARICOPA COUNTY, ARIZONA AND HEREBY PUBLISHES THIS PLAT AS AND FOR THE PLAT OF SAID "PARKSIDE - PHASE 1" AND HEREBY DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, STREETS, AND EASEMENTS CONSTITUTING SAME, AND THAT EACH LOT, TRACT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, OR NAME GIVEN TO EACH RESPECTIVELY ON THIS PLAT, AND THAT WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, AS OWNER, HEREBY DEDICATE IN FEE ALL RIGHT TITLE AND INTEREST TO THE CITY OF AVONDALE FOR USE AS SUCH, THE RIGHTS OF WAY AS SHOWN ON SAID MAP AND INCLUDED IN THE ABOVE DESCRIBED PREMISES.

THE CITY IS HEREBY GRANTED AN EASEMENT FOR MAINTENANCE OF LANDSCAPING, IRRIGATION, DRAINAGE FACILITIES, HARDSCAPE AND RETENTION AREAS ON TRACTS A-I. THIS EASEMENT MAY BE EXERCISED BY THE CITY OF AVONDALE AT ANY SUCH TIME WHEN THE GRANTOR, ITS SUCCESSORS OR ASSIGNEES, INCLUDING A HOMEOWNERS' ASSOCIATION FORMED OVER THIS SUBDIVISION FAILS TO EXIST AND PROVIDE THE REQUIRED MAINTENANCE AND OPERATION OF THE LANDSCAPING, IRRIGATION, DRAINAGE FACILITIES, RETENTION AREAS, AND/OR HARDSCAPE.

THE PUBLIC UTILITY, WATER AND SEWER EASEMENTS ARE DEDICATED TO THE CITY OF AVONDALE FOR THE PURPOSES SHOWN HEREON.

TRACTS DW 1-DW 27 ARE HEREBY DESIGNATED AS PRIVATE STREETS WITH AN EASEMENT FOR INGRESS AND EGRESS FOR PEDESTRIAN ACCESS AND EMERGENCY TYPE VEHICLES, DRAINAGE PURPOSES AND ALL PUBLIC UTILITIES.

IN WITNESS WHEREOF: WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, AS OWNER, HAS HEREUNTO CAUSED THEIR NAMES TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURES OF THE UNDERSIGNED OFFICER THEREUNTO DULY AUTHORIZED THIS _____ DAY OF _____ 2021.

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION

BY: _____
STEVEN HAHN, VICE PRESIDENT

ACKNOWLEDGEMENT:

STATE OF ARIZONA }
COUNTY OF MARICOPA } S.S.

ON THIS _____ DAY OF _____ 2021, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED STEVEN HAHN, WHO ACKNOWLEDGED HIMSELF TO BE THE VICE PRESIDENT OF WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, AND BEING DULY AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

BY: _____
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES: _____

LAND AREA TABLE:

EXISTING ZONING	PAD (PARKSIDE VILLAGE)
TOTAL GROSS AREA	89.947 AC
TOTAL NET AREA	68.533 AC
MINIMUM LOT AREA	2,597 SF
MAXIMUM LOT AREA	11,645 SF
TOTAL NUMBER OF LOTS	(158) VILLAS (88) 45'x100' (88) 50'x110' (122) 55'x120' 456 TOTAL LOTS
NET DENSITY	5.07 DU/AC
VILLAS PRIVATE DRIVES	1.796 AC
OPEN SPACE AREA	16.627 AC (18.49%)

AREA CALCULATIONS:

TRACTS	802,498 SQ.FT.	18.423 AC
LOTS = 456	2,182,795 SQ.FT.	50.110 AC
RIGHT OF WAY	932,785 SQ.FT.	21.414 AC
TOTAL	3,918,079 SQ.FT.	89.947 AC

ROADWAY AREAS:

STREET CLASSIFICATION	R.O.W. DEDICATION
LOCAL	785,392 18.029
COLLECTOR	147,433 3.385
ARTERIAL	0 0
TOTAL	932,785 21.414

FINAL PLAT OF

"PARKSIDE - PHASE 1"

A SINGLE FAMILY DEVELOPMENT
SW CORNER 99TH AVENUE AND

INDIAN SCHOOL ROAD

SECTION 29, TOWNSHIP 2 NORTH, RANGE 1 EAST,
OF THE GILA AND SALT RIVER BASE AND MERIDIAN
CITY OF AVONDALE, MARICOPA COUNTY, ARIZONA

LEGAL DESCRIPTION:

A PORTION OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF AVONDALE, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP FLUSH, ACCEPTED AS THE NORTH QUARTER CORNER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 1 EAST FROM WHICH A FOUND BRASS CAP FLUSH, ACCEPTED AS THE NORTHEAST CORNER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 1 EAST, THEREOF BEARS N89°40'49"E A DISTANCE OF 2691.83 FEET;

THENCE, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, S00°16'52"E A DISTANCE OF 78.00 FEET TO THE POINT OF BEGINNING;

THENCE, N89°40'49"E A DISTANCE OF 1308.26 FEET;

THENCE, S44°54'29"W A DISTANCE OF 9.94 FEET;

THENCE, S00°08'08"W A DISTANCE OF 559.52 FEET;

THENCE, S89°51'52"E A DISTANCE OF 1284.95 FEET;

THENCE, S00°08'08"W A DISTANCE OF 425.41 FEET;

THENCE, S04°08'24"W A DISTANCE OF 50.12 FEET;

THENCE, S00°08'08"W A DISTANCE OF 106.99 FEET;

THENCE, S01°09'28"E A DISTANCE OF 144.64 FEET;

THENCE, N89°51'52"W A DISTANCE OF 539.27 FEET;

THENCE, S00°08'08"W A DISTANCE OF 453.88 FEET;

THENCE, N89°51'52"W A DISTANCE OF 54.00 FEET;

THENCE, S00°08'08"W A DISTANCE OF 104.00 FEET;

THENCE, N89°51'52"W A DISTANCE OF 886.92 FEET;

THENCE, S38°01'04"W A DISTANCE OF 37.98 FEET;

THENCE, S00°08'08"W A DISTANCE OF 111.71 FEET;

THENCE, N89°51'52"W A DISTANCE OF 878.00 FEET;

THENCE, S00°16'52"E A DISTANCE OF 94.00 FEET;

THENCE, S45°04'22"E A DISTANCE OF 22.71 FEET;

THENCE, S89°51'52"E A DISTANCE OF 19.56 FEET;

THENCE, S00°08'08"W A DISTANCE OF 50.00 FEET;

THENCE, N89°51'52"W A DISTANCE OF 3.01 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE LEFT;

THENCE, WESTERLY ALONG SAID CURVE AN ARC LENGTH OF 16.65 FEET, WITH A RADIUS OF 55.00 FEET AND A CENTRAL ANGLE OF 17°20'29" TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE RIGHT;

THENCE, WESTERLY ALONG SAID CURVE AN ARC LENGTH OF 58.80 FEET, WITH A RADIUS OF 55.00 FEET AND A CENTRAL ANGLE OF 61°4'59" TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE LEFT;

THENCE, S44°02'39"W A DISTANCE OF 16.23 FEET;

THENCE, S89°43'08"W A DISTANCE OF 140.00 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER;

THENCE, ALONG SAID WEST LINE, N00°16'52"W A DISTANCE OF 2145.14 FEET TO THE POINT OF BEGINNING.

UTILITY PROVIDERS:

SEWER	CITY OF AVONDALE
WATER	CITY OF AVONDALE
FIRE	CITY OF AVONDALE
ELECTRIC	SALT RIVER PROJECT
NATURAL GAS	SOUTHWEST GAS
TELEPHONE	COX COMMUNICATIONS

SHEET INDEX:

DESCRIPTION	SHEET NO
COVER SHEET	1
KEY MAP, LEGAL DESCRIPTION	2
LOT DETAILS	3
PLAT SHEETS	4-14

OWNER/DEVELOPER:

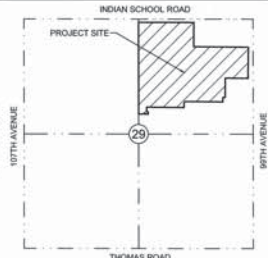
WILLIAM LYON HOMES, INC.,
A CALIFORNIA CORPORATION
4900 N. SCOTTSDALE RD, SUITE 2200
SCOTTSDALE, AZ 85251
480-508-7718
CONTACT: JONATHAN BASTIANELLI

ENGINEER/SURVEYOR:

ATWELL, LLC
4700 E. SOUTHERN AVENUE
MESA, ARIZONA 85206
480-218-8831
CONTACT:
MICHAEL J. PARK P.E.
JAMES G. SPRING P.L.S.

VICINITY MAP

N.T.S.
SECTION 29, T.2N., R.1E.



NOTES:

- ALL LANDSCAPING WITHIN ADJACENT PUBLIC RIGHT-OF-WAY IS TO BE MAINTAINED BY THE PARKSIDE HOMEOWNERS' ASSOCIATION, EXCLUDING MEDIANS ON ARTERIAL STREETS.
- CONSTRUCTION WITHIN ALL UTILITY AND PUBLIC SERVICE EASEMENTS SHALL BE LIMITED TO UTILITIES, LANDSCAPING, AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCES.
- ALL EXISTING OVERHEAD UTILITIES SHALL BE INSTALLED UNDERGROUND IN ACCORDANCE WITH CITY OF AVONDALE MUNICIPAL CODE AND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION.
- NO ALTERATIONS SHALL BE MADE TO THE STORM WATER RETENTION AREAS AND APPROVED OR EXISTING CONVEYANCE PATTERNS THAT ARE A PART OF THESE PREMISES WITHOUT WRITTEN APPROVAL BY THE CITY OF AVONDALE.
- NO STRUCTURES SHALL BE CONSTRUCTED IN OR ACROSS NOR SHALL OTHER IMPROVEMENTS OR ALTERATIONS BE MADE TO THE DRAINAGE FACILITIES THAT ARE A PART OF THIS SUBDIVISION WITHOUT WRITTEN AUTHORIZATION BY THE CITY OF AVONDALE.
- NO WALLS/FENCES SHALL BE BUILT WITHOUT PRIOR CITY OF AVONDALE APPROVAL.
- THIS SUBDIVISION IS SUBJECT TO CITY OF AVONDALE MAINTENANCE IMPROVEMENT DISTRICT NO. 28. THE MID WILL BE RECORDED PRIOR TO THE CLOSING ON ANY LOTS WITHIN THIS FINAL PLAT. "EXCLUDING MODEL HOMES"
- SUBJECT PROPERTY LIES IN ZONE "X" (OTHER AREAS) PER FEMA FLOOD INSURANCE RATE MAP NUMBER 04013C2160L, COMMUNITY - MARICOPA COUNTY, NUMBER 040037, PANEL 2160 SUFFIX L, EFFECTIVE DATE OCTOBER 16TH 2013.
- INTERIOR LOT CORNERS WILL BE PERMANENTLY SET AND A CAP OR TAG AFFIXED WITH LAND SURVEYORS REGISTRATION NUMBER.
- IF THE REGISTRANT FOR THIS FINAL PLAT IS NOT CONTRACTED TO SET THE INTERIOR PROPERTY CORNERS A RECORD OF SURVEY MUST BE FILED WITH THE MARICOPA COUNTY RECORDERS OFFICE BY THE REGISTRANT THAT SETS THE INTERIOR PROPERTY CORNERS.
- THE STORM DRAIN PIPES FROM THE CATCH BASINS TO THE RETENTION BASINS SHALL BE MAINTAINED BY THE HOA.

100 YEAR ASSURED WATER SUPPLY:

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREAS OF THE CITY OF AVONDALE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO SECTION 45-576 ARIZONA REVISED STATUTES.

BENCHMARK:

BENCHMARK IS A BRASS CAP FLUSH LOCATED AT THE NORTH QUARTER CORNER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 1 EAST

ELEVATION = 1027.36' "GDACS POINT DESIGNATION = 23062-2M, BOOK 699, PAGE 26, RECORDS OF MARICOPA COUNTY".

THE PROJECT BENCHMARK REQUIRES AN EQUATION OF +0.40 TENTHS TO MATCH THE CITY OF AVONDALE VERTICAL DATUM.

BENCHMARK EQUATION = 1027.36' + 0.40' = ("1027.76") CITY OF AVONDALE DATUM.

THE ELEVATION OF 1027.36' WAS USED FOR THE DESIGN OF THIS PROJECT AND WILL BE HELD FOR THE CONSTRUCTION OF THIS PROJECT.

BASIS OF BEARING:

BASIS OF BEARING IS ALONG THE NORTH LINE OF THE NORTHEAST QUARTER SECTION 29, T.2 NORTH, R.1 EAST. BEING N89°40'49"E WITH A DISTANCE OF 2691.83 FEET.

APPROVALS AND ACCEPTANCE OF DEDICATION:

PLAT APPROVED AND DEDICATED RIGHT-OF-WAY AND EASEMENTS ACCEPTED BY THE CITY COUNCIL OF THE CITY OF AVONDALE, ARIZONA THIS _____ DAY OF _____ 2021.

MAYOR _____ DATE _____

ATTEST: CITY CLERK _____ DATE _____

CITY ENGINEER _____ DATE _____

SURVEYOR'S CERTIFICATION:

THIS IS TO CERTIFY THAT THIS SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF SEPTEMBER 2021, THAT THE PLAT IS CORRECT AND ACCURATE, AND THAT THE BOUNDARY CORNERS SHOWN HEREON HAVE BEEN LOCATED OR ESTABLISHED AS DESCRIBED AND ARE HEREBY PERMANENTLY SET.

James G. Spring 9/9/21
PROFESSIONAL LAND SURVEYOR DATE

CASE #



WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION
"PARKSIDE - PHASE 1"
FINAL PLAT



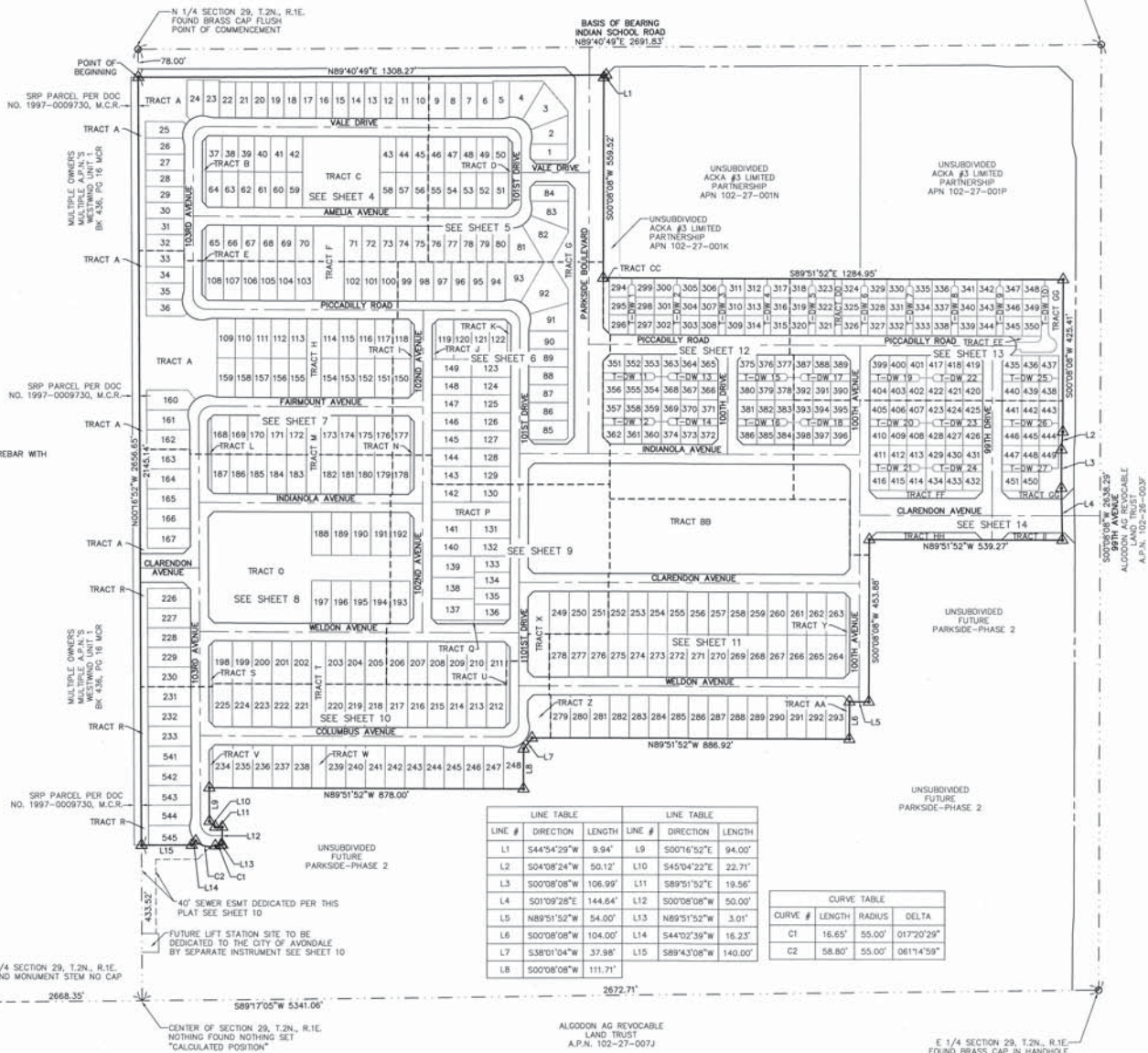
04-28-2021

SHEET NUMBER
1 OF 14
PROJECT NUMBER
18000694

LEGEND:

- SUBDIVISION BOUNDARY
- RIGHT OF WAY LINE
- EXISTING RIGHT OF WAY LINE
- CENTERLINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- SECTION LINE
- SUBDIVISION CORNER TO BE SET WITH 1/2" REBAR WITH YELLOW PLASTIC CAP PLS NO.22282
- FOUND MONUMENT AS NOTED
- CENTERLINE MONUMENT (TO BE SET BY CITY OF AVONDALE STANDARDS)
- 33'x33' SIGHT VISIBILITY EASEMENT
- 30'x30' SIGHT VISIBILITY EASEMENT
- VEHICULAR NON-ACCESS EASEMENT
- PUBLIC UTILITY EASEMENT
- MAP OF DEDICATION
- MARICOPA COUNTY RECORDER
- R/W
- P.O.C.
- P.O.B.
- D
- L1
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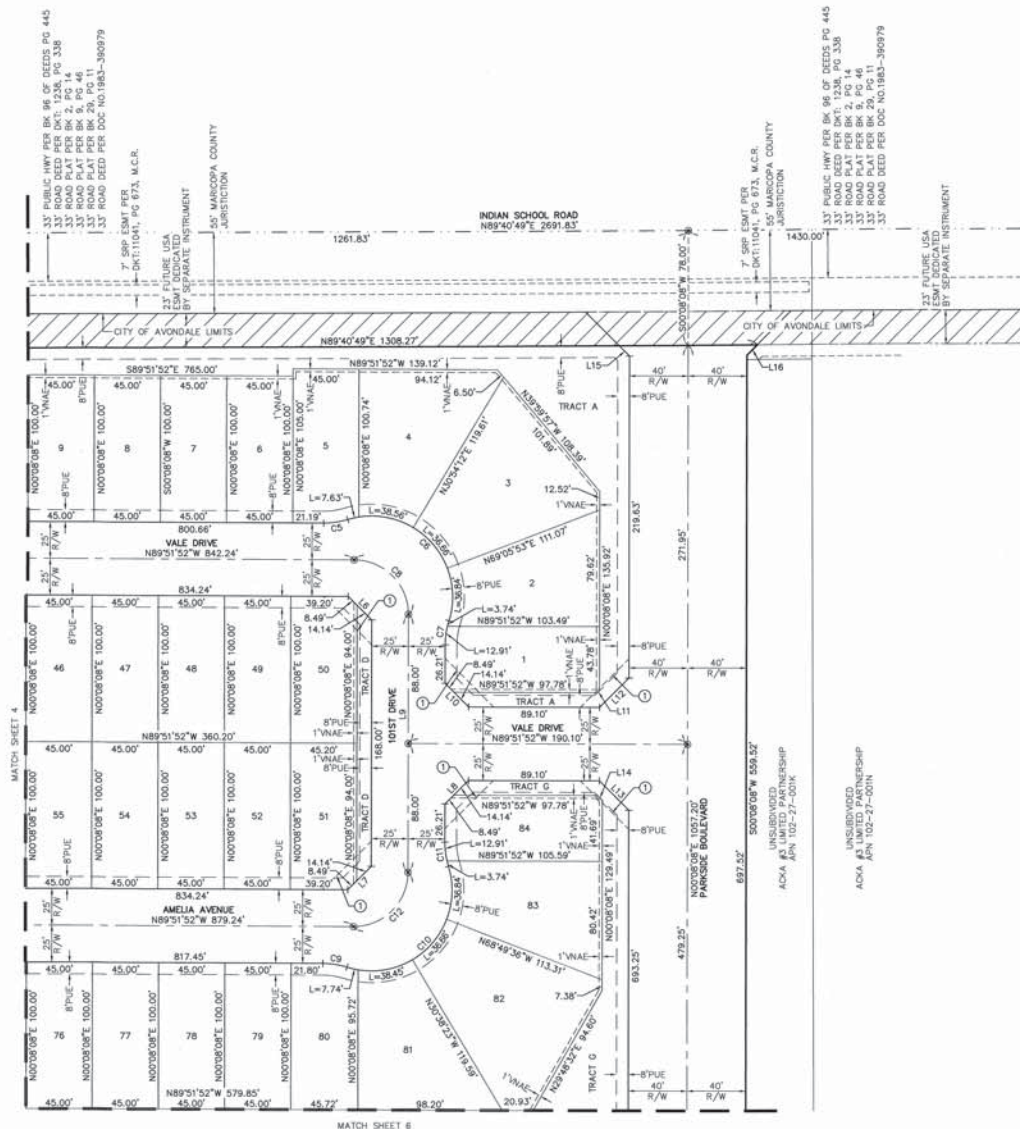
FUTURE USA EASEMENT BY SEPARATE INSTRUMENT



LINE #	DIRECTION	LENGTH	LINE #	DIRECTION	LENGTH
L1	S44°54'29"W	9.94'	L9	S00°16'52"E	94.00'
L2	S04°08'24"W	50.12'	L10	S45°04'22"E	22.71'
L3	S00°08'08"W	106.99'	L11	S89°51'52"E	19.56'
L4	S01°09'28"E	144.64'	L12	S00°08'08"W	50.00'
L5	N89°51'52"W	54.00'	L13	N89°51'52"W	3.01'
L6	S00°08'08"W	104.00'	L14	S44°02'39"W	16.23'
L7	S38°01'04"W	37.98'	L15	S89°43'08"W	140.00'
L8	S00°08'08"W	111.71'			

CURVE #	LENGTH	RADIUS	DELTA
C1	16.65'	55.00'	017°20'29"
C2	58.80'	55.00'	061°14'59"





LOT TABLE			LOT TABLE		
LOT	AREA SQ FT	AREA ACRES	LOT	AREA SQ FT	AREA ACRES
1	4700	0.108	51	4502	0.103
2	6089	0.140	52	4500	0.103
3	8368	0.192	53	4500	0.103
4	7222	0.166	54	4500	0.103
5	4686	0.108	55	4500	0.103
6	4500	0.103	76	4500	0.103
7	4500	0.103	77	4500	0.103
8	4500	0.103	78	4500	0.103
9	4500	0.103	79	4500	0.103
46	4500	0.103	80	4532	0.104
47	4500	0.103	81	6732	0.155
48	4500	0.103	82	9186	0.211
49	4500	0.103	83	6257	0.144
50	4502	0.103	84	4789	0.110

LINE TABLE		
LINE #	DIRECTION	LENGTH
L6	N44°51'52"W	22.63'
L7	N45°08'08"E	22.63'
L8	N45°08'08"E	22.63'
L9	N00°08'08"E	176.00'
L10	N44°51'52"W	22.63'
L11	N45°08'08"E	1.72'
L12	S45°08'08"W	28.28'
L13	N44°51'52"W	28.28'
L14	N44°51'52"W	4.69'
L15	N45°05'31"W	9.86'
L16	N44°54'29"E	9.94'

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C5	16.65'	55.00'	01°7'20"29"
C6	119.69'	55.00'	124°40'58"
C7	16.65'	55.00'	01°7'20"29"
C8	58.12'	37.00'	090°00'00"
C9	16.65'	55.00'	01°7'20"29"
C10	119.69'	55.00'	124°40'58"
C11	16.65'	55.00'	01°7'20"29"
C12	58.12'	37.00'	090°00'00"



WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION
"PARKSIDE - PHASE 1"

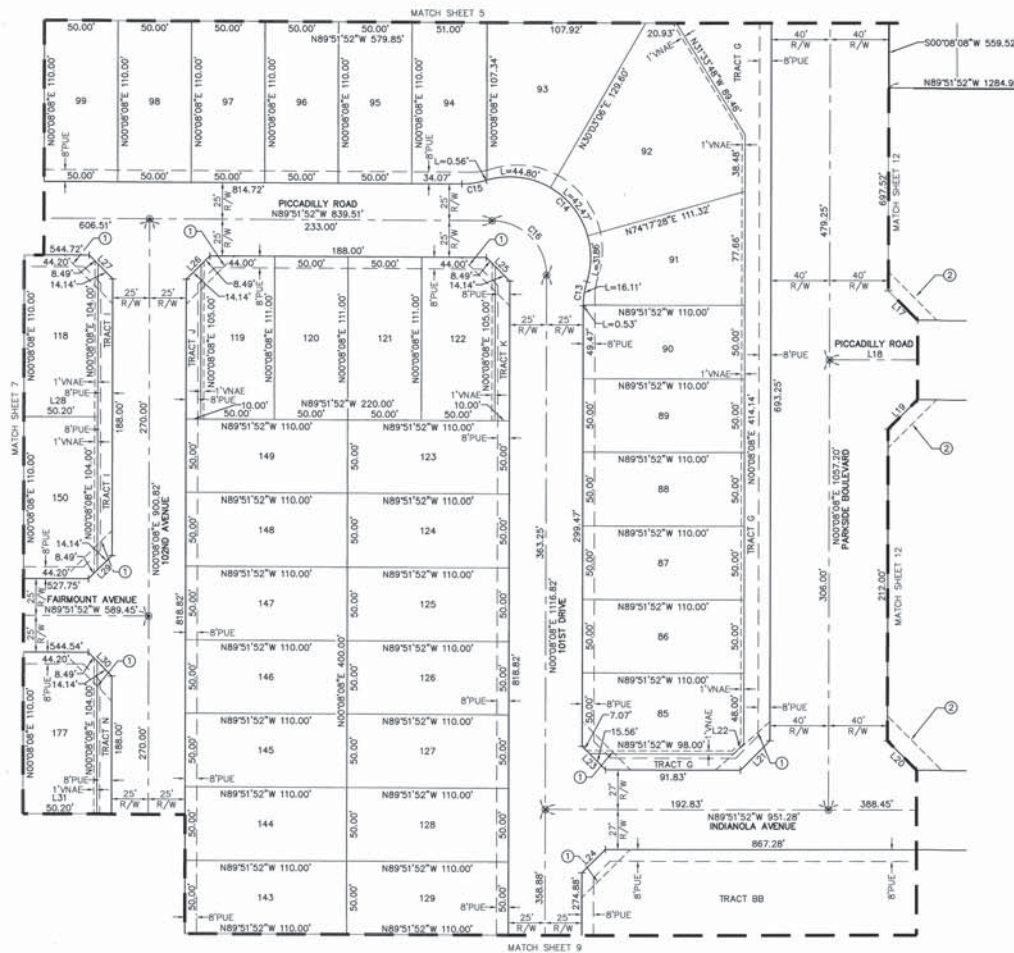
FINAL PLAT

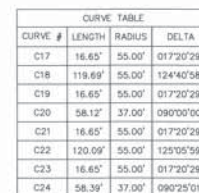


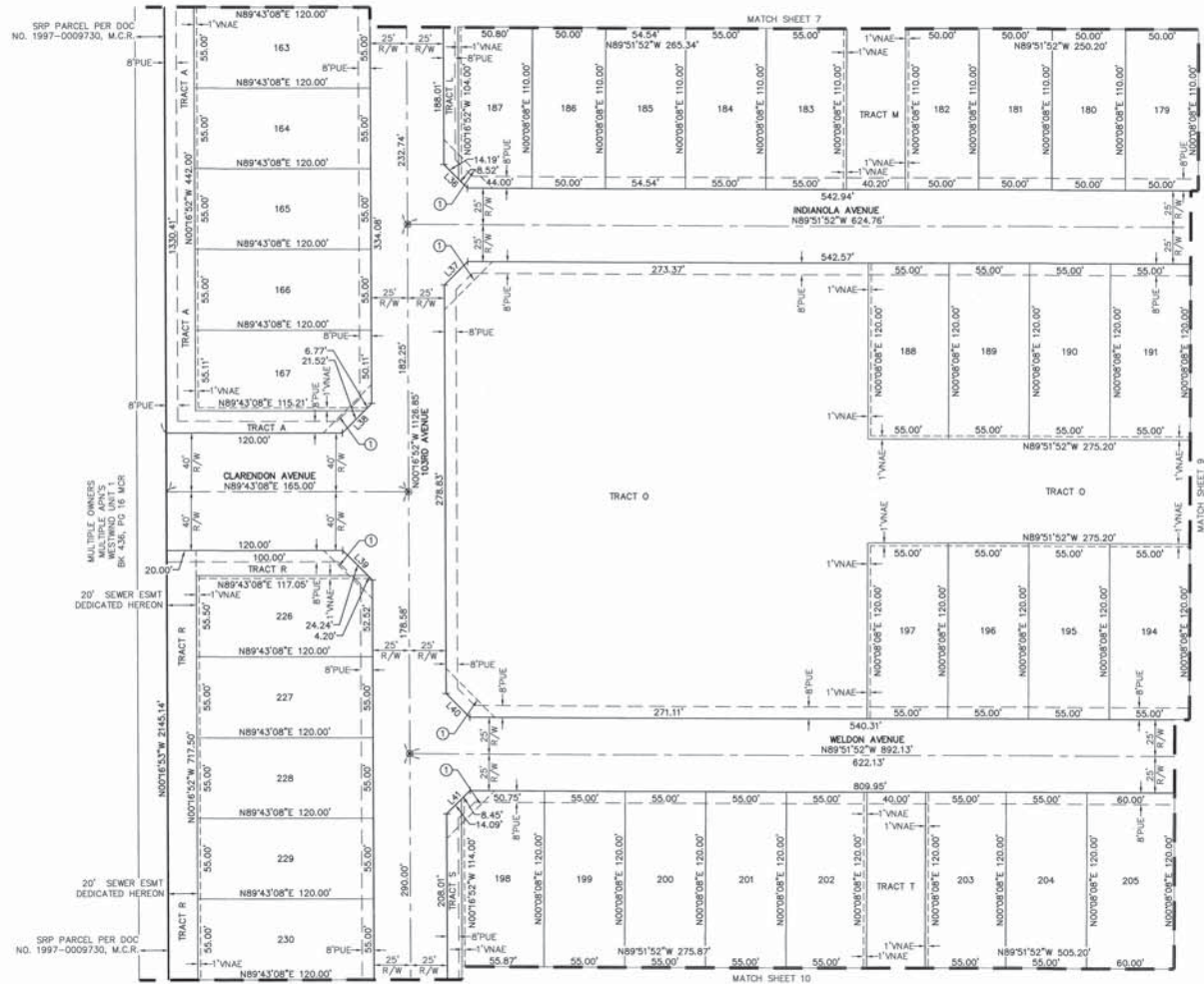
04-28-2021

SHEET NUMBER
5 OF 14
PROJECT NUMBER
18000694









LOT TABLE			LOT TABLE		
LOT	AREA SQ FT	AREA ACRES	LOT	AREA SQ FT	AREA ACRES
163	6600	0.152	194	6600	0.152
164	6600	0.152	195	6600	0.152
165	6600	0.152	196	6600	0.152
166	6600	0.152	197	6600	0.152
167	6602	0.152	198	6739	0.155
179	5500	0.126	199	6600	0.152
180	5500	0.126	200	6600	0.152
181	5500	0.126	201	6600	0.152
182	5500	0.126	202	6600	0.152
183	6050	0.139	203	6600	0.152
184	6050	0.139	204	6600	0.152
185	5999	0.138	205	7200	0.165
186	5500	0.126	226	6656	0.153
187	5526	0.127	227	6600	0.152
188	6600	0.152	228	6600	0.152
189	6600	0.152	229	6600	0.152
190	6600	0.152	230	6600	0.152
191	6600	0.152			

LINE TABLE		
LINE #	DIRECTION	LENGTH
L.36	N45°04'22"W	22.71'
L.37	N44°55'38"E	22.54'
L.38	N44°43'08"E	28.28'
L.39	N44°58'55"W	28.43'
L.40	N45°04'22"W	22.71'
L.41	S44°55'38"W	22.54'



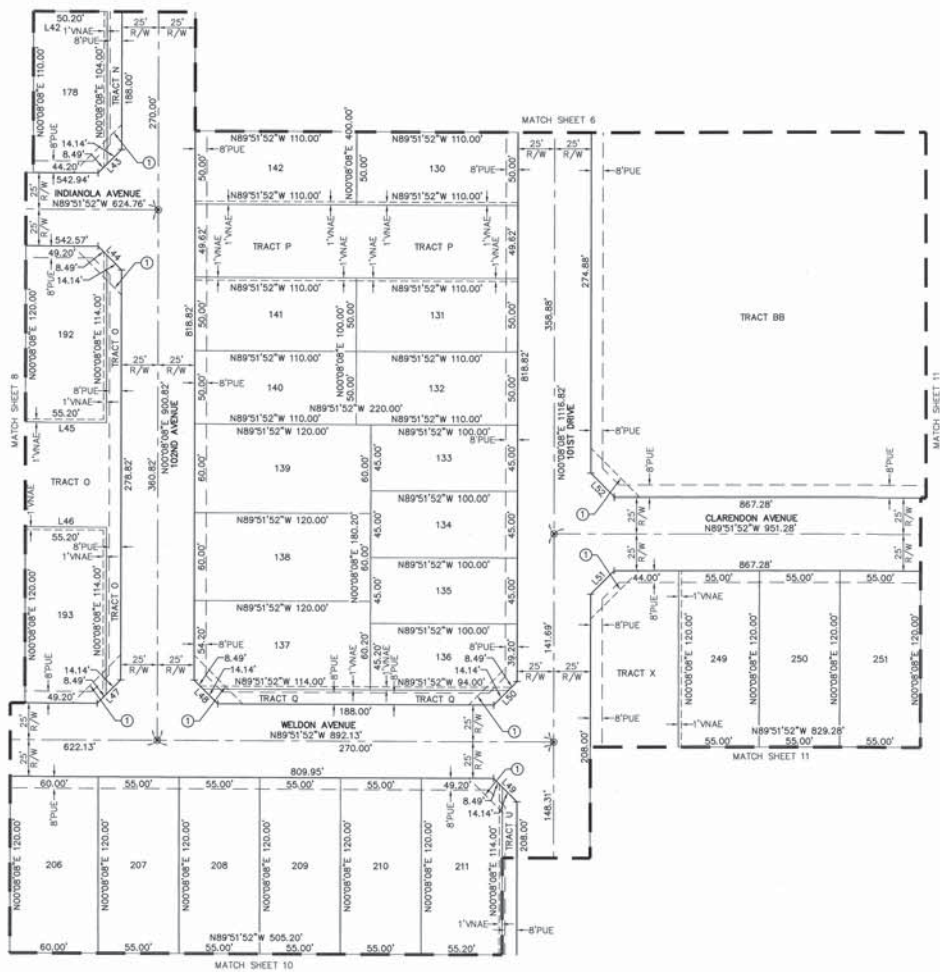
WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION
 "PARKSIDE - PHASE 1"
 FINAL PLAT



04-28-2021

SHEET NUMBER
 8 OF 14
 PROJECT NUMBER
 18000694

CASE #



LOT TABLE			LOT TABLE		
LOT	AREA SQ FT	AREA ACRES	LOT	AREA SQ FT	AREA ACRES
130	5500	0.126	178	5504	0.126
131	5500	0.126	192	6606	0.152
132	5500	0.126	193	6606	0.152
133	4500	0.103	206	7200	0.165
134	4500	0.103	207	6600	0.152
135	4500	0.103	208	6600	0.152
136	4502	0.103	209	6600	0.152
137	7206	0.165	210	6600	0.152
138	7200	0.165	211	6606	0.152
139	7200	0.165	249	6600	0.152
140	5500	0.126	250	6600	0.152
141	5500	0.126	251	6600	0.152
142	5500	0.126			

LINE TABLE		
LINE #	DIRECTION	LENGTH
L42	N89°51'52"W	250.20'
L43	S45°08'08"W	22.63'
L44	S44°51'52"E	22.63'
L45	N89°51'52"W	275.20'
L46	N89°51'52"W	275.20'
L47	S45°08'08"W	22.63'
L48	N44°51'52"W	22.63'
L49	N44°51'52"W	22.63'
L50	S45°08'08"W	22.63'
L51	N45°08'08"E	22.63'
L52	S44°51'52"E	22.63'



WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION
 "PARKSIDE - PHASE 1"
 FINAL PLAT

04-28-2021

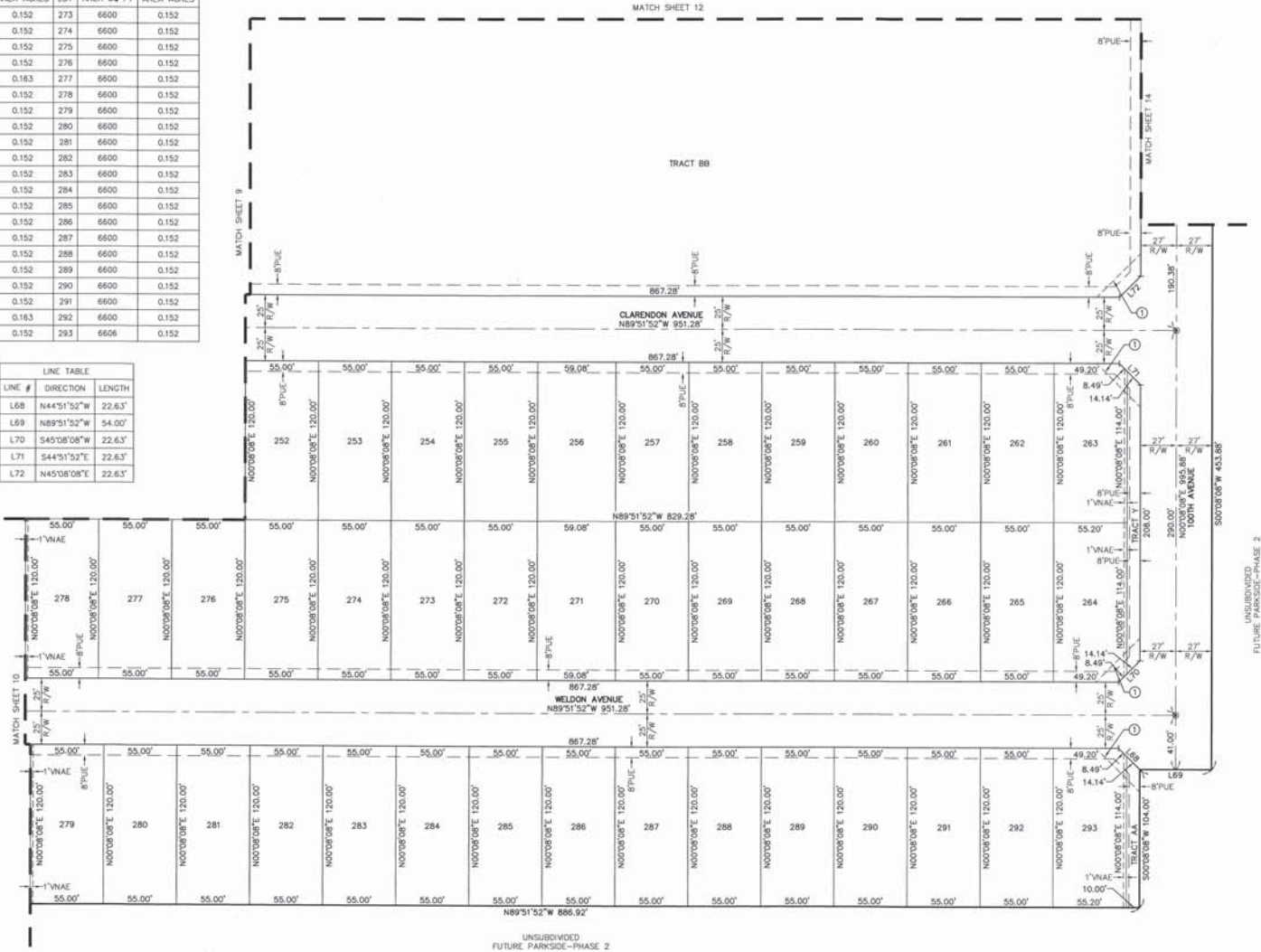
SHEET NUMBER
 9 OF 14
 PROJECT NUMBER
 18000694

CASE #

ATWELL
 4700 E. INDIANOLA AVENUE
 SUITE 200
 ANAHEIM, CA 92806
 714.776.8371
 www.atwell-group.com

LOT TABLE				LOT TABLE			
LOT	AREA SQ FT	AREA ACRES		LOT	AREA SQ FT	AREA ACRES	
252	6600	0.152		273	6600	0.152	
253	6600	0.152		274	6600	0.152	
254	6600	0.152		275	6600	0.152	
255	6600	0.152		276	6600	0.152	
256	7090	0.163		277	6600	0.152	
257	6600	0.152		278	6600	0.152	
258	6600	0.152		279	6600	0.152	
259	6600	0.152		280	6600	0.152	
260	6600	0.152		281	6600	0.152	
261	6600	0.152		282	6600	0.152	
262	6600	0.152		283	6600	0.152	
263	6606	0.152		284	6600	0.152	
264	6606	0.152		285	6600	0.152	
265	6600	0.152		286	6600	0.152	
266	6600	0.152		287	6600	0.152	
267	6600	0.152		288	6600	0.152	
268	6600	0.152		289	6600	0.152	
269	6600	0.152		290	6600	0.152	
270	6600	0.152		291	6600	0.152	
271	7090	0.163		292	6600	0.152	
272	6600	0.152		293	6606	0.152	

LINE #	DIRECTION	LENGTH
L68	N44°51'52"W	22.63'
L69	N89°51'52"W	54.00'
L70	S45°08'08"W	22.63'
L71	S44°51'52"E	22.63'
L72	N45°08'08"E	22.63'



ATWELL
566.850.4200 www.atwell-group.com
4700 E. DOWNEY AVENUE
SUITE 200
DOWNEY, CA 90240

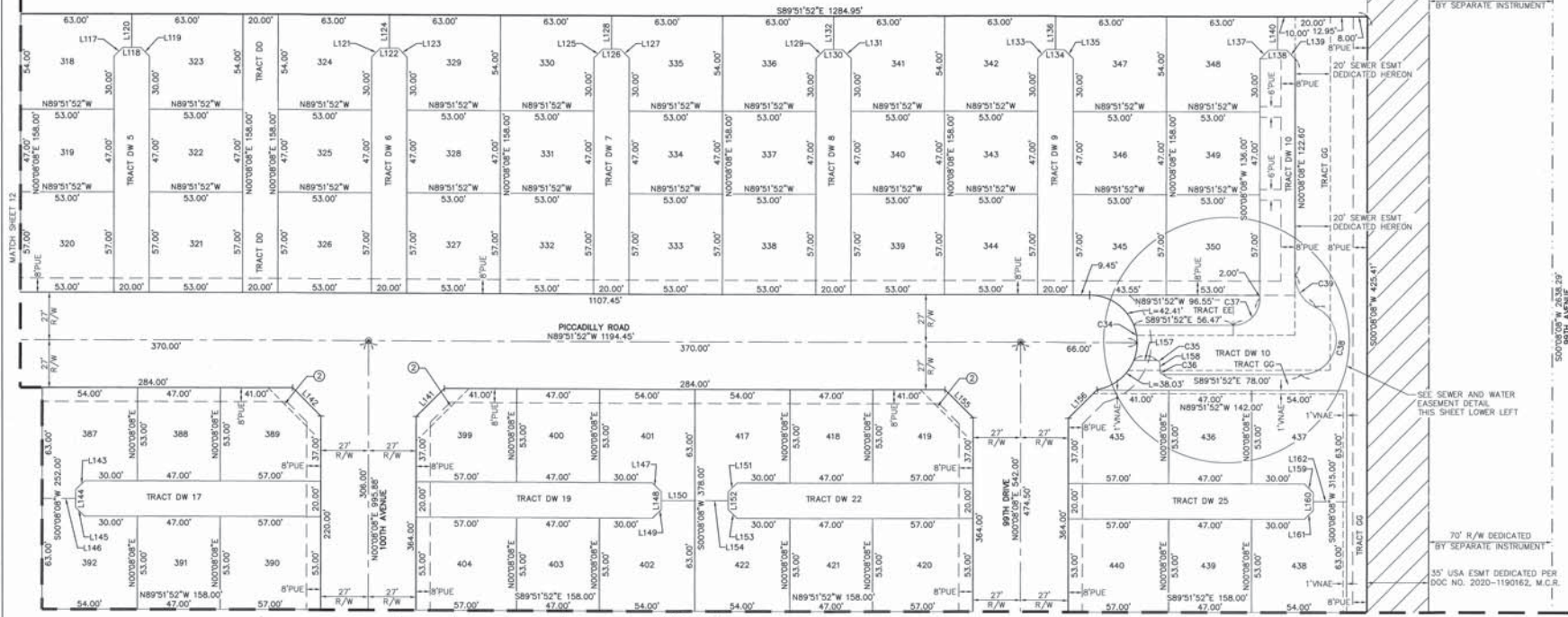
WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION
"PARKSIDE - PHASE 1"
FINAL PLAT

04-28-2021
JPMR:REVISOR

SHEET NUMBER
11 OF 14
PROJECT NUMBER
18000694



UNSUBDIVIDED
ACKA #3 LIMITED PARTNERSHIP
APN 102-27-001P

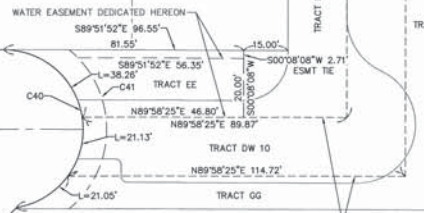


35' USA ESMT DEDICATED PER
DOC NO. 2020-1190162, M.C.R.
70' R/W DEDICATED
BY SEPARATE INSTRUMENT

20' SEWER ESMT
DEDICATED HEREON

SEE SEWER AND WATER
EASEMENT DETAIL
THIS SHEET LOWER LEFT

70' R/W DEDICATED
BY SEPARATE INSTRUMENT
35' USA ESMT DEDICATED PER
DOC NO. 2020-1190162, M.C.R.



CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C40	80.45'	27.00'	170°42'44"
C41	22.68'	35.00'	037°07'23"

LOT TABLE			
LOT	AREA SQ FT	AREA ACRES	
318	3064	0.070	338
319	2491	0.057	339
320	3021	0.069	340
321	3021	0.069	341
322	2491	0.057	342
323	3065	0.070	343
324	3065	0.070	344
325	2491	0.057	345
326	3021	0.069	346
327	3021	0.069	347
328	2491	0.057	348
329	3065	0.070	349
330	3064	0.070	350
331	2491	0.057	387
332	3021	0.069	388
333	3021	0.069	389
334	2491	0.057	390
335	3064	0.070	391
336	3065	0.070	392
337	2491	0.057	399

LOT TABLE			
LOT	AREA SQ FT	AREA ACRES	
3021	0.069		400
3021	0.069		401
3065	0.070		402
3065	0.070		403
3064	0.070		404
3065	0.070		417
3065	0.070		418
3021	0.069		419
3021	0.069		420
3065	0.070		421
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3021	0.069		423
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3021	0.069		499
3021	0.069		500

LINE TABLE			
LINE #	DIRECTION	LENGTH	
L117	S45°08'08"W	7.07'	L133
L118	N89°51'52"W	10.00'	L134
L119	N44°51'52"W	7.07'	L135
L120	N00°08'08"E	19.00'	L136
L121	S45°08'08"W	7.07'	L137
L122	N89°51'52"W	10.00'	L138
L123	N44°51'52"W	7.07'	L139
L124	N00°08'08"E	19.00'	L140
L125	S45°08'08"W	7.07'	L141
L126	N89°51'52"W	10.00'	L142
L127	N44°51'52"W	7.07'	L143
L128	N00°08'08"E	19.00'	L144
L129	S45°08'08"W	7.07'	L145
L130	N89°51'52"W	10.00'	L146
L131	N44°51'52"W	7.07'	L147
L132	N00°08'08"E	19.00'	L148

LINE TABLE			
LINE #	DIRECTION	LENGTH	
L149	N45°08'08"E	7.07'	L150
L151	N45°08'08"E	7.07'	L152
L153	N44°51'52"W	7.07'	L154
L155	N44°51'52"W	7.07'	L156
L157	N89°51'52"W	10.00'	L158
L159	N44°51'52"W	7.07'	L160
L161	N45°08'08"E	7.07'	L162
L163	N44°51'52"W	7.07'	L164
L165	N44°51'52"W	7.07'	L166
L167	N44°51'52"W	7.07'	L168
L169	N44°51'52"W	7.07'	L170
L171	N44°51'52"W	7.07'	L172
L173	N44°51'52"W	7.07'	L174
L175	N44°51'52"W	7.07'	L176
L177	N44°51'52"W	7.07'	L178
L179	N44°51'52"W	7.07'	L180
L181	N44°51'52"W	7.07'	L182
L183	N44°51'52"W	7.07'	L184
L185	N44°51'52"W	7.07'	L186
L187	N44°51'52"W	7.07'	L188
L189	N44°51'52"W	7.07'	L190
L191	N44°51'52"W	7.07'	L192
L193	N44°51'52"W	7.07'	L194
L195	N44°51'52"W	7.07'	L196
L197	N44°51'52"W	7.07'	L198
L199	N44°51'52"W	7.07'	L200

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C34	80.45'	27.00'	170°42'44"
C35	3.14'	2.00'	090°00'00"
C36	3.14'	2.00'	090°00'00"
C37	23.56'	15.00'	090°00'00"
C38	54.28'	20.00'	155°29'25"
C39	22.86'	20.00'	065°29'25"

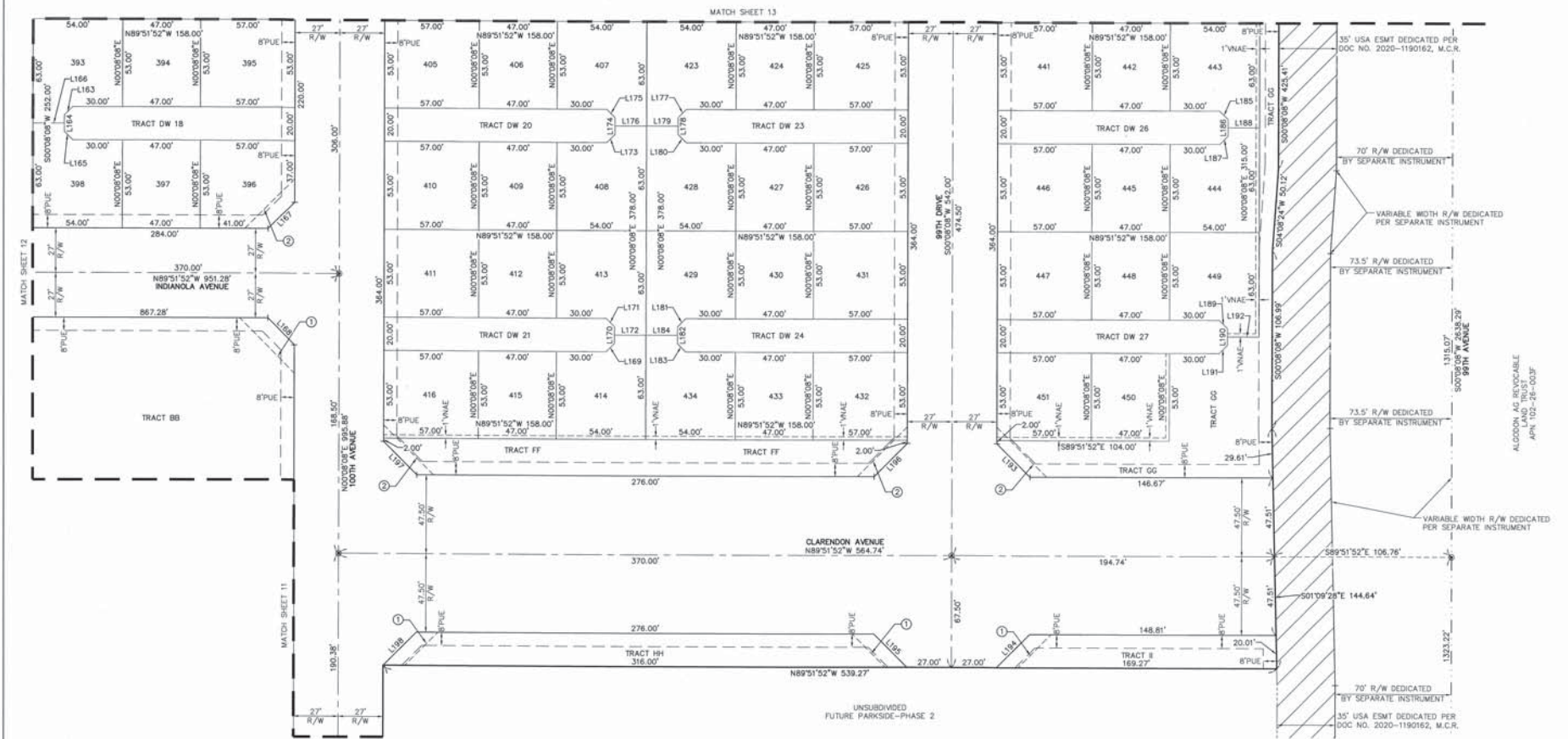


ATWELL
4700 E. COLLETTA AVENUE
SUITE 100
DENVER, CO 80231
303.754.8811
www.atwell-group.com

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION
"PARKSIDE - PHASE 1"
FINAL PLAN

04-28-2021

SHEET NUMBER
13 OF 14
PROJECT NUMBER
18000694



LOT TABLE			LOT TABLE		
LOT	AREA SQ FT	AREA ACRES	LOT	AREA SQ FT	AREA ACRES
393	3065	0.070	426	3021	0.069
394	2491	0.057	427	2491	0.057
395	3021	0.069	428	3065	0.070
396	2893	0.066	429	3065	0.070
397	2491	0.057	430	2491	0.057
398	3065	0.070	431	3021	0.069
405	3021	0.069	432	3021	0.069
406	2491	0.057	433	2491	0.057
407	3065	0.070	434	3065	0.070
408	3065	0.070	441	3021	0.069
409	2491	0.057	442	2491	0.057
410	3021	0.069	443	3064	0.070
411	3021	0.069	444	3065	0.070
412	2491	0.057	445	2491	0.057
413	3065	0.070	446	3021	0.069
414	3064	0.070	447	3021	0.069
415	2491	0.057	448	2491	0.057
416	3021	0.069	449	3065	0.070
423	3065	0.070	450	2491	0.057
424	2491	0.057	451	3021	0.069
425	3021	0.069			

LINE TABLE			LINE TABLE		
LINE #	DIRECTION	LENGTH	LINE #	DIRECTION	LENGTH
L163	N45°08'08"E	7.07'	L181	N45°08'08"E	7.07'
L164	N00°08'08"E	10.00'	L182	N00°08'08"E	10.00'
L165	N44°51'52"W	7.07'	L183	N44°51'52"W	7.07'
L166	N89°51'52"W	19.00'	L184	N89°51'52"W	19.00'
L167	N45°08'08"E	22.63'	L185	N44°51'52"W	7.07'
L168	N44°51'52"W	22.63'	L186	N00°08'08"E	10.00'
L169	N45°08'08"E	7.07'	L187	N45°08'08"E	7.07'
L170	N00°08'08"E	10.00'	L188	S89°51'52"E	19.00'
L171	N44°51'52"W	7.07'	L189	N44°51'52"W	7.07'
L172	S89°51'52"E	19.00'	L190	N00°08'08"E	10.00'
L173	N45°08'08"E	7.07'	L191	N45°08'08"E	7.07'
L174	N00°08'08"E	10.00'	L192	S89°51'52"E	19.00'
L175	N44°51'52"W	7.07'	L193	N44°51'52"W	28.28'
L176	S89°51'52"E	19.00'	L194	S45°08'08"E	28.28'
L177	N45°08'08"E	7.07'	L195	N44°51'52"W	28.28'
L178	N00°08'08"E	10.00'	L196	N45°08'08"E	28.28'
L179	N89°51'52"W	19.00'	L197	S44°51'52"E	28.28'
L180	N44°51'52"W	7.07'	L198	N45°08'08"E	28.28'



WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION
"PARKSIDE - PHASE 1"



04-28-2021

SHEET NUMBER
14 OF 14
PROJECT NUMBER
18000694

FINAL PLAT

CITY COUNCIL REPORT

SUBJECT: Final Plat Verde Trails Parcel 6 (Application PL-21-0121)

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development and Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include workforce housing.

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Maintain and expand quality infrastructure and improve connectivity to City amenities.
-

PURPOSE:

City Council will consider a request by Ms. Sandi Elmore, on behalf of Hillcrest Residential 4, LP, for approval of a Final Plat for Verde Trails Parcel 6. In conformance with the Verde Trails Parcel 6 Preliminary Plat approved by City Council on June 21, 2021, the proposed Final Plat for Parcel 6 creates 110-lot single-family residential lots, 43 common area tracts, and dedicates streets and easements on approximately 10.91 net acres located at the northwest corner of 107th Avenue and Wier Avenue alignment, south of Broadway Road. The Council will take appropriate action.

BACKGROUND:

Verde Trails Parcel 6 is comprised of 10.91 net acres located northwest corner of 107th Avenue and Wier Avenue alignment, south of Broadway Road. (Exhibits A and B) The property is part of the larger 181-acre Verde Trails Unit I master planned community.

The property was annexed and rezoned to Hillcrest Planned Area Development (PAD) in November 2007. A Major Amendment to the approved PAD, revisiting the project's development plan, modifying lot sizes, adjusting development standards, and renaming the planned community to Verde Trails, was approved by City Council in May 2018. The approved Verde Trails PAD, as amended, allows for development of Parcel 6 with minimum 2,200 square foot lots for single-family residential use arranged in a cluster fashion, where each home's garage access is provided via an auto-court shared by two (2) to six (6) homes.

A Master Final Plat for Verde Trails was approved by City Council in February 2019. The Master Final Plat created the overall development parcels within the Verde Trails Unit I community, including 14.45-acre Parcel 6, in conformance with the Verde Trails PAD. The Master Final Plat did not create individual residential lots on any parcel, including Parcel 6. As such, approval of this Preliminary Plat and a future Final Plat is required to subdivide Parcel 6 into individual residential lots, tracts to accommodate development of private streets (as

the proposed development will be gated), and tracts to accommodate development of the project's open space.

A Pre-Annexation Development Agreement (PADA) was approved in November 2007 and has subsequently been amended six (6) times. The primary functions of the approved PADA are to spell out the developer's responsibility for reimbursing the City for the City's acquisition of the Rigby Water Company, and to assign responsibilities to the construction of off-site public infrastructure adjacent to the Verde Trails development.

The subject property is designated as High Density Residential (HDR) by the General Plan 2030 Land Use Map. The HDR designation allows for development of patio homes, apartments, condominiums, or townhomes with a density ranging between 12 and 30 dwelling units per acre. However, the property's valid Planned Area Development (PAD) zoning supersedes the General Plan land use designation applied to the site and, as such, Parcel 6 may develop at a lower density (7.98 units per acre) than required in the HDR designation.

The Verde Trails Parcel 6 property is surrounded by other portions of the master-planned Verde Trails development on all but its east side, as follows:

NORTH: Verde Trails Unit I Parcel 5, zoned Planned Area Development (PAD). The Verde Trails PAD allows for development of Parcel 5, which is positioned at the southwest corner of 107th Avenue and Broadway Road, with Community Commercial (C-2) uses. No plans have been submitted for development of Parcel 5 to date.

EAST OF 107th AVENUE: Avondale's eastern planning boundary terminates at 107th Avenue south of Van Buren Street. The property east of Parcel 6, east of 107th Avenue, is located within the City of Phoenix, zoned S-1 (Suburban District – Ranch or Farm Residence), and presently in agricultural/farming production.

SOUTH OF WIER AVENUE ALIGNMENT: Verde Trails Unit I Parcel 7, zoned Planned Area Development (PAD). The Verde Trails PAD and approved Verde Trails Unit I Parcel 7 Preliminary Plat allows for development of Parcel 7 with 70 single-family detached residences on lots with a minimum area of 5,175 square feet (45'x115'). Grading and underground utility installation is in progress on Parcel 7.

WEST: Verde Trails Unit I Parcel 4, zoned Planned Area Development (PAD). The Verde Trails PAD and approved Verde Trails Unit I Preliminary Plat allows for development of Parcel 4 with 115 single-family detached residences on lots with a minimum area of 5,175 square feet (45'x115'). Grading and underground utility installation is in progress on Parcel 4.

SUMMARY OF REQUEST:

The applicant is requesting approval of a Final Plat for Verde Trails Parcel 6 (Exhibit D). In conformance with the approved Verde Trails Planned Area Development, and the Preliminary Plat approved by City Council on June 21, 2021, the proposed Final Plat divides the 10.91-net acre site into 110 alley-loaded single-family residential "cluster" lots featuring a minimum area of 2,475 square feet, minimum width of 40 feet, and minimum depth of 55 feet.

Additionally, the proposed Final Plat creates 43 common area tracts for active and passive open space, and private tracts to access garages in the cluster product totaling 7.38 acres. Tracts P and Q will provide open space and amenities for Parcel 6. The Verde Trails Homeowner's Association will be responsible for maintaining all open space areas, landscape tracts, and right-of-way landscaping, including landscape medians within or adjacent to the community. City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for Parkside Phase 1 subdivision as a separate agenda item. The MID mechanism allows the City to assume maintenance responsibilities for the community's open space and landscaping in the event that the HOA goes defunct, providing for an assessment of residents to cover the maintenance costs.

PUBLIC PARTICIPATION:

Public notification is not required for Final Plat applications.

PLANNING COMMISSION ACTION:

The Planning Commission does not review Final Plat applications.

ANALYSIS:

- The proposed Final Plat has been reviewed by the City's contracted Registered Land Surveyor and the document has been confirmed as geometrically accurate and in conformance with Arizona Statutes governing the subdivision of real property.
- The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance, Subdivision Regulations, and Verde Trails Planned Area Development (PAD) and meets all conditions of these prior approvals.
- The proposed Final Plat conforms to the approved Preliminary Plat for Verde Trails, including conditions of approval.
- The proposed Final Plat dedicates rights-of-way and easements needed to allow the developer to complete water, sewer, and street improvements to serve the future development.

DISCUSSION:

The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance and Subdivision Regulations. The proposed Final Plat is in conformance with the Verde Trails PAD Development Plan, including conditions of approval. The proposed Final Plat is in conformance with the approved Verde Trails Parcel 6 Preliminary Plat, including conditions of approval. The conditions of approval are reasonable to ensure conformance with the provisions as outlined in the Avondale Zoning Ordinance and all other applicable City codes, ordinances, and policies. Lastly, the City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for Verde Trails Parcel 6 as a separate agenda item.

BUDGET IMPACT:

No budget impacts.

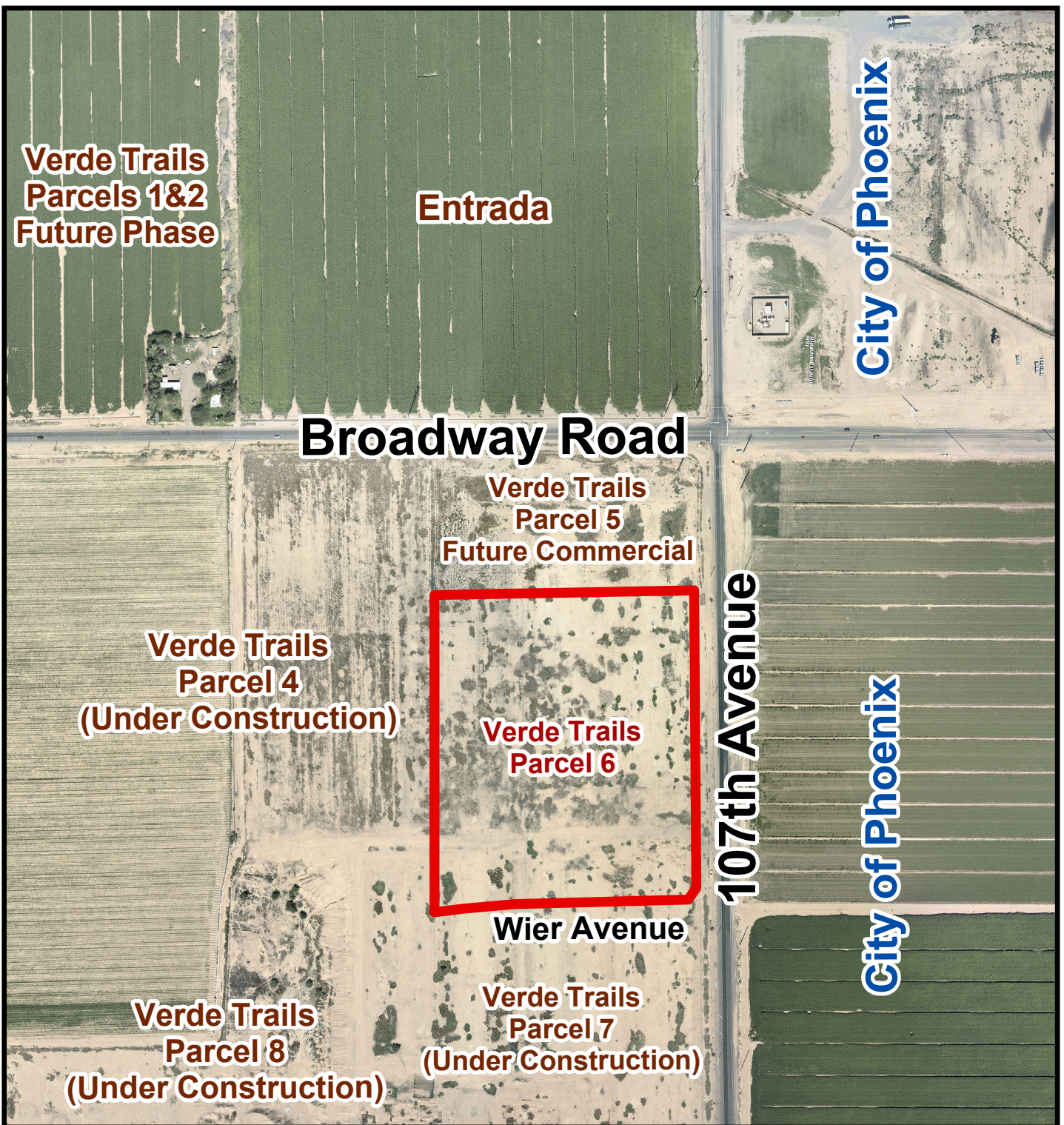
RECOMMENDATION:

No public hearing is required. The City Council will **APPROVE** Application PL-21-0121, a request for approval of the Final Plat for Verde Trails Parcel 6, subject to the following two (2) conditions of approval:

1. The recorded plat shall be in conformance with the Verde Trails Parcel 6 Final Plat submitted electronically on August 16, 2021.
2. Grandfathered groundwater rights for the property must be extinguished and pledged to the City of Avondale's designated account (26-002003.0000) prior to issuance of any construction permits for any portion of the project.

PROPOSED MOTION:

I move that City Council **APPROVE** Application PL-21-0121, a request for approval of the Final Plat for Verde Trails Parcel 6, subject to two (2) recommended conditions of approval as listed in the staff report.

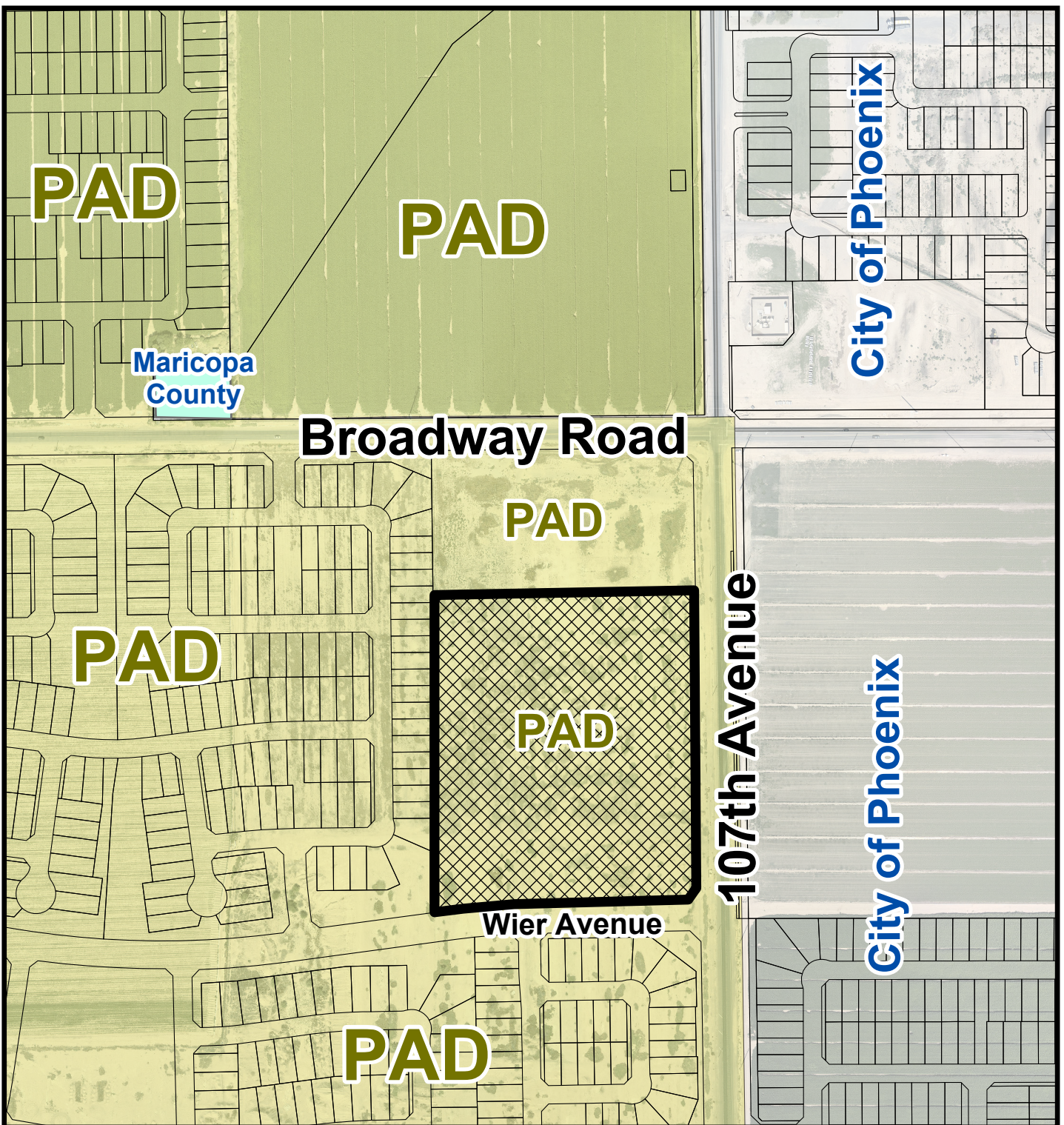


Aerial Photograph



Verde Trails Parcel 6



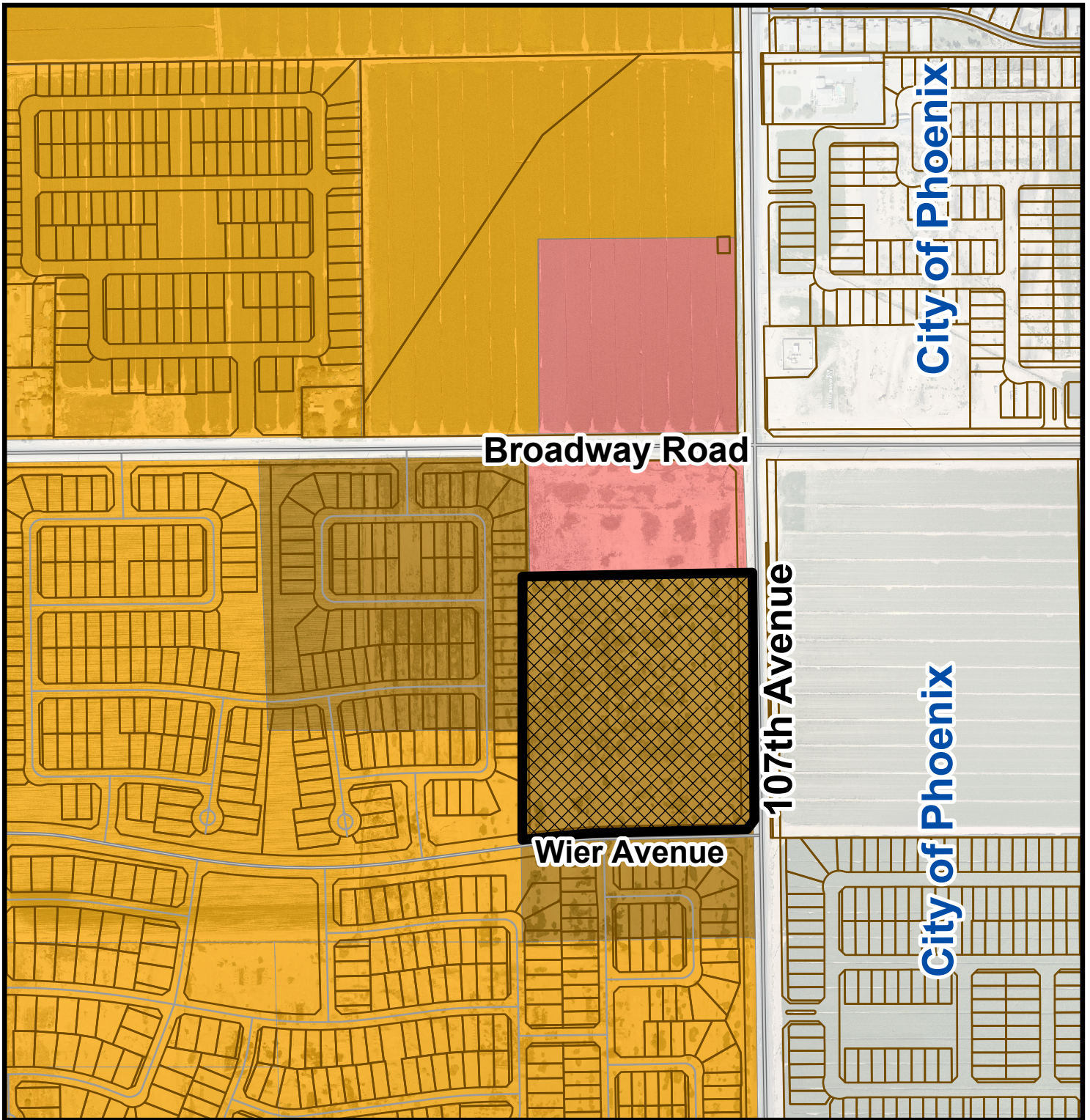


Zoning Vicinity Map



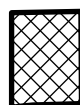
Verde Trails Parcel 6





General Plan Land Use Map

- Medium Density Residential
- High Density Residential
- Local Commercial



Verde Trails Parcel 6



SUBMITTED 8/5/2021 to City of Avondale.

DEDICATION

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

KNOW ALL MEN BY THESE PRESENTS:

THAT HILLCREST RESIDENTIAL 4, LP, AN ARIZONA LIMITED PARTNERSHIP, AS OWNER OF PARCEL 6, BEING A RE-PLAT UNDER THE NAME "VERDE TRAILS - PARCEL 6" BEING WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATTED HEREON AND HEREBY PUBLISHES THIS PLAT AS AND FOR THE PLAT OF "VERDE TRAILS - PARCEL 6" HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE STREETS, LOTS, TRACTS AND EASEMENTS CONSTITUTING SAME AND THAT EACH STREET, LOT AND TRACT SHALL BE KNOWN BY THE NAME, NUMBER OR LETTER GIVEN TO EACH RESPECTIVELY ON SAID PLAT. THE OWNER, AS LISTED ABOVE, HEREBY DEDICATES IN FEE ALL RIGHT TITLE AND INTEREST TO THE CITY FOR USE, AS SUCH, THE STREET RIGHTS OF WAY AS SHOWN ON SAID MAP AND INCLUDED IN THE ABOVE DESCRIBED PREMISES. EASEMENTS ARE HEREBY DEDICATED TO THE CITY FOR THE PURPOSES SHOWN HEREON.

TRACT "A" IS HEREBY DECLARED AS A PRIVATE STREET TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION. AN EASEMENT FOR PUBLIC WATER AND SEWER, DRAINAGE, AND EMERGENCY AND SERVICE TYPE VEHICLE ACCESS IS HEREBY DEDICATED TO THE PUBLIC OVER TRACT "A."

PRIVATE DRAINAGE EASEMENTS ARE HEREBY DEDICATED TO THE HOMEOWNERS ASSOCIATION.

TRACTS A THROUGH Q ARE HEREBY DECLARED AS COMMON AREAS TO BE OWNED AND MAINTAINED BY THE VERDE TRAILS HOMEOWNER ASSOCIATION, AN ARIZONA NON-PROFIT ORGANIZATION.

AN EASEMENT FOR WATER IS HEREBY DEDICATED TO THE CITY OF AVONDALE ACROSS TRACTS A AND B.

AN EASEMENT FOR SEWER IS HEREBY DEDICATED TO THE CITY OF AVONDALE ACROSS TRACT A.

THE CITY OF AVONDALE IS HEREBY GRANTED AN EASEMENT FOR MAINTENANCE OF LANDSCAPING, IRRIGATION, DRAINAGE FACILITIES, HARDCAPE AND RETENTION AREAS ON TRACTS A THROUGH I. THIS EASEMENT MAY BE EXERCISED BY THE CITY OF AVONDALE AT ANY SUCH TIME WHEN THE GRANTOR, ITS SUCCESSORS OR ASSIGNEES, INCLUDING A HOMEOWNERS' ASSOCIATION FORMED OVER THIS SUBDIVISION FAILS TO EXIST AND PROVIDE REQUIRED MAINTENANCE AND OPERATION OF THE LANDSCAPING, IRRIGATION, DRAINAGE FACILITIES, RETENTION AREAS AND/OR HARDCAPE.

IN WITNESS WHEREOF:

HILLCREST RESIDENTIAL 4, LP, AN ARIZONA LIMITED PARTNERSHIP, AS OWNER HAS HERETO CAUSED ITS NAME TO BE SIGNED AND THE SAME TO BE ATTESTED TO BY THE SIGNATURE OF

_____, ITS _____, THEREUNTO DULY AUTHORIZED THIS _____

DAY OF _____, 2021.

HILLCREST RESIDENTIAL 4, LP, AN ARIZONA LIMITED PARTNERSHIP

BY: HILLCREST GP, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: GENERAL PARTNER
BY: HARVARD INVESTMENTS, INC., A NEVADA CORPORATION
ITS: MANAGER

BY: _____
TIMOTHY BRISLIN

ITS: AUTHORIZED REPRESENTATIVE

ACKNOWLEDGMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

BEFORE ME THIS _____ DAY OF _____, 2021, TIMOTHY BRISLIN PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HIMSELF TO BE THE AUTHORIZED REPRESENTATIVE OF HILLCREST RESIDENTIAL 4, LP, AN ARIZONA LIMITED PARTNERSHIP, AND ACKNOWLEDGED THAT HE, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC: _____ MY COMMISSION EXPIRES: _____

RATIFICATION AND CONSENT

KNOWN BY ALL MEN PRESENTS:

BY THIS RATIFICATION, TIMOTHY BRISLIN DULY ELECTED PRESIDENT OF THE VERDE TRAILS HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION, ACKNOWLEDGES THE RESPONSIBILITIES DEDICATED HEREIN.

BY: _____

ITS: PRESIDENT

ACKNOWLEDGMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

BEFORE ME THIS _____ DAY OF _____, 2021, TIMOTHY BRISLIN PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HIMSELF TO BE THE PRESIDENT, OF VERDE TRAILS HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATION, AND ACKNOWLEDGED THAT HE, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC: _____ MY COMMISSION EXPIRES: _____

FINAL PLAT FOR "VERDE TRAILS - PARCEL 6"

BEING A RE-PLAT OF PARCEL 6 AS SHOWN ON THE MASTER PLAT FOR VERDE TRAILS UNIT 1, PHASE 1, AS RECORDED IN BOOK 1452, PAGE 15, OF MARICOPA COUNTY RECORDS, BEING WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OWNER

HILLCREST RESIDENTIAL 4, LP
17700 N. PACESETTER WAY
SCOTTSDALE, ARIZONA 85255
PHONE: (480) 515-3255
CONTACT: TIM BRISLIN
tbrislin@harvardinvestments.com

SURVEYOR

HILGARTWILSON, LLC
2141 E. HIGHLAND AVE., STE. 250
PHOENIX, ARIZONA 85016
PHONE: (602) 480-0535
CONTACT: KIRK J. PANGUS, RLS
kpangus@hlgartwilson.com

SHEET INDEX

FP01 - COVER SHEET
FP02 - TRACT TABLE, LOT TABLE,
KEY MAP, DETAIL
FP03 - FP05-PLAT SHEETS

UTILITIES

WATER - CITY OF AVONDALE
SEWER - CITY OF AVONDALE
REFUSE COLLECTION - REPUBLIC SERVICES
FIRE PROTECTION - CITY OF AVONDALE
POLICE PROTECTION - CITY OF AVONDALE
ELECTRIC - SALT RIVER PROJECT
CABLE/TELEPHONE - CENTURYLINK/COX COMMUNICATIONS
GAS - SOUTHWEST GAS CORPORATION

AREA

GROSS = 13.7778 ACRES / 600,160 SQ. FT.
NET (LESS R/W) = 10.9147 ACRES / 475,445 SQ. FT.

100-YEAR ASSURED WATER SUPPLY

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREAS OF THE CITY OF AVONDALE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO SECTION 45-576 ARIZONA REVISED STATUTES.

APPROVALS AND ACCEPTANCE OF DEDICATION

PLAT APPROVED AND DEDICATED RIGHT-OF-WAY AND EASEMENTS ACCEPTED BY THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA

THIS _____ DAY OF _____, 2021

MAYOR _____ DATE _____

ATTEST: CITY CLERK _____ DATE _____

CITY ENGINEER _____ DATE _____

LEGAL DESCRIPTION

LOT 6 OF THE MASTER PLAT FOR VERDE TRAILS UNIT 1, PHASE 1 AS RECORDED IN BOOK 1452, PAGE 15, ALSO BEING SITUATED WITHIN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP IN HAND HOLE ACCEPTED AS THE NORTHEAST CORNER OF SAID SECTION 30 FROM WHICH A FOUND BRASS CAP FLUSH ACCEPTED AS THE EAST QUARTER CORNER OF SAID SECTION 30 THEREOF BEARS SOUTH 01°08'51" EAST, 445.01 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30;

THENCE SOUTH 01°08'51" EAST, 445.01 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30;

THENCE LEAVING SAID EAST LINE SOUTH 89°12'39" WEST, 65.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 6 AND TO WEST LINE OF THE EAST 65.00 FEET OF SAID NORTHEAST QUARTER AND THE POINT OF BEGINNING;

THENCE ALONG THE PERIMETER BOUNDARY OF SAID PARCEL 6 THE FOLLOWING 6 COURSES:

THENCE SOUTH 01°08'51" EAST, 805.42 FEET ALONG SAID WEST LINE;

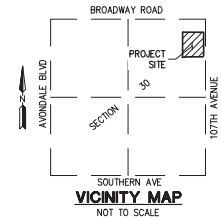
THENCE LEAVING SAID WEST LINE, SOUTH 43°51'09" WEST, 42.43 FEET;

THENCE SOUTH 88°51'09" WEST, 388.32 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 2640.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°30'42", AN ARC LENGTH OF 300.04 FEET TO A TANGENT LINE;

THENCE NORTH 00°47'21" WEST, 856.92 FEET;

THENCE NORTH 89°12'39" EAST, 712.37 FEET TO THE POINT OF BEGINNING.



BASIS OF BEARING

BASIS OF BEARING IS S01°08'51"E ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 1 NORTH, RANGE 1 EAST, MARICOPA COUNTY, ARIZONA, AS SHOWN IN BOOK 1452, PAGE 15, RECORDS OF MARICOPA COUNTY ARIZONA, BETWEEN THE MONUMENTS AS SHOWN HEREON.

NOTES

- ALL LANDSCAPING WITHIN ADJACENT PUBLIC RIGHT-OF-WAY AND LANDSCAPE MEDIANS ARE TO BE MAINTAINED BY THE VERDE TRAILS HOMEOWNER ASSOCIATION, AN ARIZONA NON PROFIT ORGANIZATION, EXCLUDING MEDIANS ON ARTERIAL STREETS.
- ALL UTILITY AND PUBLIC SERVICE EASEMENTS, INCLUDING ANY LIMITATIONS OF EASEMENTS; AND CONSTRUCTION WITHIN SUCH EASEMENTS SHALL BE LIMITED TO UTILITIES, LANDSCAPING, AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCES.
- ALL EXISTING OVERHEAD UTILITIES UNDER 69KV SHALL BE INSTALLED UNDERGROUND IN ACCORDANCE WITH CITY OF AVONDALE MUNICIPAL CODE AND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION.
- NO ALTERATIONS SHALL BE MADE TO THE STORM WATER RETENTION AREAS AND APPROVED OR EXISTING CONVEYANCE PATTERNS THAT ARE A PART OF THESE PREMISES WITHOUT WRITTEN APPROVAL BY THE CITY OF AVONDALE.
- NO STRUCTURES SHALL BE CONSTRUCTED IN OR ACROSS NOR SHALL OTHER IMPROVEMENTS OR ALTERATIONS BE MADE TO THE DRAINAGE FACILITIES THAT ARE A PART OF THIS SUBDIVISION WITHOUT WRITTEN AUTHORIZATION BY THE CITY OF AVONDALE.
- NO WALLS/FENCES SHALL BE BUILT WITHOUT PRIOR CITY OF AVONDALE APPROVAL.
- THIS SUBDIVISION IS SUBJECT TO CITY OF AVONDALE MAINTENANCE IMPROVEMENT DISTRICT (MD) NO. 27.
- LOTS THAT REQUIRE POSITIONING THE NON-LIVING SPACE SIDE WITH INTERSECTION TO AVOID HEADLIGHT INTRUSION INTO LIVING AREAS. (LOTS 5, 20, 43, AND 64)
- THE HOA SHALL MAINTAIN THE STORM DRAIN PIPES, CATCH BASINS, AND SCUPPERS IN TRACTS A, P, AND Q.

BOUNDARY CORNER NOTIFICATION

PER THE ARIZONA BOUNDARY SURVEY MINIMUM STANDARDS (ADOPTED FEB. 6, 2010), EXTERIOR BOUNDARY CORNERS WILL BE SET BY THE SURVEYOR WHO CERTIFIED THIS PLAT. IT IS THE RESPONSIBILITY OF THE SUBDIVIDER TO ENSURE THAT INTERIOR CORNERS OF THE SUBDIVISION ARE SET (1) WITHIN NINETY (90) DAYS AFTER COMPLETION OF THE CONSTRUCTION IMPROVEMENTS, OR (2) WITHIN TWO (2) YEARS AFTER RECORDED OF THE SUBDIVISION PLAT, WHICHEVER DATE IS FIRST TO OCCUR. THE INTERIOR CORNERS OF THE SUBDIVISION MAY BE STAKED BY SURVEYORS OTHER THAN WHO CERTIFIED THIS SURVEY. IT WILL BE THE RESPONSIBILITY OF THE OTHER SURVEYOR WHO STAKES THE INTERIOR CORNERS OF THE SUBDIVISION TO RECORD A "RECORD OF SURVEY" WITH THE COUNTY RECORDER, CONSISTENT WITH CURRENT ARIZONA BOUNDARY MINIMUM STANDARDS.

HILLCREST RESIDENTIAL 4, LP, AN ARIZONA LIMITED PARTNERSHIP

BY: HILLCREST GP, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: GENERAL PARTNER
BY: HARVARD INVESTMENTS, INC., A NEVADA CORPORATION
ITS: MANAGER

BY: _____

ITS: _____

SURVEYORS CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF APRIL, 2021; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE EXTERIOR BOUNDARY MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED.

KIRK J. PANGUS
RLS# 19344
HILGARTWILSON, LLC
2141 E. HIGHLAND AVE., STE. 250
PHOENIX, ARIZONA 85016
P: 602.480.0535
kpangus@hlgartwilson.com



NOTE:
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VERDE TRAILS - PARCEL 6
SOUTHWEST CORNER OF 10TH AVENUE & BROADWAY ROAD
AVONDALE, ARIZONA

FINAL PLAT

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STATUS:

PROJ. NO.: 1377

DATE: JUL 2021

MUNICIPAL TRACKING NO:

SCALE: NONE

DRAWN: JHVO

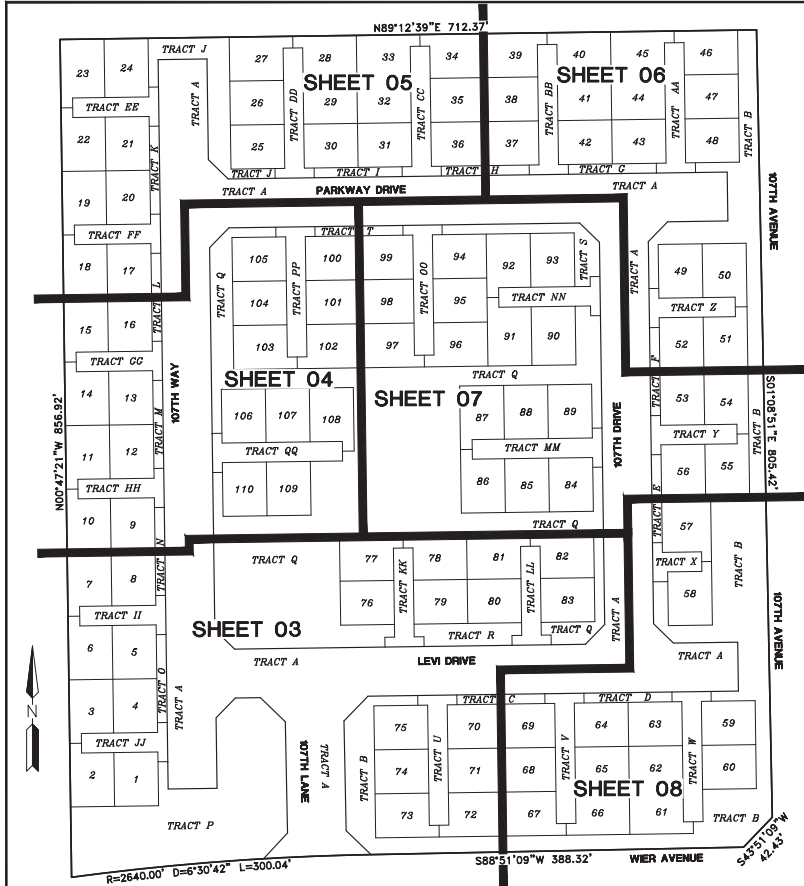
APPROVED: KJP

DWG. NO.

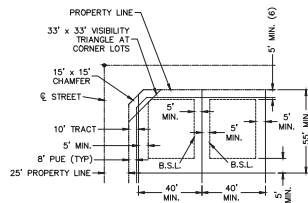
FP01

SHT. 1 OF 8

U:\3305\1377\SURVEY\PLATS\PARCEL 6\1377-P06-PP-01.dwg 7/27/2021 8:33 AM



KEY MAP
SCALE 1" = 60'



TYPICAL LOT SETBACKS 2200 DISTRICT
PRIVATE STREET
SCALE = N.T.S.

NOTES:

- A MINIMUM 5' SIDE SETBACK WILL BE REQUIRED FOR ALL DETACHED PRODUCT. IN ALL CONDITIONS WITH A 5'/5' SIDE SETBACK, THE AIR CONDITIONING UNIT WILL BE REQUIRED TO BE PLACED IN THE REAR YARD AND/OR LOCATED ON THE SIDE YARD OPPOSITE THE ACCESS GATE. FOR ATTACHED PRODUCT, A 0' TO PROPERTY LINE WILL BE ALLOWED AND THE AIR CONDITIONING UNIT WILL BE REQUIRED TO BE PLACED IN THE REAR YARD. MINIMUM SEPARATION BETWEEN BUILDINGS ON ADJACENT LOTS TO BE PER FIRE CODE.
- FIREPLACES, BAY WINDOWS AND OTHER BUILDING POP-OUTS WILL ENCRUGH INTO FRONT, SIDE AND REAR SETBACKS A MAXIMUM OF 3'.
- NOT REQUIRED WHEN ADJACENT TO A 10' LANDSCAPE TRACT.
- MINIMUM FRONT YARD SETBACK MAY BE REDUCED BY FIVE (5) FEET WHEN PROVIDING A SIDE-ENTRY GARAGE.
- MINIMUM 10' SEPARATION BETWEEN BUILDINGS ON ADJACENT LOTS.
- A MINIMUM 5' FRONT SETBACK MEASURED FROM PRIVATE ACCESS WAY TO LIVABLE, FACE OF GARAGE OR SIDE ENTRY GARAGE.
- THE MINIMUM LOT DEPTHS AND WIDTHS ON THE DETAILS ARE TYPICAL. THE MINIMUM DEPTHS AND WIDTHS ON SOME LOTS MAY BE LESS THAN TYPICAL, BUT THE MINIMUM AREA WILL BE MET.

LOT TABLE			
LOT NO.	AREA (SQ.FT)	AREA (ACRES)	
LOT : 1	2475	0.057	
LOT : 2	2595	0.060	
LOT : 3	2595	0.060	
LOT : 4	2475	0.057	
LOT : 5	2475	0.057	
LOT : 6	2595	0.060	
LOT : 7	2595	0.060	
LOT : 8	2475	0.057	
LOT : 9	2475	0.057	
LOT : 10	2595	0.060	
LOT : 11	2595	0.060	
LOT : 12	2475	0.057	
LOT : 13	2475	0.057	
LOT : 14	2595	0.060	
LOT : 15	2595	0.060	
LOT : 16	2475	0.057	
LOT : 17	2475	0.057	
LOT : 18	2595	0.060	
LOT : 19	2595	0.060	
LOT : 20	2475	0.057	
LOT : 21	2475	0.057	
LOT : 22	2595	0.060	

LOT TABLE			
LOT NO.	AREA (SQ.FT)	AREA (ACRES)	
LOT : 23	2820	0.065	
LOT : 24	2700	0.062	
LOT : 25	2475	0.057	
LOT : 26	2475	0.057	
LOT : 27	2595	0.060	
LOT : 28	2595	0.060	
LOT : 29	2475	0.057	
LOT : 30	2475	0.057	
LOT : 31	2475	0.057	
LOT : 32	2475	0.057	
LOT : 33	2595	0.060	
LOT : 34	2595	0.060	
LOT : 35	2475	0.057	
LOT : 36	2475	0.057	
LOT : 37	2475	0.057	
LOT : 38	2475	0.057	
LOT : 39	2595	0.060	
LOT : 40	2595	0.060	
LOT : 41	2475	0.057	
LOT : 42	2475	0.057	
LOT : 43	2475	0.057	
LOT : 44	2475	0.057	

LOT TABLE			
LOT NO.	AREA (SQ.FT)	AREA (ACRES)	
LOT : 45	2595	0.060	
LOT : 46	2595	0.060	
LOT : 47	2475	0.057	
LOT : 48	2475	0.057	
LOT : 49	2475	0.057	
LOT : 50	2595	0.060	
LOT : 51	2595	0.060	
LOT : 52	2475	0.057	
LOT : 53	2475	0.057	
LOT : 54	2595	0.060	
LOT : 55	2595	0.060	
LOT : 56	2475	0.057	
LOT : 57	2856	0.066	
LOT : 58	2575	0.059	
LOT : 59	2475	0.057	
LOT : 60	2475	0.057	
LOT : 61	2595	0.060	
LOT : 62	2475	0.057	
LOT : 63	2475	0.057	
LOT : 64	2475	0.057	
LOT : 65	2475	0.057	
LOT : 66	2595	0.060	

LOT TABLE			
LOT NO.	AREA (SQ.FT)	AREA (ACRES)	
LOT : 67	2595	0.060	
LOT : 68	2475	0.057	
LOT : 69	2475	0.057	
LOT : 70	2475	0.057	
LOT : 71	2475	0.057	
LOT : 72	2595	0.060	
LOT : 73	2595	0.060	
LOT : 74	2475	0.057	
LOT : 75	2475	0.057	
LOT : 76	2475	0.057	
LOT : 77	2595	0.060	
LOT : 78	2595	0.060	
LOT : 79	2475	0.057	
LOT : 80	2475	0.057	
LOT : 81	2595	0.060	
LOT : 82	2595	0.060	
LOT : 83	2475	0.057	
LOT : 84	2475	0.057	
LOT : 85	2475	0.057	
LOT : 86	2595	0.060	
LOT : 87	2595	0.060	
LOT : 88	2475	0.057	

LOT TABLE			
LOT NO.	AREA (SQ.FT)	AREA (ACRES)	
LOT : 89	2475	0.057	
LOT : 90	2700	0.062	
LOT : 91	2820	0.065	
LOT : 92	2595	0.060	
LOT : 93	2475	0.057	
LOT : 94	2475	0.057	
LOT : 95	2475	0.057	
LOT : 96	2595	0.060	
LOT : 97	2595	0.060	
LOT : 98	2475	0.057	
LOT : 99	2475	0.057	
LOT : 100	2475	0.057	
LOT : 101	2475	0.057	
LOT : 102	2595	0.060	
LOT : 103	2595	0.060	
LOT : 104	2475	0.057	
LOT : 105	2475	0.057	
LOT : 106	2475	0.057	
LOT : 107	2475	0.057	
LOT : 108	2595	0.060	
LOT : 109	2475	0.057	
LOT : 110	2475	0.057	

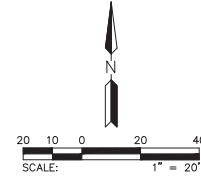
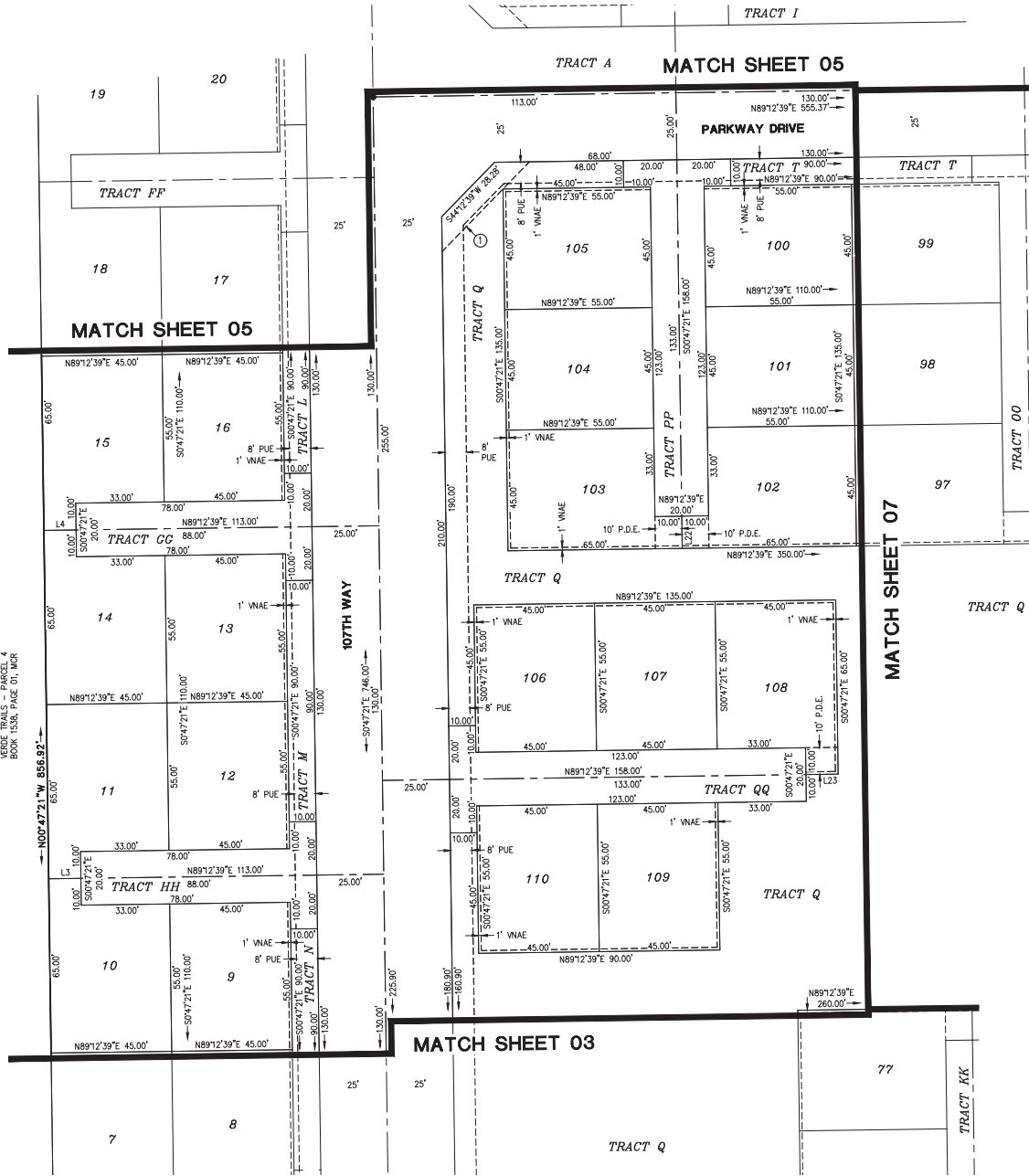
TRACT TABLE		
TRACT	AREA (ACRES)	USE
TRACT A	2.8631	PRIVATE ROADWAY, SIDEWALK, PUBLIC WATER AND SEWER EASEMENT & EMERGENCY ACCESS
TRACT B	0.9084	LANDSCAPE, DRAINAGE, & PUBLIC WATER EASEMENT
TRACT C	0.0207	LANDSCAPE
TRACT D	0.0207	LANDSCAPE
TRACT E	0.0207	LANDSCAPE
TRACT F	0.0207	LANDSCAPE
TRACT G	0.0207	LANDSCAPE
TRACT H	0.0207	LANDSCAPE
TRACT I	0.0207	LANDSCAPE
TRACT J	0.1190	LANDSCAPE
TRACT K	0.0207	LANDSCAPE
TRACT L	0.0207	LANDSCAPE
TRACT M	0.0207	LANDSCAPE
TRACT N	0.0207	LANDSCAPE
TRACT O	0.0207	LANDSCAPE
TRACT P	0.5024	LANDSCAPE & DRAINAGE
TRACT Q	1.3378	LANDSCAPE & DRAINAGE
TRACT R	0.0535	LANDSCAPE
TRACT S	0.0625	LANDSCAPE
TRACT T	0.0207	LANDSCAPE
TRACT U	0.0657	DRIVEWAY & PRIVATE UTILITIES
TRACT V	0.0657	DRIVEWAY & PRIVATE UTILITIES
TRACT W	0.0657	DRIVEWAY & PRIVATE UTILITIES
TRACT X	0.0288	DRIVEWAY & PRIVATE UTILITIES
TRACT Y	0.0450	DRIVEWAY & PRIVATE UTILITIES
TRACT Z	0.0450	DRIVEWAY & PRIVATE UTILITIES

TRACT TABLE		
TRACT	AREA (ACRES)	USE
TRACT AA	0.0657	DRIVEWAY & PRIVATE UTILITIES
TRACT BB	0.0657	DRIVEWAY & PRIVATE UTILITIES
TRACT CC	0.0657	DRIVEWAY & PRIVATE UTILITIES
TRACT DD	0.0657	DRIVEWAY & PRIVATE UTILITIES
TRACT EE	0.0450	DRIVEWAY & PRIVATE UTILITIES
TRACT FF	0.0450	DRIVEWAY & PRIVATE UTILITIES
TRACT GG	0.0450	DRIVEWAY & PRIVATE UTILITIES
TRACT HH	0.0450	DRIVEWAY & PRIVATE UTILITIES
TRACT II	0.0450	DRIVEWAY & PRIVATE UTILITIES
TRACT JJ	0.0450	DRIVEWAY & PRIVATE UTILITIES
TRACT KK	0.0510	DRIVEWAY & PRIVATE UTILITIES
TRACT LL	0.0510	DRIVEWAY & PRIVATE UTILITIES
TRACT MM	0.0657	DRIVEWAY & PRIVATE UTILITIES
TRACT NN	0.0522	DRIVEWAY & PRIVATE UTILITIES
TRACT OO	0.0657	DRIVEWAY & PRIVATE UTILITIES
TRACT PP	0.0657	DRIVEWAY & PRIVATE UTILITIES
TRACT QQ	0.0657	DRIVEWAY & PRIVATE UTILITIES

- COMMON AREAS MAY INCLUDE OPEN SPACE, LANDSCAPING, PEDESTRIAN PATHS AND/OR AMENITIES.
- THE USES SHOWN IN THE TRACT TABLE ABOVE DO NOT INTEND TO GRANT EASEMENTS THAT ARE BLANKET IN NATURE OVER THE ENTIRE TRACT.
- SPECIFIC EASEMENTS THAT ARE BEING DEDICATED AS PART OF THIS PLAN ARE FULLY DELINEATED ON THE FOLLOWING SHEETS.



VERDE TRAILS - PARCEL 4
BOOK 1538, PAGE 01, MCR



LEGEND

- FOUND MONUMENT AS NOTED
- FOUND BRASS CAP IN HAND HOLE
- FOUND BRASS CAP FLUSH
- SET BRASS CAP FLUSH PER MAG STD DTL 120-1 TYPE "B"
- SET 1/2" REBAR W/ CAP, RLS 19344 OR AS NOTED
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- RIGHT OF WAY
- PARCEL LINE
- EASEMENT LINE
- RIGHT-OF-WAY
- R/W PUBLIC UTILITY EASEMENT
- PUE SIDEWALK EASEMENT
- SWE SIGHT VISIBILITY TRIANGLE
- S.V.T. VEHICLE NON-ACCESS EASEMENT
- VNAE PRIVATE DRAINAGE EASEMENT
- MCR MARICOPA COUNTY RECORDS
- RLS REGISTERED LAND SURVEYOR
- APN ASSESSOR PARCEL NUMBER
- ① 33'X33' SIGHT VISIBILITY TRIANGLE

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L3	N89°12'39"E	12.00'
L4	N89°12'39"E	12.00'
L22	S00°47'21"E	12.00'
L23	N89°12'39"E	12.00'



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PROJ. NO.: 1377 STATUS:

DATE: JUL 2021

SCALE: AS SHOWN

DRAWN: JWD

APPROVED: KJP

DWG. NO.

FP04

SHT. 4 OF 8

VERDE TRAILS - PARCEL 6
SOUTHWEST CORNER OF 107TH AVENUE & BROADWAY ROAD
AVONDALE, ARIZONA

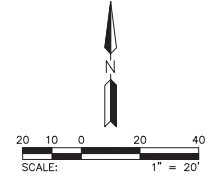
FINAL PLAT



VERDE TRAILS - PARCEL 4
BOOK 1538, PAGE 01, MCR

VERDE TRAILS - PARCEL 4
BOOK 1538, PAGE 01, MCR

MASTER PLAT
VERDE TRAILS UNIT 1, PHASE 1
PARCEL 5
BOOK 1452, PAGE 15, MCR



LEGEND

- FOUND MONUMENT AS NOTED
- FOUND BRASS CAP IN HAND HOLE
- SET BRASS CAP FLUSH
- MAG STD DTL 120-1 TYPE "B"
- SET 1/2" REBAR W/ CAP, RLS 19344 OR AS NOTED
- SECTION LINE
- CENTER LINE
- RIGHT OF WAY
- PARCEL LINE
- EASEMENT LINE
- RIGHT-OF-WAY
- PUBLIC UTILITY EASEMENT
- SIDEWALK EASEMENT
- SIGHT VISIBILITY TRIANGLE
- VEHICLE NON-ACCESS EASEMENT
- PRIVATE DRAINAGE EASEMENT
- MARICOPA COUNTY RECORDS
- REGISTERED LAND SURVEYOR
- APN
- ① ASSESSOR PARCEL NUMBER
- ① 33'X33' SIGHT VISIBILITY TRIANGLE

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L5	N89°12'39"E	12.00'
L6	N89°12'39"E	12.00'
L7	S00°47'21"E	12.00'
L8	S00°47'21"E	12.00'



PROJ. NO.: 1377 STATUS:

DATE: JUL 2021
SCALE: AS SHOWN
DRAWN: JWD
APPROVED: KJP

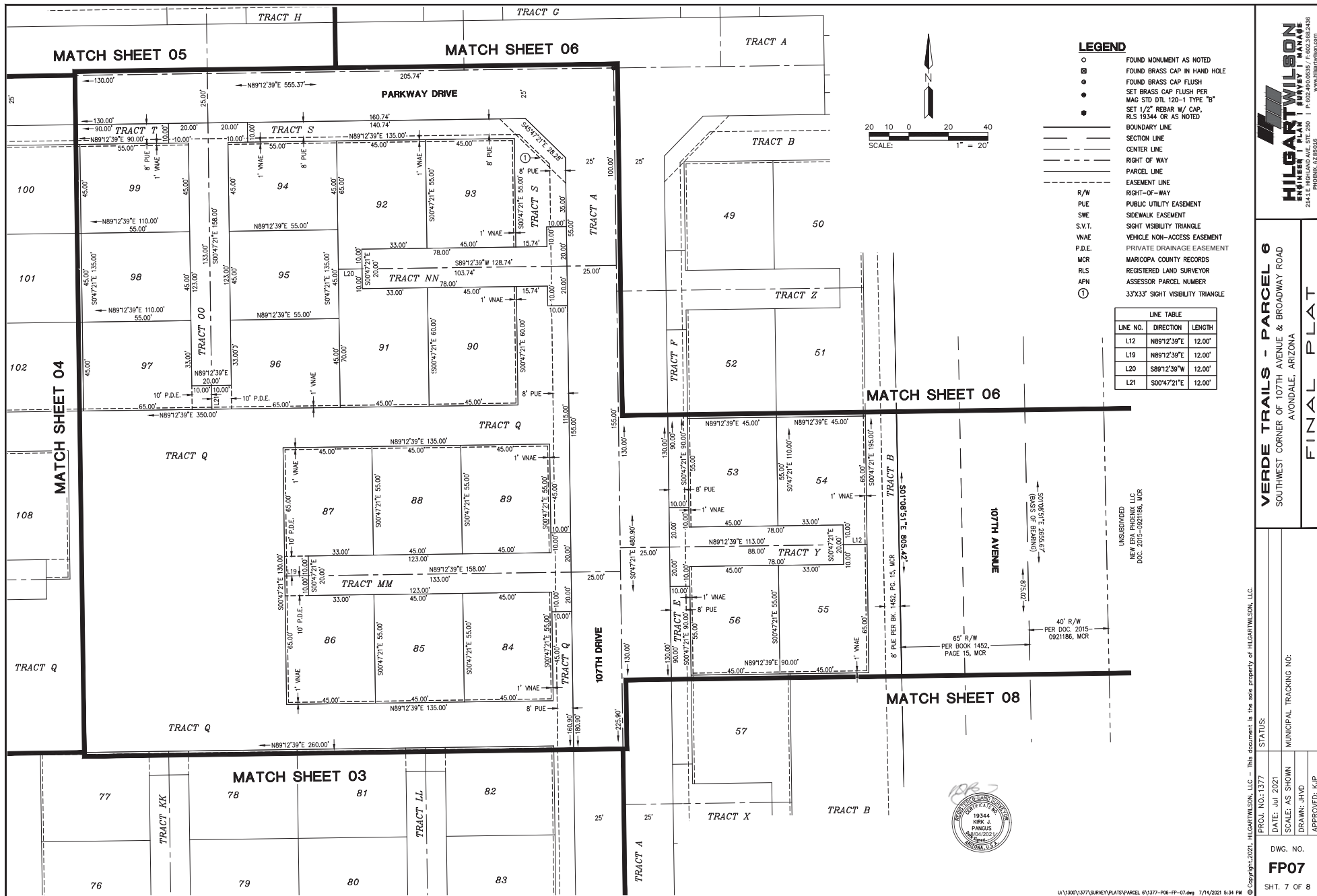
DWG. NO.
FP05

SHT. 5 OF 8

VERDE TRAILS - PARCEL 6
SOUTHWEST CORNER OF 10TH AVENUE & BROADWAY ROAD
AVONDALE, ARIZONA

FINAL PLAT

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LEGEND

- FOUND MONUMENT AS NOTED
- FOUND BRASS CAP IN HAND HOLE
- FOUND BRASS CAP FLUSH
- SET BRASS CAP FLUSH PER MAG STD DTL 120-1 TYPE "B"
- SET 1/2" REBAR W/ CAP, RLS 19344 OR AS NOTED
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- RIGHT OF WAY
- PARCEL LINE
- EASEMENT LINE
- RIGHT-OF-WAY
- PUBLIC UTILITY EASEMENT
- SIDEWALK EASEMENT
- S.V.T. SIGHT VISIBILITY TRIANGLE
- VEHICLE NON-ACCESS EASEMENT
- PRIVATE DRAINAGE EASEMENT
- MARICOPA COUNTY RECORDS
- REGISTERED LAND SURVEYOR
- ASSESSOR PARCEL NUMBER
- ① 33'X33' SIGHT VISIBILITY TRIANGLE

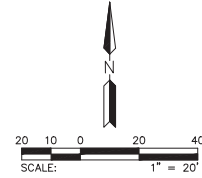
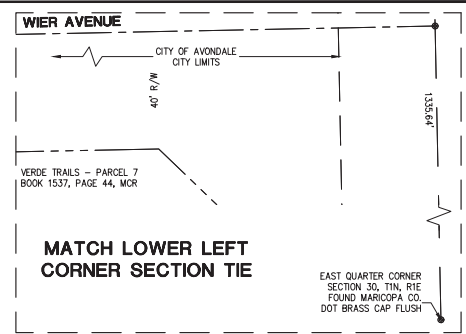
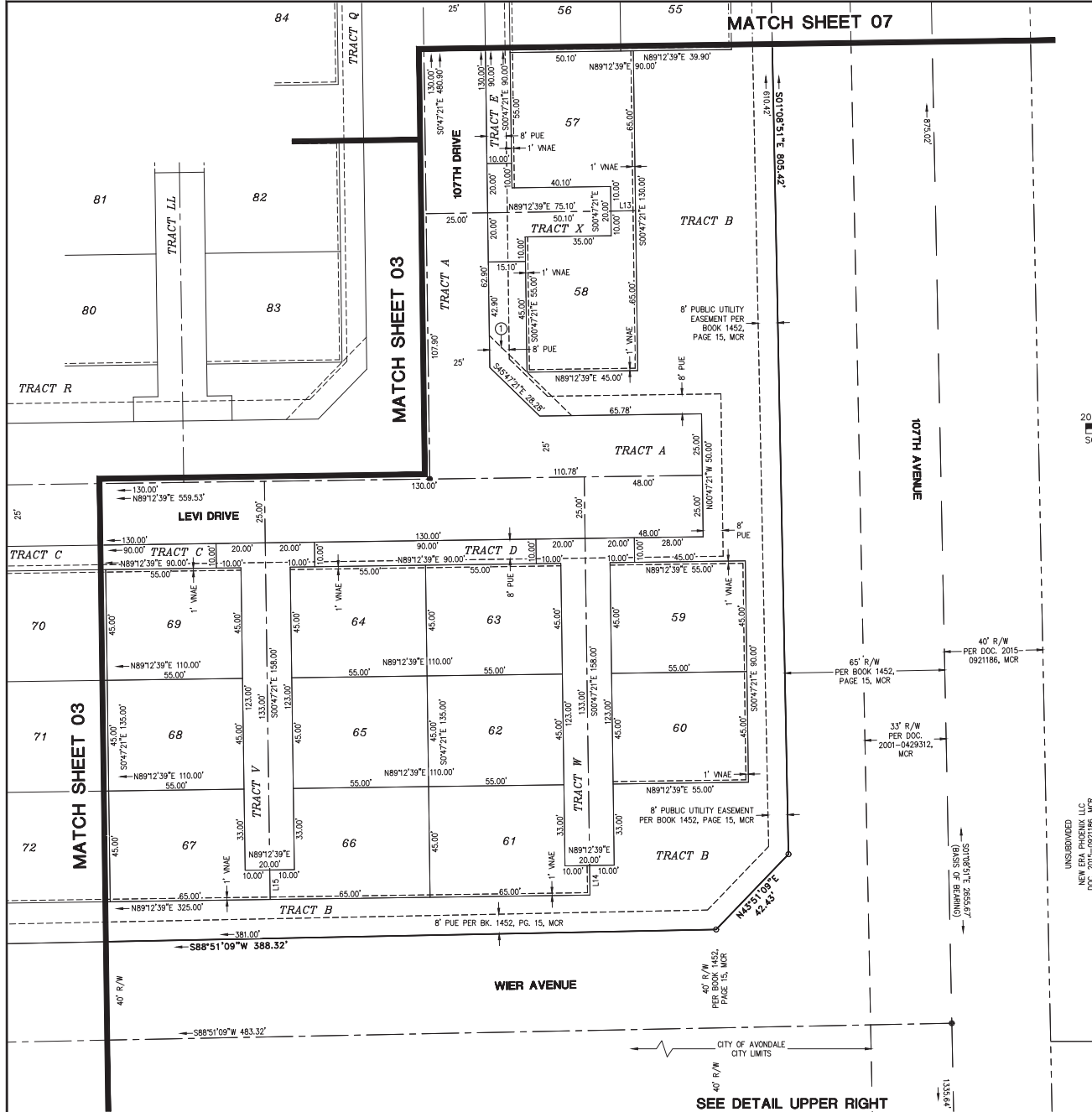
LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L12	N89°12'39"E	12.00'
L19	N89°12'39"E	12.00'
L20	S89°12'39"W	12.00'
L21	S00°47'21"E	12.00'

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VERDE TRAILS - PARCEL 9
SOUTHWEST CORNER OF 107TH AVENUE & BROADWAY ROAD
AVONDALE, ARIZONA

PROJECT NO.: 1377
DATE: JUL 2021
SCALE: AS SHOWN
DRAWN: JWD
APPROVED: KJP

DWG. NO.
FP07
SHT. 7 OF 8



LEGEND

- FOUND MONUMENT AS NOTED
- FOUND BRASS CAP IN HAND HOLE
- FOUND BRASS CAP FLUSH
- SET BRASS CAP FLUSH PER MAG. STD. DTL. 120-1 TYPE "B"
- SET 1/2" REBAR W/ CAP, RLS 19344 OR AS NOTED
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- RIGHT OF WAY
- PARCEL LINE
- EASEMENT LINE
- RIGHT-OF-WAY
- PUBLIC UTILITY EASEMENT
- SIDEWALK EASEMENT
- SIGHT VISIBILITY TRIANGLE
- SIGHT VISIBILITY TRIANGLE
- PRIVATE DRAINAGE EASEMENT
- MARICOPA COUNTY RECORDS
- REGISTERED LAND SURVEYOR
- ASSESSOR PARCEL NUMBER
- ① 33'X33' SIGHT VISIBILITY TRIANGLE

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L13	N89°12'39"E	10.00'
L14	S00°47'21"E	12.00'
L15	S00°47'21"E	12.00'

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NEW ERA PHOENIX, LLC
DOC. 2015-0921186, MCR



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VERDE TRAILS - PARCEL 6
SOUTHWEST CORNER OF 107TH AVENUE & BROADWAY ROAD
AVONDALE, ARIZONA
FINAL PLAT

PROJ. NO.: 1377 STATUS:
DATE: JUL 2021 MUNICIPAL TRACKING NO:
SCALE: AS SHOWN
DRAWN: JWD
APPROVED: KJP

DWG. NO.
FP08
SHT. 8 OF 8

CITY COUNCIL REPORT

SUBJECT: Resolutions 1077-1021 and 1078-1021 – Maintenance Improvement District No. 25 for Del Rio Ranch III Phase 2

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include housing that is affordable to workers and close to their jobs.
-

PURPOSE:

City Council will consider a request to approve the Petition for Formation, adopt Resolution 1077-1021, declaring its intention to form the City of Avondale Maintenance Improvement District No. 25, Del Rio Ranch III Phase 2, providing for the assessment, and adopt Resolution 1078-1021, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency, and authorize the Mayor, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Under provisions of the City Code and Zoning Ordinance, developers are responsible for landscaping development projects prior to issuance of a Certificate of Occupancy. In particular, subdivisions are required to provide landscaping along certain arterial and collector streets and in other locations as provided in the zoning requirements, approval conditions, engineering requests or subdivision requirements. In addition, developers are often required to provide paths, trails, and other usable amenities in common open space areas within a community.

The purpose of the Maintenance Improvement District (MID) is to provide for the operations, maintenance, repair and improvements to landscaping and open space adjacent to designated public roadways and parkways within the proposed district, as well as drainage and retention within each proposed district in the event a Homeowner's Association fails. Until such time as the Homeowner's Association fails, and the Council directs City Staff to assume maintenance responsibility, a line item of \$0.00 will display on the homeowners' property tax bills. Pursuant to the provision of A.R.S. 48-574, et. seq., the Mayor and Council are empowered to adopt a Resolution ordering the formation of a Maintenance Improvement District.

A Resolution of Intention for formation of City of Avondale Maintenance Improvement District No. 25, Del Rio Ranch III Phase 2, southwest corner of Durango Street and 125th Avenue, is attached. In the case in which all of the property owners have consented to MID formation, the ordinary publication and protest period are not required by law; the 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. In accordance with State statute, an assessment diagram and map, listing each parcel of property within the district has been prepared.

PUBLIC PARTICIPATION:

Public notification is not required for MID applications.

PLANNING COMMISSION ACTION:

The Planning Commission does not review MID applications.

ANALYSIS:

The acceptance of this Maintenance Improvement District will allow any additional charges associated with the maintenance responsibilities, should the Homeowner's Association fail, to be assessed on the property tax bill for the properties located within the District.

The Maintenance Improvement District has been approved through the Development and Engineering Services Department, which recommends that City Council formally approve the Maintenance Improvement District to allow for the taxing district to be recorded and in place in the event the Homeowner's Association fails.

It should be noted that not approving the Maintenance Improvement District will prevent any charges from being assessed on the property tax bills for those properties located within the District in the event that the Homeowner's Association fails.

DISCUSSION:

The proposed MID has been reviewed by the City Attorney and is in conformance with the City of Avondale's Subdivision Regulations and State statute governing Maintenance Improvement District formation.

BUDGET IMPACT:

There is no direct budgetary impact to the City to approve the Maintenance Improvement District. However, the City would incur the additional charges associated with the maintenance responsibilities should the taxing district not be approved and recorded, and the Homeowner's Association fails.

RECOMMENDATION:

Staff recommends Council **ADOPT** a Resolution declaring its intention to create and adopt plans for the City of Avondale Maintenance Improvement District No. 25, Del Rio Ranch III Phase 2, providing for the assessment, and a second Resolution declaring its intention to order the improvements within the newly established Maintenance Improvement District, providing for the assessment and declaring an emergency, subject to the following conditions: 1. The final plat for the subdivision must be approved by City Council and recorded with the Maricopa County Recorder's Office prior to recordation of the Maintenance Improvement District; and 2. The developer must provide a fully executed Petition, Waiver and Consent to Formation of a Municipal Improvement District.

PROPOSED MOTION:

I move that City Council **ADOPT** the necessary resolutions approving City of Avondale Maintenance Improvement District No. 25, Del Rio Ranch III Phase 2, subject to two (2) recommended conditions of approval as listed in the staff report.

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

**Maintenance Improvement District No. 25
(DEL RIO RANCH III PHASE II)**

To: Honorable Mayor and Council
City of Avondale, Arizona

Pursuant to ARIZ. REV. STAT. § 48-574(C), the undersigned property owners respectfully petition the Council of the City of Avondale, Arizona (the “City Council”) to order the formation of a Municipal Improvement District (the “District”) under ARIZ. REV. STAT. § 48-574, *et seq.* In support of this petition, the undersigned agree to waive certain rights under Arizona Law and to consent to the formation and completion of the District.

1. Area of District. The proposed District is described by a diagram and by a legal description on Exhibit A, attached hereto and incorporated herein by reference. The proposed District consists of $\pm$ 43.9329 acres and is entirely within the corporate boundaries of the City of Avondale.
2. Ownership. The undersigned is the sole owner 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 landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways 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, drainage and retention facilities and hardscape adjacent to designated public roadways 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 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. All protest rights whatsoever under ARIZ. REV. STAT. §§ 48-579(A) and (B), as amended.
 - c. 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. The Engineer's Estimate of the costs and expenses of the improvements are attached as part of Exhibit A.

IN WITNESS WHEREOF, the parties have executed this Petition and Waiver Agreement as of _____, 2021.

"Property Owner"

DC ONE HOLDINGS, INC,
an Arizona corporation

By: _____
Donald Switzenberg, President

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On, _____ 2021, before me personally appeared Donald Switzenberg, the President of DC ONE HOLDINGS, INC, an Arizona corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document on behalf of the corporation.

Notary Public

(Affix notary seal here)

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

ACCEPTED AND APPROVED BY:

“City”

CITY OF AVONDALE,
an Arizona municipal corporation

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On _____, 2021, before me personally appeared Kenneth N. Weise, the Mayor of the CITY OF AVONDALE, an Arizona municipal corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document, on behalf of the City of Avondale.

Notary Public

(Affix notary seal here)

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

**Maintenance Improvement District No. 25
(Del Rio Ranch III Phase II)**

[Legal Description, Assessment Diagram and Engineer's Estimate]

(See following pages.)

EXHIBIT "A"
MAINTENANCE IMPROVEMENT DISTRICT LEGAL DESCRIPTION &
EXHIBIT MAP FOR DEL RIO RANCH III

A PORTION OF LAND LOCATED IN EAST HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, BEARS SOUTH 89 DEGREES 06 MINUTES 56 SECONDS EAST, 2595.86 FEET;

THENCE NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 14, 778.88 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID NORTH-SOUTH MID-SECTION LINE, NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, 1343.82 FEET;

THENCE DEPARTING SAID NORTH-SOUTH MID-SECTION LINE, SOUTH 87 DEGREES 19 MINUTES 30 SECONDS EAST, 393.12 FEET;

THENCE NORTH 02 DEGREES 06 MINUTES 36 SECONDS EAST, 159.01 FEET;

THENCE SOUTH 87 DEGREES 13 MINUTES 12 SECONDS EAST, 184.11 FEET;

THENCE SOUTH 02 DEGREES 46 MINUTES 48 SECONDS WEST, 16.72 FEET;

THENCE SOUTH 87 DEGREES 13 MINUTES 12 SECONDS EAST, 168.19 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 605.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 40 DEGREES 40 MINUTES 53 SECONDS, AN ARC LENGTH OF 429.57 FEET;

THENCE NORTH 37 DEGREE 54 MINUTES 05 SECONDS WEST, 105.00 FEET;

THENCE NORTH 82 DEGREES 27 MINUTES 30 SECONDS WEST, 21.38 FEET;

THENCE NORTH 37 DEGREE 54 MINUTES 05 SECONDS WEST, 50.03 FEET;

THENCE NORTH 07 DEGREES 35 MINUTES 33 SECONDS EAST, 21.03 FEET;

THENCE NORTH 37 DEGREE 54 MINUTES 05 SECONDS WEST, 124.64 FEET;

THENCE NORTH 52 DEGREES 05 MINUTES 55 SECONDS EAST, 50.00 FEET;

THENCE SOUTH 82 DEGREE 54 MINUTES 05 SECONDS EAST, 21.21 FEET;

THENCE NORTH 52 DEGREES 05 MINUTES 55 SECONDS EAST, 43.93 FEET TO THE EAST-WEST MID-SECTION LINE OF SAID SECTION 14;
THENCE CONTINUING NORTH 52 DEGREES 05 MINUTES 55 SECONDS EAST, 12.03 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 425.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 01 DEGREES 40 MINUTES 32 SECONDS, AN ARC LENGTH OF 12.43 FEET;

THENCE NORTH 53 DEGREES 46 MINUTES 27 SECONDS EAST, 45.86 FEET;

THENCE NORTH 07 DEGREES 56 MINUTES 11 SECONDS EAST, 20.90 FEET;

THENCE NORTH 52 DEGREE 05 MINUTES 55 SECONDS EAST, 50.00 FEET;

THENCE SOUTH 37 DEGREES 54 MINUTES 05 SECONDS EAST, 122.47 FEET TO SAID EAST-WEST MID-SECTION LINE;

THENCE CONTINUING SOUTH 37 DEGREES 54 MINUTES 05 SECONDS EAST, 57.60 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 192.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 20 DEGREES 45 MINUTES 43 SECONDS, AN ARC LENGTH OF 69.57 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 108.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 16 DEGREES 06 MINUTES 13 SECONDS, AN ARC LENGTH OF 30.35 FEET;

THENCE SOUTH 42 DEGREE 33 MINUTES 35 SECONDS EAST, 91.67 FEET;

THENCE SOUTH 86 DEGREES 27 MINUTES 11 SECONDS EAST, 9.96 FEET;

THENCE SOUTH 42 DEGREE 18 MINUTES 34 SECONDS WEST, 80.24 FEET;

THENCE SOUTH 03 DEGREES 57 MINUTES 55 SECONDS WEST, 35.05 FEET;

THENCE SOUTH 36 DEGREES 44 MINUTES 52 SECONDS EAST, 60.13 FEET;

THENCE SOUTH 49 DEGREE 27 MINUTES 44 SECONDS WEST, 64.55 FEET;

THENCE SOUTH 40 DEGREES 32 MINUTES 16 SECONDS EAST, 120.00 FEET;

THENCE SOUTH 49 DEGREES 27 MINUTES 44 SECONDS WEST, 110.30 FEET;

THENCE SOUTH 57 DEGREE 21 MINUTES 03 SECONDS WEST, 120.14 FEET;

THENCE SOUTH 63 DEGREES 14 MINUTES 33 SECONDS WEST, 119.84 FEET;

THENCE SOUTH 70 DEGREES 54 MINUTES 10 SECONDS WEST, 119.84 FEET;

THENCE SOUTH 78 DEGREES 33 MINUTES 46 SECONDS WEST, 119.84 FEET;

THENCE SOUTH 86 DEGREE 13 MINUTES 23 SECONDS WEST, 78.64 FEET;

THENCE SOUTH 01 DEGREES 48 MINUTES 43 SECONDS WEST, 70.65 FEET;

THENCE SOUTH 88 DEGREES 11 MINUTES 17 SECONDS EAST, 199.00 FEET;

THENCE SOUTH 01 DEGREES 48 MINUTES 43 SECONDS WEST, 106.22 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 09 DEGREES 15 MINUTES 14 SECONDS WEST, 42.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06 DEGREES 41 MINUTES 13 SECONDS, AN ARC LENGTH OF 4.90 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 63.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 86 DEGREES 03 MINUTES 53 SECONDS, AN ARC LENGTH OF 94.63 FEET;

THENCE NORTH 89 DEGREES 38 MINUTES 34 SECONDS EAST, 110.62 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 26 SECONDS EAST, 48.00 FEET;

THENCE SOUTH 05 DEGREES 35 MINUTES 22 SECONDS WEST, 48.26 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 26 SECONDS EAST, 290.33 FEET;

THENCE NORTH 89 DEGREES 38 MINUTES 34 SECONDS EAST, 35.00 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 26 SECONDS EAST, 60.00 FEET;

THENCE SOUTH 45 DEGREES 21 MINUTES 26 SECONDS EAST, 35.36 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 26 SECONDS EAST, 574.54 FEET;

THENCE SOUTH 45 DEGREES 17 MINUTES 11 SECONDS WEST, 34.96 FEET;

THENCE NORTH 89 DEGREES 04 MINUTES 13 SECONDS WEST, 398.24 FEET;

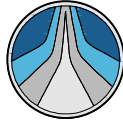
THENCE NORTH 00 DEGREES 54 MINUTES 37 SECONDS EAST, 67.08 FEET;

THENCE NORTH 88 DEGREES 11 MINUTES 17 SECONDS WEST, 737.37 FEET;

THENCE NORTH 65 DEGREES 46 MINUTES 17 SECONDS WEST, 80.83 FEET;

THENCE SOUTH 89 DEGREES 58 MINUTES 43 SECONDS WEST, 25.43 FEET TO SAID NORTH-SOUTH MID-SECTION LINE AND TO THE **POINT OF BEGINNING**;

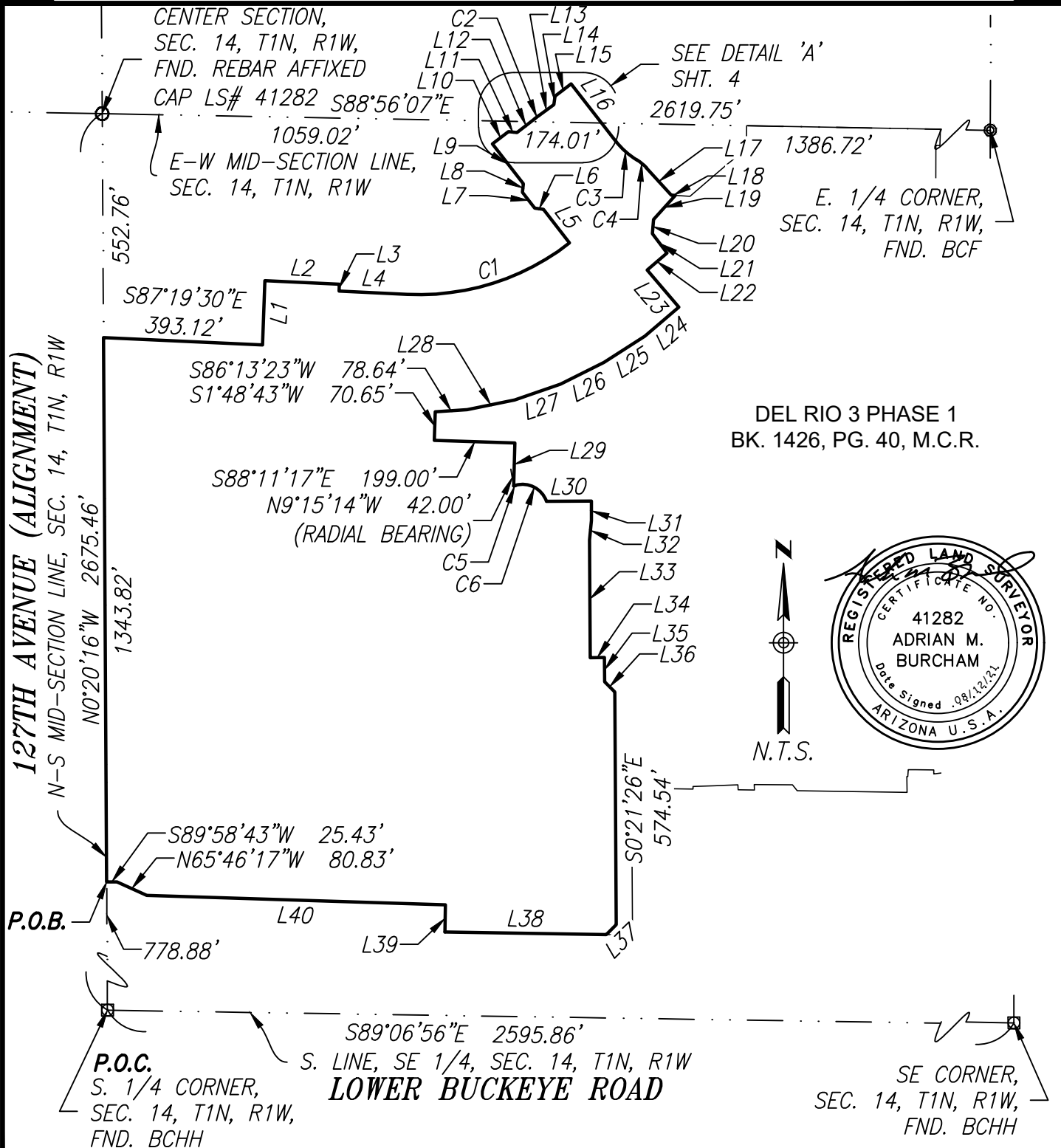
SAID PARCEL CONTAINS 1,913,716 SQUARE FEET OR 43.9329 ACRES, MORE OR LESS.



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MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

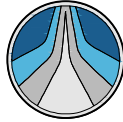
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Project Eng.

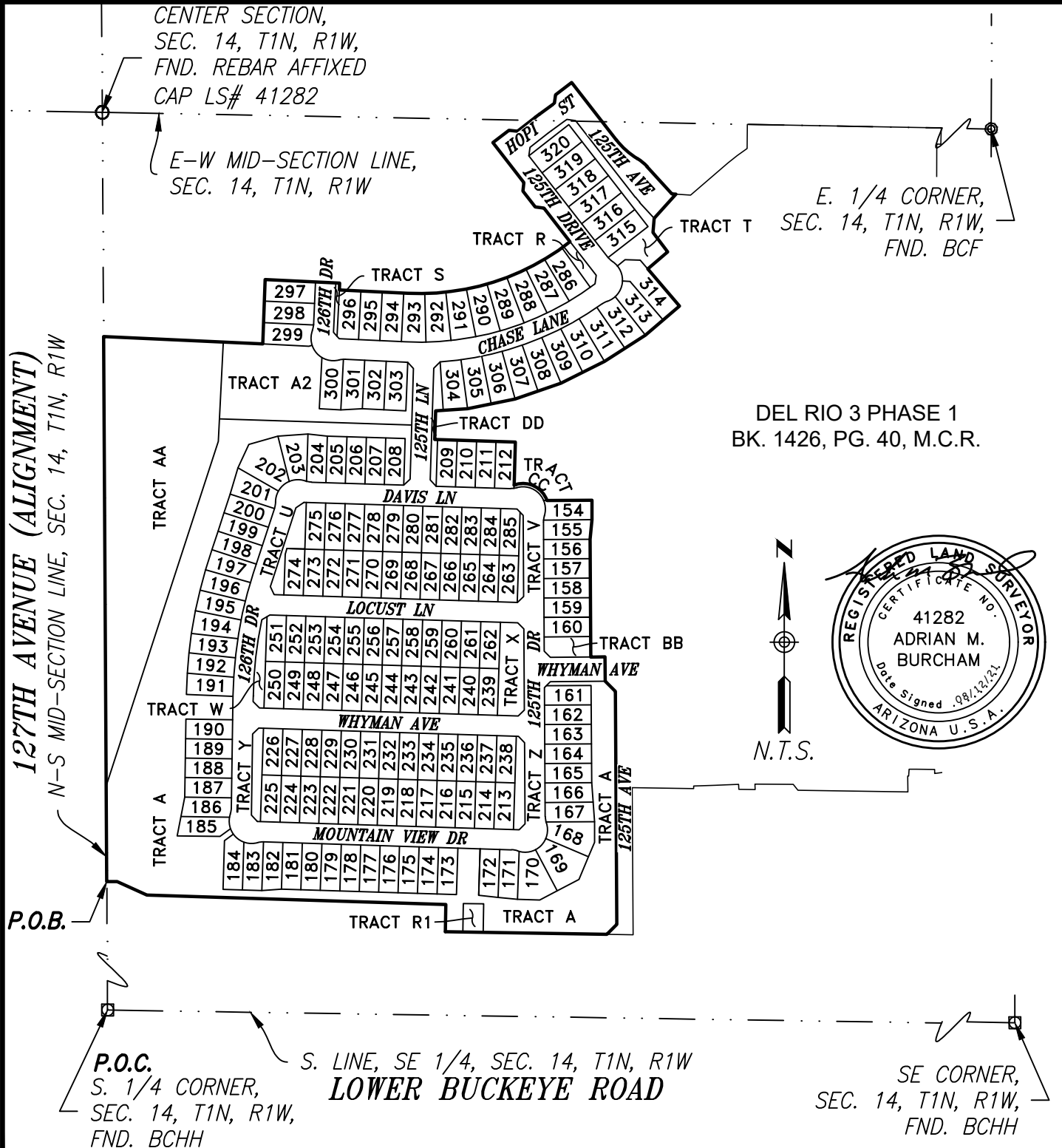
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MAINTENANCE IMPROVEMENT DISTRICT
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Project Eng.

Sht: 2 of 9



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LINE TABLE		
LINE #	BEARING	LENGTH
L1	N2°06'36"E	159.01'
L2	S87°13'12"E	184.11'
L3	S2°46'48"W	16.72'
L4	S87°13'12"E	168.19'
L5	N37°54'05"W	105.00'
L6	N82°27'30"W	21.38'
L7	N37°54'05"W	50.03'
L8	N7°35'33"E	21.03'
L9	N37°54'05"W	124.64'
L10	N52°05'55"E	50.00'
L11	S82°54'05"E	21.21'
L12	N52°05'55"E	55.97'
L13	N53°46'27"E	45.86'
L14	N7°56'11"E	20.90'
L15	N52°05'55"E	50.00'
L16	S37°54'05"E	180.07'
L17	S42°33'35"E	91.67'
L18	S86°27'11"E	9.96'
L19	S42°18'34"W	80.24'
L20	S3°57'55"W	35.05'



LINE TABLE		
LINE #	BEARING	LENGTH
L21	S36°44'52"E	60.13'
L22	S49°27'44"W	64.55'
L23	S40°32'16"E	120.00'
L24	S49°27'44"W	110.30'
L25	S57°21'03"W	120.14'
L26	S63°14'33"W	119.84'
L27	S70°54'10"W	119.84'
L28	S78°33'46"W	119.84'
L29	S1°48'43"W	106.22'
L30	N89°38'34"E	110.62'
L31	S0°21'26"E	48.00'
L32	S5°35'22"W	48.26'
L33	S0°21'26"E	290.33'
L34	N89°38'34"E	35.00'
L35	S0°21'26"E	60.00'
L36	S45°21'26"E	35.36'
L37	S45°17'11"W	34.96'
L38	N89°04'13"W	398.24'
L39	N0°54'37"E	67.08'
L40	N88°11'17"W	737.37'

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
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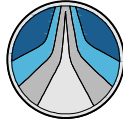
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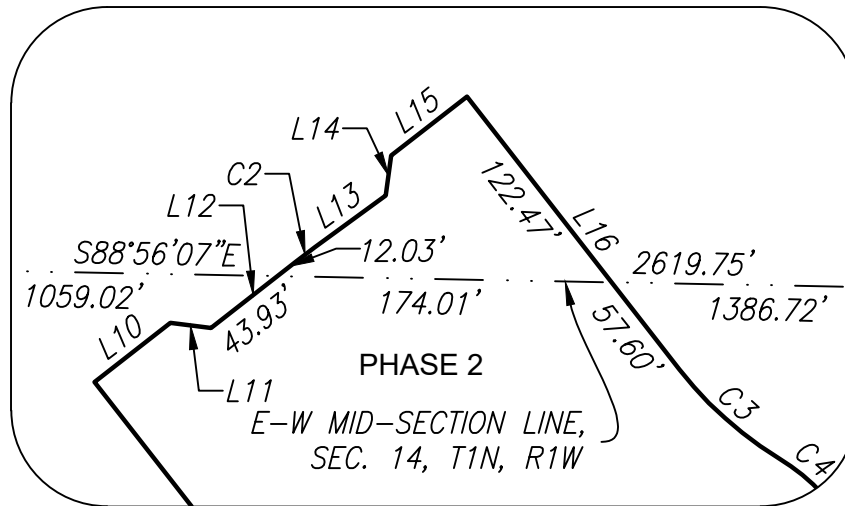
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DETAIL 'A'

NTS

CURVE TABLE				
CURVE #	DELTA	RADIUS	LENGTH	CHORD
C1	40°40'53"	605.00'	429.57'	N72°26'21"E 420.60'
C2	1°40'32"	425.00'	12.43'	N52°56'11"E 12.43'
C3	20°45'43"	192.00'	69.57'	S48°16'57"E 69.19'
C4	16°06'13"	108.00'	30.35'	S50°36'42"E 30.25'
C5	6°41'13"	42.00'	4.90'	N77°24'10"E 4.90'
C6	86°03'53"	63.00'	94.63'	S62°54'31"E 85.98'

NOTE:

THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAYS AND PARKWAYS WITHIN THE DISTRICT.

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
08/12/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 4 of 9



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TRACT TABLE

TRACT	SQUARE FEET	ACRES	USAGE
A	267144.00	6.1328	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT / MULTI-USE TRAIL
AA	192201.00	4.4123	FLOODWAY FLOWAGE EASEMENT / AGUA FRIA RIVER CORRIDOR / MULTI-USE TRAIL
A2	55049.00	1.2638	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT / MULTI-USE TRAIL
BB	5676.00	0.1303	LANDSCAPE / PUBLIC UTILITY EASEMENT
CC	747.00	0.0171	LANDSCAPE / PUBLIC UTILITY EASEMENT
DD	4570.00	0.1049	LANDSCAPE / PUBLIC UTILITY EASEMENT
R	3140.00	0.0721	LANDSCAPE / PUBLIC UTILITY EASEMENT
R1	3500.00	0.0803	LIFT STATION
S	1205.00	0.0277	LANDSCAPE / PUBLIC UTILITY EASEMENT
T	15716.00	0.3608	LANDSCAPE / PUBLIC UTILITY EASEMENT / PRIVATE IRRIGATION EASEMENT
U	6723.00	0.1543	LANDSCAPE / PUBLIC UTILITY EASEMENT
V	2418.00	0.0555	LANDSCAPE / PUBLIC UTILITY EASEMENT
W	5041.00	0.1157	LANDSCAPE / PUBLIC UTILITY EASEMENT
X	14036.00	0.3222	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
Y	5398.00	0.1239	LANDSCAPE / PUBLIC UTILITY EASEMENT
Z	5402.00	0.1240	LANDSCAPE / PUBLIC UTILITY EASEMENT
TOTAL	587966.00	13.4978	



MAINTENANCE IMPROVEMENT DISTRICT
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FOR DEL RIO RANCH III – PHASE 2
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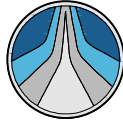
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Sht: 5 of 9



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LOT TABLE

LOT #	SQUARE FEET	ACRES
154	5603.00	0.1286
155	5640.00	0.1295
156	5520.00	0.1267
157	5520.00	0.1267
158	5520.00	0.1267
159	5520.00	0.1267
160	5520.00	0.1267
161	5507.00	0.1264
162	5520.00	0.1267
163	5520.00	0.1267
164	5520.00	0.1267
165	5520.00	0.1267
166	5599.00	0.1285
167	5750.00	0.1320
168	7666.00	0.1760
169	9279.00	0.2130
170	8453.00	0.1941
171	5741.00	0.1318
172	5601.00	0.1286
173	5520.00	0.1267
174	5520.00	0.1267
175	5520.00	0.1267
176	5520.00	0.1267
177	5520.00	0.1267
178	5520.00	0.1267
179	5520.00	0.1267
180	5520.00	0.1267



LOT TABLE

LOT #	SQUARE FEET	ACRES
181	5520.00	0.1267
182	5640.00	0.1295
183	5610.00	0.1288
184	6065.00	0.1392
185	5767.00	0.1324
186	5694.00	0.1307
187	5520.00	0.1267
188	5520.00	0.1267
189	5520.00	0.1267
190	5520.00	0.1267
191	5714.00	0.1312
192	5637.00	0.1294
193	5515.00	0.1266
194	5956.00	0.1367
195	5703.00	0.1309
196	5701.00	0.1309
197	5723.00	0.1314
198	5520.00	0.1267
199	5520.00	0.1267
200	5520.00	0.1267
201	6296.00	0.1445
202	10240.00	0.2351
203	6634.00	0.1523
204	5599.00	0.1285
205	5520.00	0.1267
206	5520.00	0.1267
207	5520.00	0.1267

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
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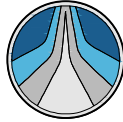
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Sht: 6 of 9



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
208	5520.00	0.1267
209	5520.00	0.1267
210	5520.00	0.1267
211	5520.00	0.1267
212	5518.00	0.1267
213	5520.00	0.1267
214	5520.00	0.1267
215	5520.00	0.1267
216	5520.00	0.1267
217	5520.00	0.1267
218	5520.00	0.1267
219	5520.00	0.1267
220	5520.00	0.1267
221	5520.00	0.1267
222	5520.00	0.1267
223	5520.00	0.1267
224	5520.00	0.1267
225	5520.00	0.1267
226	5520.00	0.1267
227	5520.00	0.1267
228	5520.00	0.1267
229	5520.00	0.1267
230	5520.00	0.1267
231	5520.00	0.1267
232	5520.00	0.1267
233	5520.00	0.1267
234	5520.00	0.1267



LOT TABLE		
LOT #	SQUARE FEET	ACRES
235	5520.00	0.1267
236	5520.00	0.1267
237	5520.00	0.1267
238	5520.00	0.1267
239	5520.00	0.1267
240	5520.00	0.1267
241	5520.00	0.1267
242	5520.00	0.1267
243	5520.00	0.1267
244	5520.00	0.1267
245	5520.00	0.1267
246	5520.00	0.1267
247	5520.00	0.1267
248	5520.00	0.1267
249	5520.00	0.1267
250	5533.00	0.1270
251	5505.00	0.1264
252	5520.00	0.1267
253	5520.00	0.1267
254	5520.00	0.1267
255	5520.00	0.1267
256	5520.00	0.1267
257	5520.00	0.1267
258	5520.00	0.1267
259	5520.00	0.1267
260	5520.00	0.1267
261	5520.00	0.1267

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
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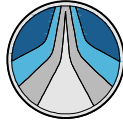
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Project Eng.

Sht: 7 of 9



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
262	5520.00	0.1267
263	5520.00	0.1267
264	5520.00	0.1267
265	5520.00	0.1267
266	5520.00	0.1267
267	5520.00	0.1267
268	5520.00	0.1267
269	5520.00	0.1267
270	5520.00	0.1267
271	5520.00	0.1267
272	5520.00	0.1267
273	5520.00	0.1267
274	5490.00	0.1260
275	5520.00	0.1267
276	5520.00	0.1267
277	5520.00	0.1267
278	5520.00	0.1267
279	5520.00	0.1267
280	5520.00	0.1267
281	5520.00	0.1267
282	5520.00	0.1267
283	5520.00	0.1267
284	5520.00	0.1267
285	5489.00	0.1260
286	6824.00	0.1567
287	6824.00	0.1567
288	6824.00	0.1567



LOT TABLE		
LOT #	SQUARE FEET	ACRES
289	6824.00	0.1567
290	6824.00	0.1567
291	6824.00	0.1567
292	6824.00	0.1567
293	6742.00	0.1548
294	6360.00	0.1460
295	6360.00	0.1460
296	6345.00	0.1457
297	6579.00	0.1510
298	6543.00	0.1502
299	6347.00	0.1457
300	6468.00	0.1485
301	6492.00	0.1490
302	6360.00	0.1460
303	6416.00	0.1473
304	6738.00	0.1547
305	6738.00	0.1547
306	6738.00	0.1547
307	6738.00	0.1547
308	6738.00	0.1547
309	6738.00	0.1547
310	6738.00	0.1547
311	6793.00	0.1559
312	6798.00	0.1561
313	7007.00	0.1609
314	9129.00	0.2096
315	6625.00	0.1521

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
08/12/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 8 of 9



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Mesa, AZ 85210
Ph: 480.892.3313

LOT TABLE		
LOT #	SQUARE FEET	ACRES
316	6625.00	0.1521
317	6625.00	0.1521
318	6625.00	0.1521
319	6625.00	0.1521
320	6625.00	0.1521
TOTAL	982811.00	22.5622

EASEMENT	
PUBLIC UTILITY EASEMENT	FLOODWAY FLOWAGE EASEMENT
VEHICAL NON ACCESS EASEMENT	PUBLIC TRAIL EASEMENT
SIGHT VISIBILITY TRIANGLE	PRIVATE IRRIGATION EASEMENT
SEWER EASEMENT	

RIGHT-OF-WAY			
USAGE	SQUARE FEET	ACRES	STREET NAME
RIGHT-OF-WAY	342927.00	7.8725	125TH AVENUE / 125TH DRIVE / 125TH LANE / 126TH DRIVE / HOPI STREET / CHASE LANE / DAVIS LANE / LOCUST LANE / WHYMAN AVENUE / MOUNTAIN VIEW DRIVE
TOTAL	342927.00	7.8725	



MAINTENANCE IMPROVEMENT DISTRICT
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Date
08/12/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 9 of 9

CITY OF AVONDALE

MAINTENANCE IMPROVEMENT DISTRICT NO. 25

"Del Rio III – Phase 2" Tracts A, AA, A2, BB, CC, DD, R, R1, S, T through Z.

ENGINEER'S ESTIMATE

In compliance with the provisions of A.R.S. Title 48, Chapter 4, Article 2, Section §48-574, and all amendments and supplements thereto, we hereby estimate the costs and expenses of said improvement to be as follows:

AREA

- Right-of-Way: 7.87 Ac
- Tract Area: 13.50 Ac

ANNUAL MAINTENANCE FEE

- Right of Way
7.87 Ac x \$2,000/Ac = \$15,740.00
- Tract Area
13.50 Ac. x \$10,500/Ac = \$141,750.00
\$157,490.00

ANNUAL ADMINISTRATIVE FEE

(\$157,490.00) X 5% = \$7,874.50

TOTAL ANNUAL COST

\$157,490.00 + \$7,874.50 = \$165,364.50

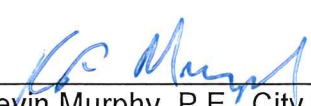
TOTAL COST PER MONTH

\$165,364.50/12 months = \$13,780.38



Dated: August 13, 2021

CITY OF AVONDALE
DEVELOPMENT & ENGINEERING SERVICES
ENGINEERING DIVISION


By: Kevin Murphy, P.E., City Engineer

RESOLUTION NO. 1077-1021

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO OPERATE, MAINTAIN AND REPAIR LANDSCAPING, IRRIGATION, DRAINAGE AND RETENTION FACILITIES AND HARDSCAPE ADJACENT TO DESIGNATED PUBLIC ROADWAYS WITHIN THE PROPOSED DISTRICT AND RELATED FACILITIES AS SHOWN ON THE PLANS, FOR MAINTENANCE WITHIN AN AREA IN THE CITY OF AVONDALE AS DESCRIBED HEREIN; ADOPTING PLANS FOR CITY OF AVONDALE MAINTENANCE IMPROVEMENT DISTRICT NO. 25 – DEL RIO RANCH III PHASE II, 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; 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 City of Avondale (the “City”) has been presented with a Petition for Formation of a Maintenance Improvement District purporting to be signed by all of the real property owners within the proposed district and, according to ARIZ. REV. STAT. § 48-574(C), the City finds that such ownership has been verified; and

WHEREAS, the Council of the City of Avondale (the “City Council”) desires to declare its intent to form the City of Avondale Maintenance Improvement District No. 25 – Del Rio Ranch III Phase II (the “Assessment District”) over the area described and depicted on Exhibit A, attached hereto and incorporated herein by reference and including those lots, pieces or parcels of land lying within the Assessment District as shown in more detail on the duplicate diagrams made by or at the direction of the City Engineer showing each separate lot numbered consecutively, the area in square feet of each lot, the area of any building or buildings located on each lot, and the location of the lot in relation to the work proposed to be done (the “Assessment Diagram”) attached hereto as a part of Exhibit A and incorporated herein by reference; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities in the Assessment District to be of more than local or ordinary public benefit, and further that the cost of said activities shall be assessed on the Assessment District; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities in the Assessment District are incidental to the maintenance and preservation of the public roadways and parkway and related facilities, has aesthetic value, and maintains and increases the value of property within the Assessment District; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities preserves and promotes the health, safety, and welfare of those citizens of the City living within the Assessment 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 Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district tend to preserve the structural integrity of the public streets and parkway and mitigate flooding of adjacent areas by draining water to and from the public streets and parkway in furtherance of the health, safety and welfare of those citizens of the City living within the Assessment District.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The public interest or convenience requires, and it is the intention of the Mayor and Council of the City of Avondale, Arizona, to order the following work (hereinafter the “Work”) to be performed: The operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district shown on the Assessment Diagram.

SECTION 3. The City Council designates as parkways those streets and rights-of-way areas set forth on the Assessment Diagram in accordance with Title 48, Chapter 4, Article 2, Arizona Revised Statutes, and specifically including those portions of pedestrian facilities, retention, detention and storm water management facilities included within or adjacent to the Assessment District. 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 showing the engineer’s estimate for the City of Avondale Maintenance Improvement District No. 25 – Del Rio Ranch III Phase II, filed with the City Clerk prior to the adoption of this Resolution (the “Plans and Specifications”), which are hereby approved and adopted by the City Council and which shall remain on file in the Office of the City Engineer; 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 (the City Engineer) and the City Clerk are hereby approved and adopted by the City Council. 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 Avondale Maintenance Improvement District No. 25 – Del Rio Ranch III Phase II.

SECTION 4. 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 5. The City Engineer is hereby authorized and directed to prepare duplicate Assessment Diagrams of the property contained within the Assessment District.

SECTION 6. 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 7. In no event will the City or any officer thereof be liable for any portion of the cost of said Assessment District or for any delinquency of persons or property assessed.

SECTION 8. The City Council shall make annual statements and estimates of the expenses of the Assessment 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 Assessment District as provided in ARIZ. REV. STAT. § 48-574 and amendments thereto.

SECTION 9. The Work and all proceedings pertaining thereto shall be performed under the provisions of ARIZ. REV. STAT. § 48-574, and all amendments thereto and pursuant to Article I, Section 3 and Article XII, Section 8 of the Avondale City Charter.

SECTION 10. The City Engineer is hereby authorized to fill in any blanks and to make any minor corrections necessary to complete the Plans and Specifications.

SECTION 11. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute and submit all documents and any other necessary or desirable instruments and to take all steps necessary to carry out the purpose and intent of this Resolution.

SECTION 12. 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 City Council as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 4, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1077-1021

[Legal Description of Assessment District and Assessment Diagram]

See following pages.

EXHIBIT "A"
MAINTENANCE IMPROVEMENT DISTRICT LEGAL DESCRIPTION &
EXHIBIT MAP FOR DEL RIO RANCH III

A PORTION OF LAND LOCATED IN EAST HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, BEARS SOUTH 89 DEGREES 06 MINUTES 56 SECONDS EAST, 2595.86 FEET;

THENCE NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 14, 778.88 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID NORTH-SOUTH MID-SECTION LINE, NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, 1343.82 FEET;

THENCE DEPARTING SAID NORTH-SOUTH MID-SECTION LINE, SOUTH 87 DEGREES 19 MINUTES 30 SECONDS EAST, 393.12 FEET;

THENCE NORTH 02 DEGREES 06 MINUTES 36 SECONDS EAST, 159.01 FEET;

THENCE SOUTH 87 DEGREES 13 MINUTES 12 SECONDS EAST, 184.11 FEET;

THENCE SOUTH 02 DEGREES 46 MINUTES 48 SECONDS WEST, 16.72 FEET;

THENCE SOUTH 87 DEGREES 13 MINUTES 12 SECONDS EAST, 168.19 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 605.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 40 DEGREES 40 MINUTES 53 SECONDS, AN ARC LENGTH OF 429.57 FEET;

THENCE NORTH 37 DEGREE 54 MINUTES 05 SECONDS WEST, 105.00 FEET;

THENCE NORTH 82 DEGREES 27 MINUTES 30 SECONDS WEST, 21.38 FEET;

THENCE NORTH 37 DEGREE 54 MINUTES 05 SECONDS WEST, 50.03 FEET;

THENCE NORTH 07 DEGREES 35 MINUTES 33 SECONDS EAST, 21.03 FEET;

THENCE NORTH 37 DEGREE 54 MINUTES 05 SECONDS WEST, 124.64 FEET;

THENCE NORTH 52 DEGREES 05 MINUTES 55 SECONDS EAST, 50.00 FEET;

THENCE SOUTH 82 DEGREE 54 MINUTES 05 SECONDS EAST, 21.21 FEET;

THENCE NORTH 52 DEGREES 05 MINUTES 55 SECONDS EAST, 43.93 FEET TO THE EAST-WEST MID-SECTION LINE OF SAID SECTION 14;
THENCE CONTINUING NORTH 52 DEGREES 05 MINUTES 55 SECONDS EAST, 12.03 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 425.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 01 DEGREES 40 MINUTES 32 SECONDS, AN ARC LENGTH OF 12.43 FEET;

THENCE NORTH 53 DEGREES 46 MINUTES 27 SECONDS EAST, 45.86 FEET;

THENCE NORTH 07 DEGREES 56 MINUTES 11 SECONDS EAST, 20.90 FEET;

THENCE NORTH 52 DEGREE 05 MINUTES 55 SECONDS EAST, 50.00 FEET;

THENCE SOUTH 37 DEGREES 54 MINUTES 05 SECONDS EAST, 122.47 FEET TO SAID EAST-WEST MID-SECTION LINE;

THENCE CONTINUING SOUTH 37 DEGREES 54 MINUTES 05 SECONDS EAST, 57.60 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 192.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 20 DEGREES 45 MINUTES 43 SECONDS, AN ARC LENGTH OF 69.57 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 108.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 16 DEGREES 06 MINUTES 13 SECONDS, AN ARC LENGTH OF 30.35 FEET;

THENCE SOUTH 42 DEGREE 33 MINUTES 35 SECONDS EAST, 91.67 FEET;

THENCE SOUTH 86 DEGREES 27 MINUTES 11 SECONDS EAST, 9.96 FEET;

THENCE SOUTH 42 DEGREE 18 MINUTES 34 SECONDS WEST, 80.24 FEET;

THENCE SOUTH 03 DEGREES 57 MINUTES 55 SECONDS WEST, 35.05 FEET;

THENCE SOUTH 36 DEGREES 44 MINUTES 52 SECONDS EAST, 60.13 FEET;

THENCE SOUTH 49 DEGREE 27 MINUTES 44 SECONDS WEST, 64.55 FEET;

THENCE SOUTH 40 DEGREES 32 MINUTES 16 SECONDS EAST, 120.00 FEET;

THENCE SOUTH 49 DEGREES 27 MINUTES 44 SECONDS WEST, 110.30 FEET;

THENCE SOUTH 57 DEGREE 21 MINUTES 03 SECONDS WEST, 120.14 FEET;

THENCE SOUTH 63 DEGREES 14 MINUTES 33 SECONDS WEST, 119.84 FEET;

THENCE SOUTH 70 DEGREES 54 MINUTES 10 SECONDS WEST, 119.84 FEET;

THENCE SOUTH 78 DEGREES 33 MINUTES 46 SECONDS WEST, 119.84 FEET;

THENCE SOUTH 86 DEGREE 13 MINUTES 23 SECONDS WEST, 78.64 FEET;

THENCE SOUTH 01 DEGREES 48 MINUTES 43 SECONDS WEST, 70.65 FEET;

THENCE SOUTH 88 DEGREES 11 MINUTES 17 SECONDS EAST, 199.00 FEET;

THENCE SOUTH 01 DEGREES 48 MINUTES 43 SECONDS WEST, 106.22 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 09 DEGREES 15 MINUTES 14 SECONDS WEST, 42.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06 DEGREES 41 MINUTES 13 SECONDS, AN ARC LENGTH OF 4.90 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 63.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 86 DEGREES 03 MINUTES 53 SECONDS, AN ARC LENGTH OF 94.63 FEET;

THENCE NORTH 89 DEGREES 38 MINUTES 34 SECONDS EAST, 110.62 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 26 SECONDS EAST, 48.00 FEET;

THENCE SOUTH 05 DEGREES 35 MINUTES 22 SECONDS WEST, 48.26 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 26 SECONDS EAST, 290.33 FEET;

THENCE NORTH 89 DEGREES 38 MINUTES 34 SECONDS EAST, 35.00 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 26 SECONDS EAST, 60.00 FEET;

THENCE SOUTH 45 DEGREES 21 MINUTES 26 SECONDS EAST, 35.36 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 26 SECONDS EAST, 574.54 FEET;

THENCE SOUTH 45 DEGREES 17 MINUTES 11 SECONDS WEST, 34.96 FEET;

THENCE NORTH 89 DEGREES 04 MINUTES 13 SECONDS WEST, 398.24 FEET;

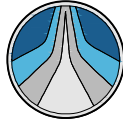
THENCE NORTH 00 DEGREES 54 MINUTES 37 SECONDS EAST, 67.08 FEET;

THENCE NORTH 88 DEGREES 11 MINUTES 17 SECONDS WEST, 737.37 FEET;

THENCE NORTH 65 DEGREES 46 MINUTES 17 SECONDS WEST, 80.83 FEET;

THENCE SOUTH 89 DEGREES 58 MINUTES 43 SECONDS WEST, 25.43 FEET TO SAID NORTH-SOUTH MID-SECTION LINE AND TO THE **POINT OF BEGINNING**;

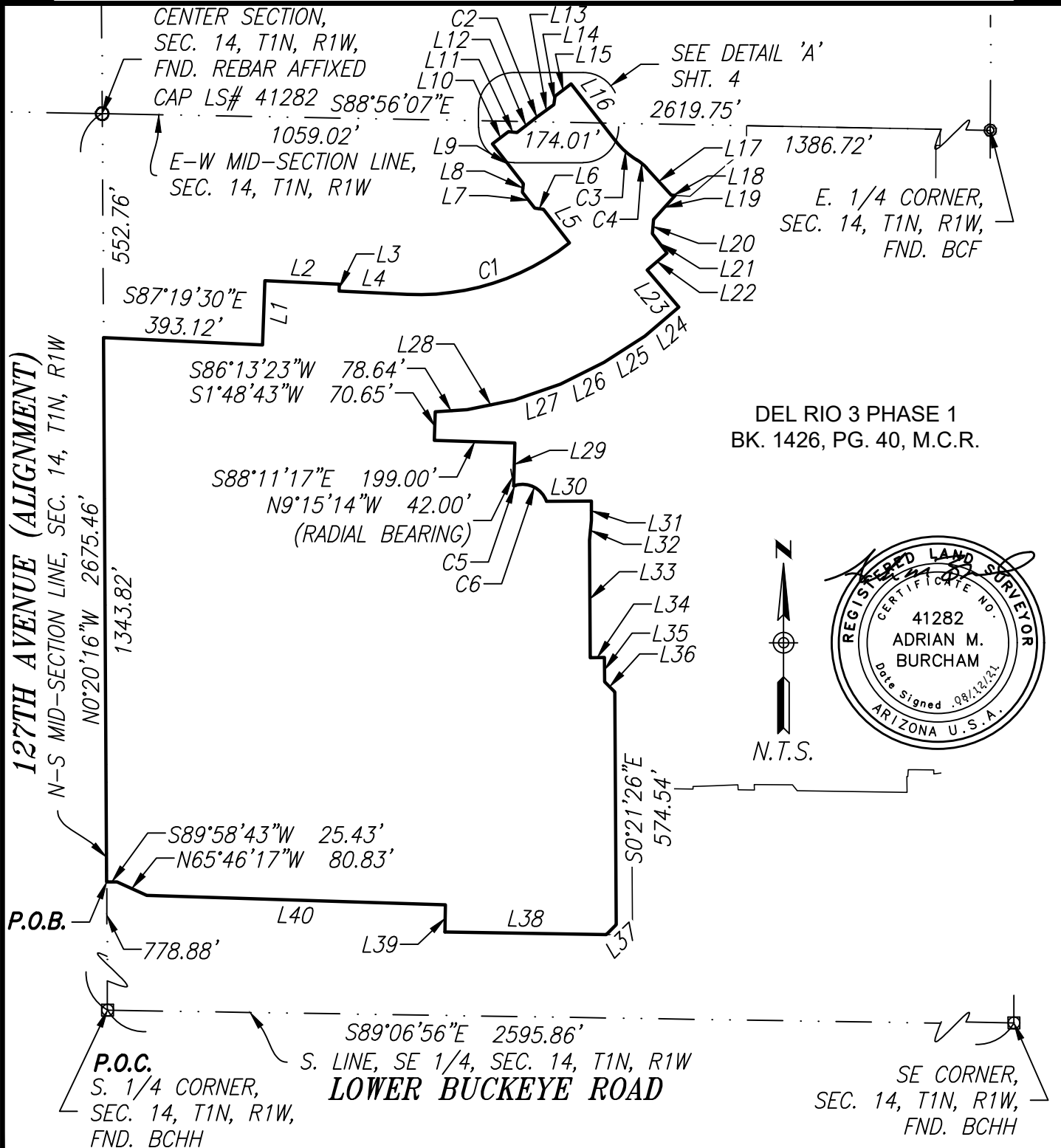
SAID PARCEL CONTAINS 1,913,716 SQUARE FEET OR 43.9329 ACRES, MORE OR LESS.



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MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

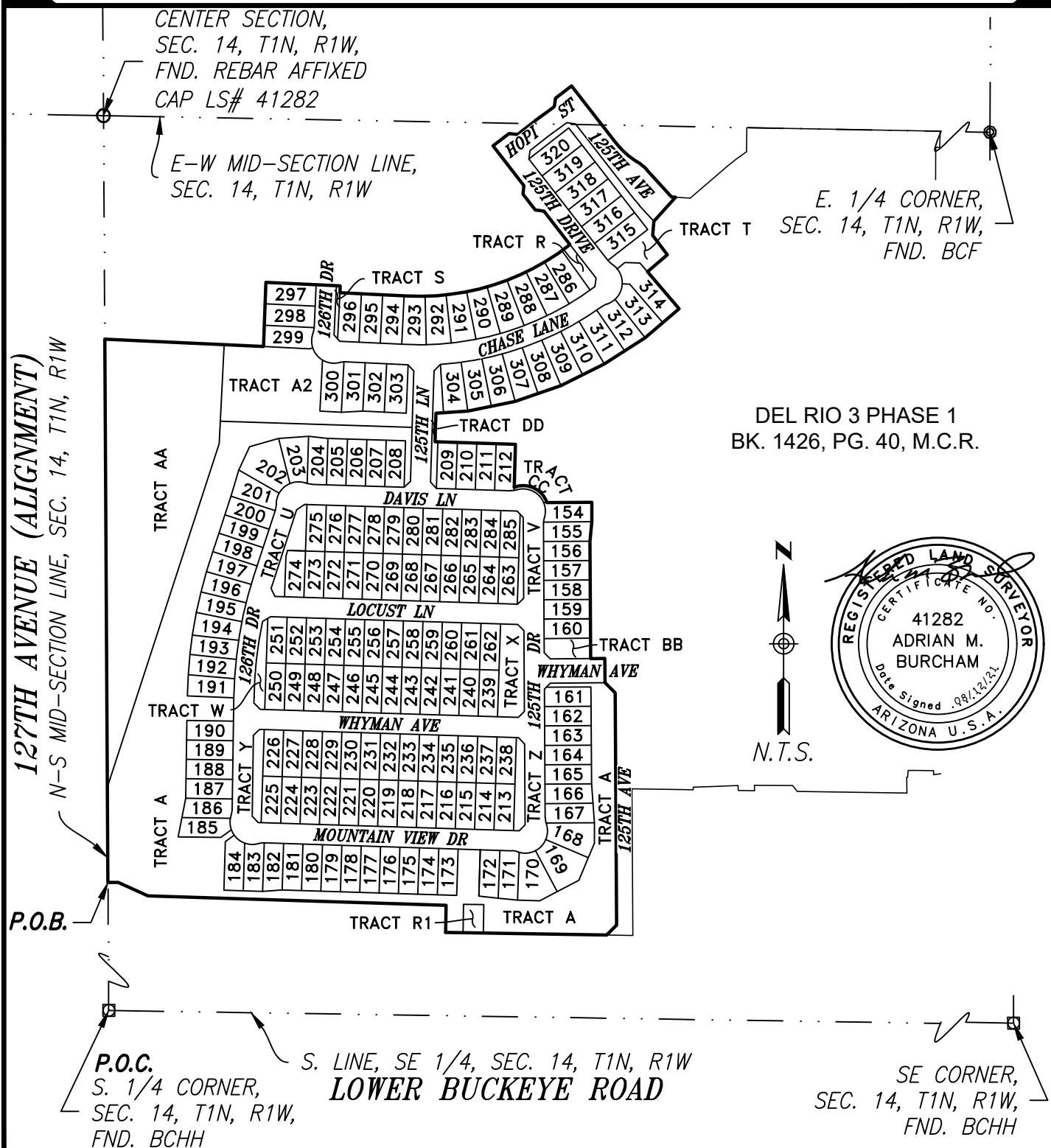
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08/12/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 1 of 9



MAINTENANCE IMPROVEMENT DISTRICT
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City of Avondale, Maricopa County, Arizona

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Sht: 2 of 9



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LINE TABLE		
LINE #	BEARING	LENGTH
L1	N2°06'36"E	159.01'
L2	S87°13'12"E	184.11'
L3	S2°46'48"W	16.72'
L4	S87°13'12"E	168.19'
L5	N37°54'05"W	105.00'
L6	N82°27'30"W	21.38'
L7	N37°54'05"W	50.03'
L8	N7°35'33"E	21.03'
L9	N37°54'05"W	124.64'
L10	N52°05'55"E	50.00'
L11	S82°54'05"E	21.21'
L12	N52°05'55"E	55.97'
L13	N53°46'27"E	45.86'
L14	N7°56'11"E	20.90'
L15	N52°05'55"E	50.00'
L16	S37°54'05"E	180.07'
L17	S42°33'35"E	91.67'
L18	S86°27'11"E	9.96'
L19	S42°18'34"W	80.24'
L20	S3°57'55"W	35.05'



LINE TABLE		
LINE #	BEARING	LENGTH
L21	S36°44'52"E	60.13'
L22	S49°27'44"W	64.55'
L23	S40°32'16"E	120.00'
L24	S49°27'44"W	110.30'
L25	S57°21'03"W	120.14'
L26	S63°14'33"W	119.84'
L27	S70°54'10"W	119.84'
L28	S78°33'46"W	119.84'
L29	S1°48'43"W	106.22'
L30	N89°38'34"E	110.62'
L31	S0°21'26"E	48.00'
L32	S5°35'22"W	48.26'
L33	S0°21'26"E	290.33'
L34	N89°38'34"E	35.00'
L35	S0°21'26"E	60.00'
L36	S45°21'26"E	35.36'
L37	S45°17'11"W	34.96'
L38	N89°04'13"W	398.24'
L39	N0°54'37"E	67.08'
L40	N88°11'17"W	737.37'

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 2
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City of Avondale, Maricopa County, Arizona

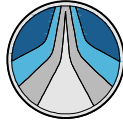
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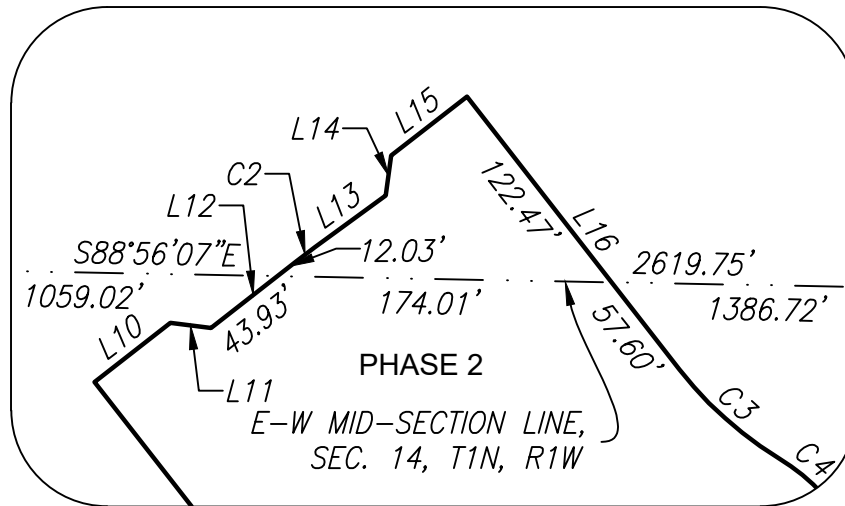
Sht: 3 of 9



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DETAIL 'A'

NTS

CURVE TABLE				
CURVE #	DELTA	RADIUS	LENGTH	CHORD
C1	40°40'53"	605.00'	429.57'	N72°26'21"E 420.60'
C2	1°40'32"	425.00'	12.43'	N52°56'11"E 12.43'
C3	20°45'43"	192.00'	69.57'	S48°16'57"E 69.19'
C4	16°06'13"	108.00'	30.35'	S50°36'42"E 30.25'
C5	6°41'13"	42.00'	4.90'	N77°24'10"E 4.90'
C6	86°03'53"	63.00'	94.63'	S62°54'31"E 85.98'

NOTE:

THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAYS AND PARKWAYS WITHIN THE DISTRICT.

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
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Project Eng.

Sht: 4 of 9



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TRACT TABLE

TRACT	SQUARE FEET	ACRES	USAGE
A	267144.00	6.1328	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT / MULTI-USE TRAIL
AA	192201.00	4.4123	FLOODWAY FLOWAGE EASEMENT / AGUA FRIA RIVER CORRIDOR / MULTI-USE TRAIL
A2	55049.00	1.2638	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT / MULTI-USE TRAIL
BB	5676.00	0.1303	LANDSCAPE / PUBLIC UTILITY EASEMENT
CC	747.00	0.0171	LANDSCAPE / PUBLIC UTILITY EASEMENT
DD	4570.00	0.1049	LANDSCAPE / PUBLIC UTILITY EASEMENT
R	3140.00	0.0721	LANDSCAPE / PUBLIC UTILITY EASEMENT
R1	3500.00	0.0803	LIFT STATION
S	1205.00	0.0277	LANDSCAPE / PUBLIC UTILITY EASEMENT
T	15716.00	0.3608	LANDSCAPE / PUBLIC UTILITY EASEMENT / PRIVATE IRRIGATION EASEMENT
U	6723.00	0.1543	LANDSCAPE / PUBLIC UTILITY EASEMENT
V	2418.00	0.0555	LANDSCAPE / PUBLIC UTILITY EASEMENT
W	5041.00	0.1157	LANDSCAPE / PUBLIC UTILITY EASEMENT
X	14036.00	0.3222	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
Y	5398.00	0.1239	LANDSCAPE / PUBLIC UTILITY EASEMENT
Z	5402.00	0.1240	LANDSCAPE / PUBLIC UTILITY EASEMENT
TOTAL	587966.00	13.4978	



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
08/12/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 5 of 9



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
154	5603.00	0.1286
155	5640.00	0.1295
156	5520.00	0.1267
157	5520.00	0.1267
158	5520.00	0.1267
159	5520.00	0.1267
160	5520.00	0.1267
161	5507.00	0.1264
162	5520.00	0.1267
163	5520.00	0.1267
164	5520.00	0.1267
165	5520.00	0.1267
166	5599.00	0.1285
167	5750.00	0.1320
168	7666.00	0.1760
169	9279.00	0.2130
170	8453.00	0.1941
171	5741.00	0.1318
172	5601.00	0.1286
173	5520.00	0.1267
174	5520.00	0.1267
175	5520.00	0.1267
176	5520.00	0.1267
177	5520.00	0.1267
178	5520.00	0.1267
179	5520.00	0.1267
180	5520.00	0.1267



LOT TABLE		
LOT #	SQUARE FEET	ACRES
181	5520.00	0.1267
182	5640.00	0.1295
183	5610.00	0.1288
184	6065.00	0.1392
185	5767.00	0.1324
186	5694.00	0.1307
187	5520.00	0.1267
188	5520.00	0.1267
189	5520.00	0.1267
190	5520.00	0.1267
191	5714.00	0.1312
192	5637.00	0.1294
193	5515.00	0.1266
194	5956.00	0.1367
195	5703.00	0.1309
196	5701.00	0.1309
197	5723.00	0.1314
198	5520.00	0.1267
199	5520.00	0.1267
200	5520.00	0.1267
201	6296.00	0.1445
202	10240.00	0.2351
203	6634.00	0.1523
204	5599.00	0.1285
205	5520.00	0.1267
206	5520.00	0.1267
207	5520.00	0.1267

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

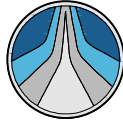
Project No.
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Sht: 6 of 9



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
208	5520.00	0.1267
209	5520.00	0.1267
210	5520.00	0.1267
211	5520.00	0.1267
212	5518.00	0.1267
213	5520.00	0.1267
214	5520.00	0.1267
215	5520.00	0.1267
216	5520.00	0.1267
217	5520.00	0.1267
218	5520.00	0.1267
219	5520.00	0.1267
220	5520.00	0.1267
221	5520.00	0.1267
222	5520.00	0.1267
223	5520.00	0.1267
224	5520.00	0.1267
225	5520.00	0.1267
226	5520.00	0.1267
227	5520.00	0.1267
228	5520.00	0.1267
229	5520.00	0.1267
230	5520.00	0.1267
231	5520.00	0.1267
232	5520.00	0.1267
233	5520.00	0.1267
234	5520.00	0.1267



LOT TABLE		
LOT #	SQUARE FEET	ACRES
235	5520.00	0.1267
236	5520.00	0.1267
237	5520.00	0.1267
238	5520.00	0.1267
239	5520.00	0.1267
240	5520.00	0.1267
241	5520.00	0.1267
242	5520.00	0.1267
243	5520.00	0.1267
244	5520.00	0.1267
245	5520.00	0.1267
246	5520.00	0.1267
247	5520.00	0.1267
248	5520.00	0.1267
249	5520.00	0.1267
250	5533.00	0.1270
251	5505.00	0.1264
252	5520.00	0.1267
253	5520.00	0.1267
254	5520.00	0.1267
255	5520.00	0.1267
256	5520.00	0.1267
257	5520.00	0.1267
258	5520.00	0.1267
259	5520.00	0.1267
260	5520.00	0.1267
261	5520.00	0.1267

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
08/12/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 7 of 9



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
262	5520.00	0.1267
263	5520.00	0.1267
264	5520.00	0.1267
265	5520.00	0.1267
266	5520.00	0.1267
267	5520.00	0.1267
268	5520.00	0.1267
269	5520.00	0.1267
270	5520.00	0.1267
271	5520.00	0.1267
272	5520.00	0.1267
273	5520.00	0.1267
274	5490.00	0.1260
275	5520.00	0.1267
276	5520.00	0.1267
277	5520.00	0.1267
278	5520.00	0.1267
279	5520.00	0.1267
280	5520.00	0.1267
281	5520.00	0.1267
282	5520.00	0.1267
283	5520.00	0.1267
284	5520.00	0.1267
285	5489.00	0.1260
286	6824.00	0.1567
287	6824.00	0.1567
288	6824.00	0.1567



LOT TABLE		
LOT #	SQUARE FEET	ACRES
289	6824.00	0.1567
290	6824.00	0.1567
291	6824.00	0.1567
292	6824.00	0.1567
293	6742.00	0.1548
294	6360.00	0.1460
295	6360.00	0.1460
296	6345.00	0.1457
297	6579.00	0.1510
298	6543.00	0.1502
299	6347.00	0.1457
300	6468.00	0.1485
301	6492.00	0.1490
302	6360.00	0.1460
303	6416.00	0.1473
304	6738.00	0.1547
305	6738.00	0.1547
306	6738.00	0.1547
307	6738.00	0.1547
308	6738.00	0.1547
309	6738.00	0.1547
310	6738.00	0.1547
311	6793.00	0.1559
312	6798.00	0.1561
313	7007.00	0.1609
314	9129.00	0.2096
315	6625.00	0.1521

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
08/12/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 8 of 9



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
316	6625.00	0.1521
317	6625.00	0.1521
318	6625.00	0.1521
319	6625.00	0.1521
320	6625.00	0.1521
TOTAL	982811.00	22.5622

EASEMENT	
PUBLIC UTILITY EASEMENT	FLOODWAY FLOWAGE EASEMENT
VEHICAL NON ACCESS EASEMENT	PUBLIC TRAIL EASEMENT
SIGHT VISIBILITY TRIANGLE	PRIVATE IRRIGATION EASEMENT
SEWER EASEMENT	

RIGHT-OF-WAY			
USAGE	SQUARE FEET	ACRES	STREET NAME
RIGHT-OF-WAY	342927.00	7.8725	125TH AVENUE / 125TH DRIVE / 125TH LANE / 126TH DRIVE / HOPI STREET / CHASE LANE / DAVIS LANE / LOCUST LANE / WHYMAN AVENUE / MOUNTAIN VIEW DRIVE
TOTAL	342927.00	7.8725	



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
08/12/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 9 of 9

RESOLUTION NO. 1078-1021

RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, 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 AVONDALE MAINTENANCE IMPROVEMENT DISTRICT NO. 25, DEL RIO RANCH III PHASE II; 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.

WHEREAS, the Council of the City of Avondale (the “City Council”) has adopted Resolution 1077-1021 declaring its intent to form the City of Avondale Maintenance Improvement District No. 25 – Del Rio Ranch III Phase II; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 48-574(C), as amended, the City Council has immediate jurisdiction to adopt a resolution ordering the improvements pursuant to ARIZ. REV. STAT. § 48-581, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE, as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The public interest or convenience require and it is the intention of the City Council to order the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and that the cost of such activities, together with appurtenant structures, be assessed upon a certain improvement district to be known as Avondale Maintenance Improvement District No. 25 – Del Rio Ranch III Phase II (the “District”) as described and depicted on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 3. The estimate of the cost and expenses for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and on file with the

Superintendent of Streets (City Engineer) and the City Clerk is approved and adopted by the City Council.

SECTION 4. The City Council determines that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, 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 City Council makes and orders the cost and expense for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and related facilities together with appurtenant structures be chargeable upon the District, the area of which is described and depicted as set forth on Exhibit A, and declare that the District benefited by the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and related facilities together with appurtenant structures to be assessed, shall pay the costs and expenses thereof in proportion to the benefits derived therefrom.

SECTION 5. The City shall not assess the costs and expenses for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, 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 District 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 District only that portion of such costs and expenses which benefits the lots, pieces and parcels of land located within the boundaries of the District.

SECTION 6. The costs and expense for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district shall be made and all proceedings therein taken; that the Superintendent of Streets of the City (the City Engineer) 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 District 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 7. 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 City Council as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 4, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1078-1021

[Legal Description and Map of Assessment District]

See following pages.

EXHIBIT "A"
MAINTENANCE IMPROVEMENT DISTRICT LEGAL DESCRIPTION &
EXHIBIT MAP FOR DEL RIO RANCH III

A PORTION OF LAND LOCATED IN EAST HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, BEARS SOUTH 89 DEGREES 06 MINUTES 56 SECONDS EAST, 2595.86 FEET;

THENCE NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 14, 778.88 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID NORTH-SOUTH MID-SECTION LINE, NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, 1343.82 FEET;

THENCE DEPARTING SAID NORTH-SOUTH MID-SECTION LINE, SOUTH 87 DEGREES 19 MINUTES 30 SECONDS EAST, 393.12 FEET;

THENCE NORTH 02 DEGREES 06 MINUTES 36 SECONDS EAST, 159.01 FEET;

THENCE SOUTH 87 DEGREES 13 MINUTES 12 SECONDS EAST, 184.11 FEET;

THENCE SOUTH 02 DEGREES 46 MINUTES 48 SECONDS WEST, 16.72 FEET;

THENCE SOUTH 87 DEGREES 13 MINUTES 12 SECONDS EAST, 168.19 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 605.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 40 DEGREES 40 MINUTES 53 SECONDS, AN ARC LENGTH OF 429.57 FEET;

THENCE NORTH 37 DEGREE 54 MINUTES 05 SECONDS WEST, 105.00 FEET;

THENCE NORTH 82 DEGREES 27 MINUTES 30 SECONDS WEST, 21.38 FEET;

THENCE NORTH 37 DEGREE 54 MINUTES 05 SECONDS WEST, 50.03 FEET;

THENCE NORTH 07 DEGREES 35 MINUTES 33 SECONDS EAST, 21.03 FEET;

THENCE NORTH 37 DEGREE 54 MINUTES 05 SECONDS WEST, 124.64 FEET;

THENCE NORTH 52 DEGREES 05 MINUTES 55 SECONDS EAST, 50.00 FEET;

THENCE SOUTH 82 DEGREE 54 MINUTES 05 SECONDS EAST, 21.21 FEET;

THENCE NORTH 52 DEGREES 05 MINUTES 55 SECONDS EAST, 43.93 FEET TO THE EAST-WEST MID-SECTION LINE OF SAID SECTION 14;
THENCE CONTINUING NORTH 52 DEGREES 05 MINUTES 55 SECONDS EAST, 12.03 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 425.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 01 DEGREES 40 MINUTES 32 SECONDS, AN ARC LENGTH OF 12.43 FEET;

THENCE NORTH 53 DEGREES 46 MINUTES 27 SECONDS EAST, 45.86 FEET;

THENCE NORTH 07 DEGREES 56 MINUTES 11 SECONDS EAST, 20.90 FEET;

THENCE NORTH 52 DEGREE 05 MINUTES 55 SECONDS EAST, 50.00 FEET;

THENCE SOUTH 37 DEGREES 54 MINUTES 05 SECONDS EAST, 122.47 FEET TO SAID EAST-WEST MID-SECTION LINE;

THENCE CONTINUING SOUTH 37 DEGREES 54 MINUTES 05 SECONDS EAST, 57.60 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 192.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 20 DEGREES 45 MINUTES 43 SECONDS, AN ARC LENGTH OF 69.57 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 108.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 16 DEGREES 06 MINUTES 13 SECONDS, AN ARC LENGTH OF 30.35 FEET;

THENCE SOUTH 42 DEGREE 33 MINUTES 35 SECONDS EAST, 91.67 FEET;

THENCE SOUTH 86 DEGREES 27 MINUTES 11 SECONDS EAST, 9.96 FEET;

THENCE SOUTH 42 DEGREE 18 MINUTES 34 SECONDS WEST, 80.24 FEET;

THENCE SOUTH 03 DEGREES 57 MINUTES 55 SECONDS WEST, 35.05 FEET;

THENCE SOUTH 36 DEGREES 44 MINUTES 52 SECONDS EAST, 60.13 FEET;

THENCE SOUTH 49 DEGREE 27 MINUTES 44 SECONDS WEST, 64.55 FEET;

THENCE SOUTH 40 DEGREES 32 MINUTES 16 SECONDS EAST, 120.00 FEET;

THENCE SOUTH 49 DEGREES 27 MINUTES 44 SECONDS WEST, 110.30 FEET;

THENCE SOUTH 57 DEGREE 21 MINUTES 03 SECONDS WEST, 120.14 FEET;

THENCE SOUTH 63 DEGREES 14 MINUTES 33 SECONDS WEST, 119.84 FEET;

THENCE SOUTH 70 DEGREES 54 MINUTES 10 SECONDS WEST, 119.84 FEET;

THENCE SOUTH 78 DEGREES 33 MINUTES 46 SECONDS WEST, 119.84 FEET;

THENCE SOUTH 86 DEGREE 13 MINUTES 23 SECONDS WEST, 78.64 FEET;

THENCE SOUTH 01 DEGREES 48 MINUTES 43 SECONDS WEST, 70.65 FEET;

THENCE SOUTH 88 DEGREES 11 MINUTES 17 SECONDS EAST, 199.00 FEET;

THENCE SOUTH 01 DEGREES 48 MINUTES 43 SECONDS WEST, 106.22 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 09 DEGREES 15 MINUTES 14 SECONDS WEST, 42.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06 DEGREES 41 MINUTES 13 SECONDS, AN ARC LENGTH OF 4.90 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 63.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 86 DEGREES 03 MINUTES 53 SECONDS, AN ARC LENGTH OF 94.63 FEET;

THENCE NORTH 89 DEGREES 38 MINUTES 34 SECONDS EAST, 110.62 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 26 SECONDS EAST, 48.00 FEET;

THENCE SOUTH 05 DEGREES 35 MINUTES 22 SECONDS WEST, 48.26 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 26 SECONDS EAST, 290.33 FEET;

THENCE NORTH 89 DEGREES 38 MINUTES 34 SECONDS EAST, 35.00 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 26 SECONDS EAST, 60.00 FEET;

THENCE SOUTH 45 DEGREES 21 MINUTES 26 SECONDS EAST, 35.36 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 26 SECONDS EAST, 574.54 FEET;

THENCE SOUTH 45 DEGREES 17 MINUTES 11 SECONDS WEST, 34.96 FEET;

THENCE NORTH 89 DEGREES 04 MINUTES 13 SECONDS WEST, 398.24 FEET;

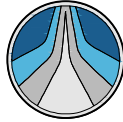
THENCE NORTH 00 DEGREES 54 MINUTES 37 SECONDS EAST, 67.08 FEET;

THENCE NORTH 88 DEGREES 11 MINUTES 17 SECONDS WEST, 737.37 FEET;

THENCE NORTH 65 DEGREES 46 MINUTES 17 SECONDS WEST, 80.83 FEET;

THENCE SOUTH 89 DEGREES 58 MINUTES 43 SECONDS WEST, 25.43 FEET TO SAID NORTH-SOUTH MID-SECTION LINE AND TO THE **POINT OF BEGINNING**;

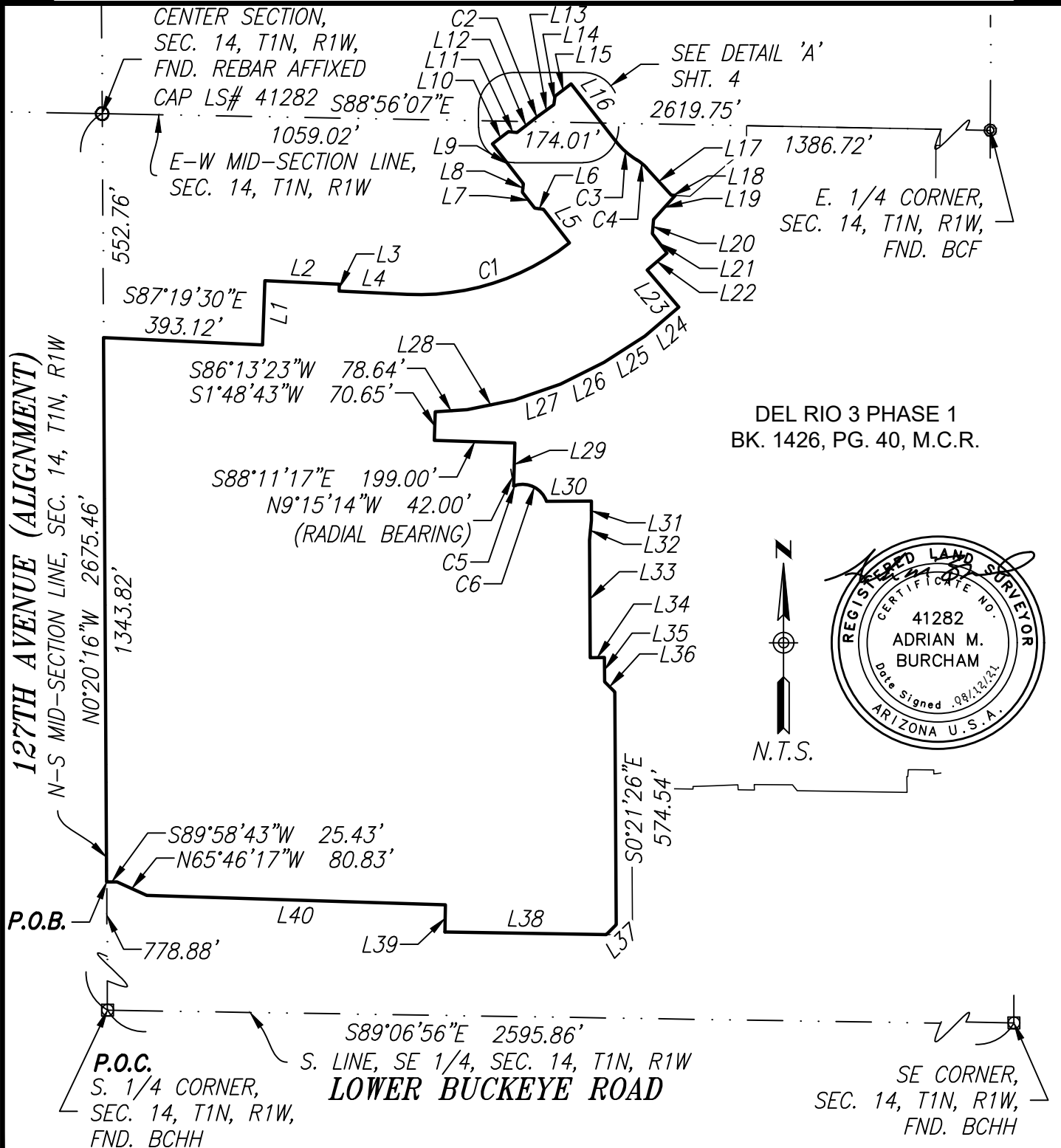
SAID PARCEL CONTAINS 1,913,716 SQUARE FEET OR 43.9329 ACRES, MORE OR LESS.



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MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

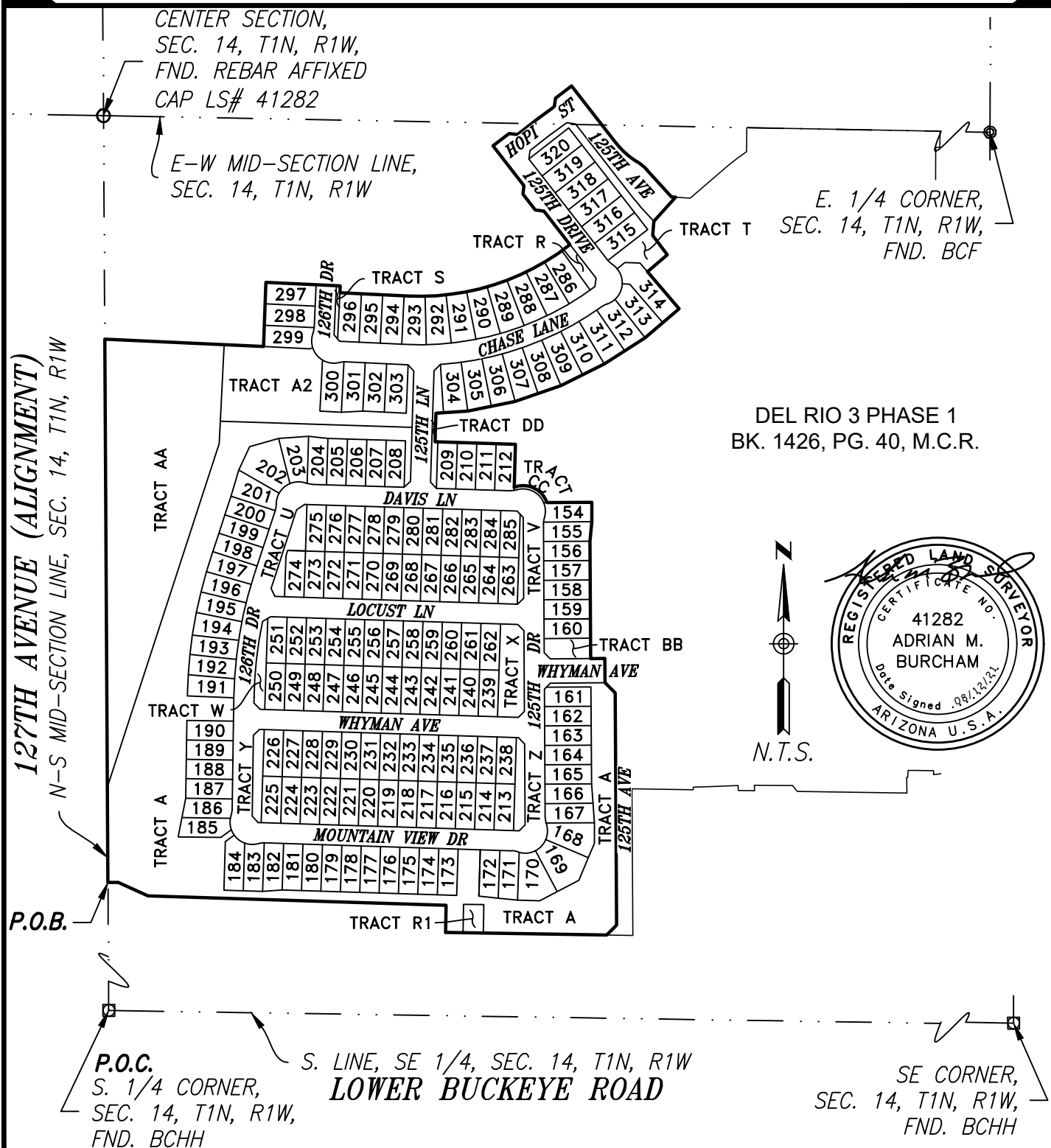
Project No.
16178

Date
08/12/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 1 of 9



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

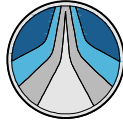
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Sht: 2 of 9



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LINE TABLE		
LINE #	BEARING	LENGTH
L1	N2°06'36"E	159.01'
L2	S87°13'12"E	184.11'
L3	S2°46'48"W	16.72'
L4	S87°13'12"E	168.19'
L5	N37°54'05"W	105.00'
L6	N82°27'30"W	21.38'
L7	N37°54'05"W	50.03'
L8	N7°35'33"E	21.03'
L9	N37°54'05"W	124.64'
L10	N52°05'55"E	50.00'
L11	S82°54'05"E	21.21'
L12	N52°05'55"E	55.97'
L13	N53°46'27"E	45.86'
L14	N7°56'11"E	20.90'
L15	N52°05'55"E	50.00'
L16	S37°54'05"E	180.07'
L17	S42°33'35"E	91.67'
L18	S86°27'11"E	9.96'
L19	S42°18'34"W	80.24'
L20	S3°57'55"W	35.05'



LINE TABLE		
LINE #	BEARING	LENGTH
L21	S36°44'52"E	60.13'
L22	S49°27'44"W	64.55'
L23	S40°32'16"E	120.00'
L24	S49°27'44"W	110.30'
L25	S57°21'03"W	120.14'
L26	S63°14'33"W	119.84'
L27	S70°54'10"W	119.84'
L28	S78°33'46"W	119.84'
L29	S1°48'43"W	106.22'
L30	N89°38'34"E	110.62'
L31	S0°21'26"E	48.00'
L32	S5°35'22"W	48.26'
L33	S0°21'26"E	290.33'
L34	N89°38'34"E	35.00'
L35	S0°21'26"E	60.00'
L36	S45°21'26"E	35.36'
L37	S45°17'11"W	34.96'
L38	N89°04'13"W	398.24'
L39	N0°54'37"E	67.08'
L40	N88°11'17"W	737.37'

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

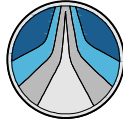
Project No.
16178

Date
08/12/21

Project Manager
ADRIAN BURCHAM

Project Eng.

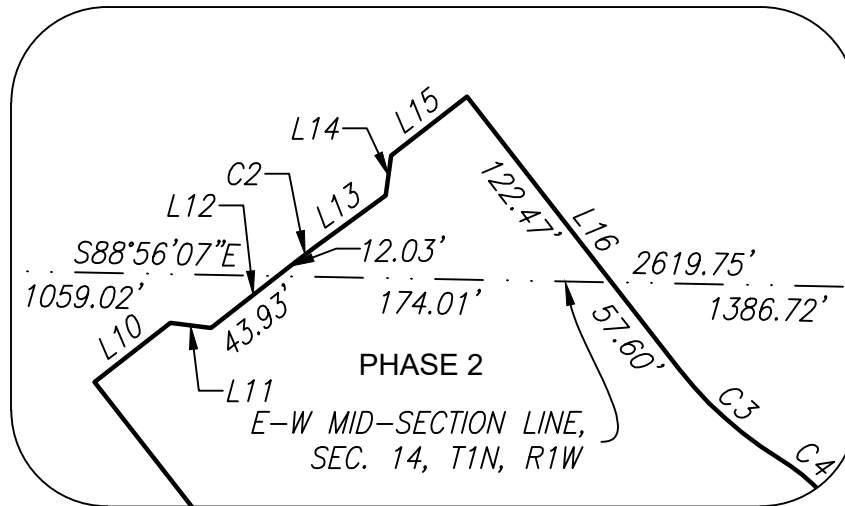
Sht: 3 of 9



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DETAIL 'A'

NTS

CURVE TABLE				
CURVE #	DELTA	RADIUS	LENGTH	CHORD
C1	40°40'53"	605.00'	429.57'	N72°26'21"E 420.60'
C2	1°40'32"	425.00'	12.43'	N52°56'11"E 12.43'
C3	20°45'43"	192.00'	69.57'	S48°16'57"E 69.19'
C4	16°06'13"	108.00'	30.35'	S50°36'42"E 30.25'
C5	6°41'13"	42.00'	4.90'	N77°24'10"E 4.90'
C6	86°03'53"	63.00'	94.63'	S62°54'31"E 85.98'

NOTE:

THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAYS AND PARKWAYS WITHIN THE DISTRICT.

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
08/12/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 4 of 9



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TRACT TABLE

TRACT	SQUARE FEET	ACRES	USAGE
A	267144.00	6.1328	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT / MULTI-USE TRAIL
AA	192201.00	4.4123	FLOODWAY FLOWAGE EASEMENT / AGUA FRIA RIVER CORRIDOR / MULTI-USE TRAIL
A2	55049.00	1.2638	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT / MULTI-USE TRAIL
BB	5676.00	0.1303	LANDSCAPE / PUBLIC UTILITY EASEMENT
CC	747.00	0.0171	LANDSCAPE / PUBLIC UTILITY EASEMENT
DD	4570.00	0.1049	LANDSCAPE / PUBLIC UTILITY EASEMENT
R	3140.00	0.0721	LANDSCAPE / PUBLIC UTILITY EASEMENT
R1	3500.00	0.0803	LIFT STATION
S	1205.00	0.0277	LANDSCAPE / PUBLIC UTILITY EASEMENT
T	15716.00	0.3608	LANDSCAPE / PUBLIC UTILITY EASEMENT / PRIVATE IRRIGATION EASEMENT
U	6723.00	0.1543	LANDSCAPE / PUBLIC UTILITY EASEMENT
V	2418.00	0.0555	LANDSCAPE / PUBLIC UTILITY EASEMENT
W	5041.00	0.1157	LANDSCAPE / PUBLIC UTILITY EASEMENT
X	14036.00	0.3222	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
Y	5398.00	0.1239	LANDSCAPE / PUBLIC UTILITY EASEMENT
Z	5402.00	0.1240	LANDSCAPE / PUBLIC UTILITY EASEMENT
TOTAL	587966.00	13.4978	



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

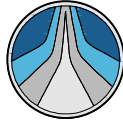
Project No.
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Date
08/12/21

Project Manager
ADRIAN BURCHAM

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Sht: 5 of 9



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
154	5603.00	0.1286
155	5640.00	0.1295
156	5520.00	0.1267
157	5520.00	0.1267
158	5520.00	0.1267
159	5520.00	0.1267
160	5520.00	0.1267
161	5507.00	0.1264
162	5520.00	0.1267
163	5520.00	0.1267
164	5520.00	0.1267
165	5520.00	0.1267
166	5599.00	0.1285
167	5750.00	0.1320
168	7666.00	0.1760
169	9279.00	0.2130
170	8453.00	0.1941
171	5741.00	0.1318
172	5601.00	0.1286
173	5520.00	0.1267
174	5520.00	0.1267
175	5520.00	0.1267
176	5520.00	0.1267
177	5520.00	0.1267
178	5520.00	0.1267
179	5520.00	0.1267
180	5520.00	0.1267



LOT TABLE		
LOT #	SQUARE FEET	ACRES
181	5520.00	0.1267
182	5640.00	0.1295
183	5610.00	0.1288
184	6065.00	0.1392
185	5767.00	0.1324
186	5694.00	0.1307
187	5520.00	0.1267
188	5520.00	0.1267
189	5520.00	0.1267
190	5520.00	0.1267
191	5714.00	0.1312
192	5637.00	0.1294
193	5515.00	0.1266
194	5956.00	0.1367
195	5703.00	0.1309
196	5701.00	0.1309
197	5723.00	0.1314
198	5520.00	0.1267
199	5520.00	0.1267
200	5520.00	0.1267
201	6296.00	0.1445
202	10240.00	0.2351
203	6634.00	0.1523
204	5599.00	0.1285
205	5520.00	0.1267
206	5520.00	0.1267
207	5520.00	0.1267

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

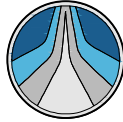
Project No.
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Date
08/12/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 6 of 9



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
208	5520.00	0.1267
209	5520.00	0.1267
210	5520.00	0.1267
211	5520.00	0.1267
212	5518.00	0.1267
213	5520.00	0.1267
214	5520.00	0.1267
215	5520.00	0.1267
216	5520.00	0.1267
217	5520.00	0.1267
218	5520.00	0.1267
219	5520.00	0.1267
220	5520.00	0.1267
221	5520.00	0.1267
222	5520.00	0.1267
223	5520.00	0.1267
224	5520.00	0.1267
225	5520.00	0.1267
226	5520.00	0.1267
227	5520.00	0.1267
228	5520.00	0.1267
229	5520.00	0.1267
230	5520.00	0.1267
231	5520.00	0.1267
232	5520.00	0.1267
233	5520.00	0.1267
234	5520.00	0.1267



LOT TABLE		
LOT #	SQUARE FEET	ACRES
235	5520.00	0.1267
236	5520.00	0.1267
237	5520.00	0.1267
238	5520.00	0.1267
239	5520.00	0.1267
240	5520.00	0.1267
241	5520.00	0.1267
242	5520.00	0.1267
243	5520.00	0.1267
244	5520.00	0.1267
245	5520.00	0.1267
246	5520.00	0.1267
247	5520.00	0.1267
248	5520.00	0.1267
249	5520.00	0.1267
250	5533.00	0.1270
251	5505.00	0.1264
252	5520.00	0.1267
253	5520.00	0.1267
254	5520.00	0.1267
255	5520.00	0.1267
256	5520.00	0.1267
257	5520.00	0.1267
258	5520.00	0.1267
259	5520.00	0.1267
260	5520.00	0.1267
261	5520.00	0.1267

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

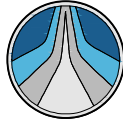
Project No.
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Date
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Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 7 of 9



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
262	5520.00	0.1267
263	5520.00	0.1267
264	5520.00	0.1267
265	5520.00	0.1267
266	5520.00	0.1267
267	5520.00	0.1267
268	5520.00	0.1267
269	5520.00	0.1267
270	5520.00	0.1267
271	5520.00	0.1267
272	5520.00	0.1267
273	5520.00	0.1267
274	5490.00	0.1260
275	5520.00	0.1267
276	5520.00	0.1267
277	5520.00	0.1267
278	5520.00	0.1267
279	5520.00	0.1267
280	5520.00	0.1267
281	5520.00	0.1267
282	5520.00	0.1267
283	5520.00	0.1267
284	5520.00	0.1267
285	5489.00	0.1260
286	6824.00	0.1567
287	6824.00	0.1567
288	6824.00	0.1567



LOT TABLE		
LOT #	SQUARE FEET	ACRES
289	6824.00	0.1567
290	6824.00	0.1567
291	6824.00	0.1567
292	6824.00	0.1567
293	6742.00	0.1548
294	6360.00	0.1460
295	6360.00	0.1460
296	6345.00	0.1457
297	6579.00	0.1510
298	6543.00	0.1502
299	6347.00	0.1457
300	6468.00	0.1485
301	6492.00	0.1490
302	6360.00	0.1460
303	6416.00	0.1473
304	6738.00	0.1547
305	6738.00	0.1547
306	6738.00	0.1547
307	6738.00	0.1547
308	6738.00	0.1547
309	6738.00	0.1547
310	6738.00	0.1547
311	6793.00	0.1559
312	6798.00	0.1561
313	7007.00	0.1609
314	9129.00	0.2096
315	6625.00	0.1521

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
08/12/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 8 of 9



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
316	6625.00	0.1521
317	6625.00	0.1521
318	6625.00	0.1521
319	6625.00	0.1521
320	6625.00	0.1521
TOTAL	982811.00	22.5622

EASEMENT	
PUBLIC UTILITY EASEMENT	FLOODWAY FLOWAGE EASEMENT
VEHICAL NON ACCESS EASEMENT	PUBLIC TRAIL EASEMENT
SIGHT VISIBILITY TRIANGLE	PRIVATE IRRIGATION EASEMENT
SEWER EASEMENT	

RIGHT-OF-WAY			
USAGE	SQUARE FEET	ACRES	STREET NAME
RIGHT-OF-WAY	342927.00	7.8725	125TH AVENUE / 125TH DRIVE / 125TH LANE / 126TH DRIVE / HOPI STREET / CHASE LANE / DAVIS LANE / LOCUST LANE / WHYMAN AVENUE / MOUNTAIN VIEW DRIVE
TOTAL	342927.00	7.8725	



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 2
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
08/12/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 9 of 9

CITY COUNCIL REPORT

SUBJECT: Resolutions 1079-1021 and 1080-1021 – Maintenance Improvement District No. 26 for Del Rio Ranch III Phase 3

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include housing that is affordable to workers and close to their jobs.
-

PURPOSE:

City Council will consider a request to approve the Petition for Formation, adopt Resolution 1079-1021, declaring its intention to form the City of Avondale Maintenance Improvement District No. 26, Del Rio Ranch III Phase 3, providing for the assessment, and adopt Resolution 1080-1021, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency, and authorize the Mayor, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Under provisions of the City Code and Zoning Ordinance, developers are responsible for landscaping development projects prior to issuance of a Certificate of Occupancy. In particular, subdivisions are required to provide landscaping along certain arterial and collector streets and in other locations as provided in the zoning requirements, approval conditions, engineering requests or subdivision requirements. In addition, developers are often required to provide paths, trails, and other usable amenities in common open space areas within a community.

The purpose of the Maintenance Improvement District (MID) is to provide for the operations, maintenance, repair and improvements to landscaping and open space adjacent to designated public roadways and parkways within the proposed district, as well as drainage and retention within each proposed district in the event a Homeowner's Association fails. Until such time as the Homeowner's Association fails, and the Council directs City Staff to assume maintenance responsibility, a line item of \$0.00 will display on the homeowners' property tax bills. Pursuant to the provision of A.R.S. 48-574, et. seq., the Mayor and Council are empowered to adopt a Resolution ordering the formation of a Maintenance Improvement District.

A Resolution of Intention for formation of City of Avondale Maintenance Improvement District No. 26, Del Rio Ranch III Phase 3, northeast corner of Durango Street and 125th Avenue, is attached. In the case in which all of the property owners have consented to MID formation, the ordinary publication and protest period are not required by law; the 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. In accordance with State statute, an assessment diagram and map, listing each parcel of property within the district has been prepared.

PUBLIC PARTICIPATION:

Public notification is not required for MID applications.

PLANNING COMMISSION ACTION:

The Planning Commission does not review MID applications.

ANALYSIS:

The acceptance of this Maintenance Improvement District will allow any additional charges associated with the maintenance responsibilities, should the Homeowner's Association fail, to be assessed on the property tax bill for the properties located within the District.

The Maintenance Improvement District has been approved through the Development and Engineering Services Department, which recommends that City Council formally approve the Maintenance Improvement District to allow for the taxing district to be recorded and in place in the event the Homeowner's Association fails.

It should be noted that not approving the Maintenance Improvement District will prevent any charges from being assessed on the property tax bills for those properties located within the District in the event that the Homeowner's Association fails.

DISCUSSION:

The proposed MID has been reviewed by the City Attorney and is in conformance with the City of Avondale's Subdivision Regulations and State statute governing Maintenance Improvement District formation.

BUDGET IMPACT:

There is no direct budgetary impact to the City to approve the Maintenance Improvement District. However, the City would incur the additional charges associated with the maintenance responsibilities should the taxing district not be approved and recorded, and the Homeowner's Association fails.

RECOMMENDATION:

Staff recommends Council **ADOPT** a Resolution declaring its intention to create and adopt plans for the City of Avondale Maintenance Improvement District No. 26, Del Rio Ranch III Phase 3, providing for the assessment, and a second Resolution declaring its intention to order the improvements within the newly established Maintenance Improvement District, providing for the assessment and declaring an emergency, subject to the following conditions:

1. The final plat for the subdivision must be approved by City Council and recorded with the Maricopa County Recorder's Office prior to recordation of the Maintenance Improvement District; and
2. The developer must provide a fully executed Petition, Waiver and Consent to Formation of a Municipal Improvement District.

PROPOSED MOTION:

I move that City Council **ADOPT** the necessary resolutions approving City of Avondale Maintenance Improvement District No. 26, Del Rio Ranch III Phase 3, subject to two (2) recommended conditions of approval as listed in the staff report.

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

**Maintenance Improvement District No. 26
(DEL RIO RANCH III PHASE III)**

To: Honorable Mayor and Council
City of Avondale, Arizona

Pursuant to ARIZ. REV. STAT. § 48-574(C), the undersigned property owners respectfully petition the Council of the City of Avondale, Arizona (the “City Council”) to order the formation of a Municipal Improvement District (the “District”) under ARIZ. REV. STAT. § 48-574, *et seq.* In support of this petition, the undersigned agree to waive certain rights under Arizona Law and to consent to the formation and completion of the District.

1. Area of District. The proposed District is described by a diagram and by a legal description on Exhibit A, attached hereto and incorporated herein by reference. The proposed District consists of $\pm$ 19.5526 acres and is entirely within the corporate boundaries of the City of Avondale.
2. Ownership. The undersigned is the sole owner 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 landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways 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, drainage and retention facilities and hardscape adjacent to designated public roadways 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 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. All protest rights whatsoever under ARIZ. REV. STAT. §§ 48-579(A) and (B), as amended.
 - c. 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. The Engineer's Estimate of the costs and expenses of the improvements are attached as part of Exhibit A.

IN WITNESS WHEREOF, the parties have executed this Petition and Waiver Agreement as of _____, 2021.

"Property Owner"

DC ONE HOLDINGS, INC,
an Arizona corporation

By: _____
Donald Switzenberg, President

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On, _____ 2021, before me personally appeared Donald Switzenberg, the President of DC ONE HOLDINGS, INC, an Arizona corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document on behalf of the corporation.

Notary Public

(Affix notary seal here)

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

ACCEPTED AND APPROVED BY:

“City”

CITY OF AVONDALE,
an Arizona municipal corporation

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On _____, 2021, before me personally appeared Kenneth N. Weise, the Mayor of the CITY OF AVONDALE, an Arizona municipal corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document, on behalf of the City of Avondale.

Notary Public

(Affix notary seal here)

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

**Maintenance Improvement District No. 26
(Del Rio Ranch III Phase III)**

[Legal Description, Assessment Diagram and Engineer's Estimate]

(See following pages.)

EXHIBIT "A"
MAINTENANCE IMPROVEMENT DISTRICT LEGAL DESCRIPTION &
EXHIBIT MAP FOR DEL RIO RANCH III

A PORTION OF LAND LOCATED IN EAST HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP FLUSH, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, BEARS NORTH 00 DEGREES 10 MINUTES 36 SECONDS EAST, 2761.54 FEET;

THENCE NORTH 88 DEGREES 56 MINUTES 07 SECONDS WEST, ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 14, 1028.04 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID EAST-WEST MID-SECTION LINE, SOUTH 01 DEGREE 03 MINUTES 53 SECONDS WEST, 59.50 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, FROM WHICH THE CENTER BEARS SOUTH 34 DEGREES 16 MINUTES 27 SECONDS EAST, 540.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06 DEGREES 15 MINUTES 49 SECONDS, AN ARC LENGTH OF 59.03 FEET;

THENCE SOUTH 49 DEGREES 27 MINUTES 44 SECONDS WEST, 121.64 FEET;

THENCE NORTH 86 DEGREES 27 MINUTES 11 SECONDS WEST, 45.88 FEET;

THENCE NORTH 42 DEGREES 33 MINUTES 35 SECONDS WEST, 91.67 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 108.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 16 DEGREES 06 MINUTES 13 SECONDS, AN ARC LENGTH OF 30.35 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 192.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 20 DEGREES 45 MINUTES 43 SECONDS, AN ARC LENGTH OF 69.57 FEET;

THENCE NORTH 37 DEGREES 54 MINUTES 05 SECONDS WEST, 57.60 FEET TO SAID EAST-WEST MID-SECTION LINE;

THENCE CONTINUING NORTH 37 DEGREES 54 MINUTES 05 SECONDS WEST, 122.47 FEET;

THENCE SOUTH 52 DEGREES 05 MINUTES 55 SECONDS WEST, 50.00 FEET;

THENCE NORTH 37 DEGREES 54 MINUTES 05 SECONDS WEST, 197.20 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 775.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 58 MINUTES 54 SECONDS, AN ARC LENGTH OF 40.33 FEET;

THENCE NORTH 40 DEGREES 53 MINUTES 00 SECONDS WEST, 125.31 FEET;

THENCE NORTH 83 DEGREES 23 MINUTES 56 SECONDS WEST, 22.11 FEET;

THENCE NORTH 34 DEGREES 46 MINUTES 07 SECONDS WEST, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 34 DEGREES 46 MINUTES 07 SECONDS WEST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 20 DEGREES 45 MINUTES 09 SECONDS, AN ARC LENGTH OF 117.71 FEET;

THENCE NORTH 02 DEGREES 46 MINUTES 48 SECONDS EAST, 202.54 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 755.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 28 MINUTES 49 SECONDS, AN ARC LENGTH OF 32.68 FEET;

THENCE SOUTH 75 DEGREES 06 MINUTES 21 SECONDS EAST, 20.22 FEET;

THENCE SOUTH 72 DEGREES 08 MINUTES 35 SECONDS EAST, 53.01 FEET;

THENCE SOUTH 72 DEGREES 59 MINUTES 22 SECONDS EAST, 53.00 FEET;

THENCE SOUTH 74 DEGREES 17 MINUTES 51 SECONDS EAST, 84.81 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 64 DEGREES 25 MINUTES 08 SECONDS WEST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 14 DEGREES 44 MINUTES 09 SECONDS, AN ARC LENGTH OF 83.59 FEET;

THENCE NORTH 10 DEGREES 50 MINUTES 43 SECONDS EAST, 23.11 FEET;

THENCE NORTH 33 DEGREES 10 MINUTES 47 SECONDS WEST, 21.57 FEET;

THENCE NORTH 76 DEGREES 17 MINUTES 48 SECONDS WEST, 15.27 FEET;

THENCE NORTH 13 DEGREES 37 MINUTES 57 SECONDS EAST, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 14 DEGREES 11 MINUTES 26 SECONDS EAST, 905.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 07 MINUTES 23 SECONDS, AN ARC LENGTH OF 33.54 FEET;

THENCE NORTH 15 DEGREES 56 MINUTES 52 SECONDS EAST, 104.57 FEET;

THENCE NORTH 35 DEGREES 40 MINUTES 23 SECONDS WEST, 23.64 FEET;

THENCE NORTH 14 DEGREES 56 MINUTES 16 SECONDS EAST, 120.12 FEET THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 12 DEGREES 31 MINUTES 09 SECONDS EAST, 665.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 00 DEGREES 26 MINUTES 15 SECONDS, AN ARC LENGTH OF 5.08 FEET;

THENCE NORTH 12 DEGREES 57 MINUTES 24 SECONDS EAST, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 12 DEGREES 57 MINUTES 24 SECONDS EAST, 615.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 50 MINUTES 41 SECONDS, AN ARC LENGTH OF 30.54 FEET;

THENCE NORTH 15 DEGREES 48 MINUTES 05 SECONDS EAST, 112.15 FEET;

THENCE NORTH 28 DEGREES 58 MINUTES 17 SECONDS WEST, 11.14 FEET;

THENCE NORTH 16 DEGREES 42 MINUTES 36 SECONDS EAST, 170.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 16 DEGREES 42 MINUTES 36 SECONDS EAST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 08 DEGREES 56 MINUTES 32 SECONDS, AN ARC LENGTH OF 50.72 FEET;

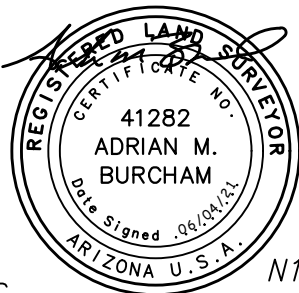
THENCE NORTH 00 DEGREES 23 MINUTES 02 SECONDS EAST, 119.74 FEET;

THENCE SOUTH 89 DEGREES 36 MINUTES 58 SECONDS EAST, 453.82 FEET;

THENCE SOUTH 00 DEGREES 10 MINUTES 36 SECONDS WEST, 1368.56 FEET
TO THE **POINT OF BEGINNING**;

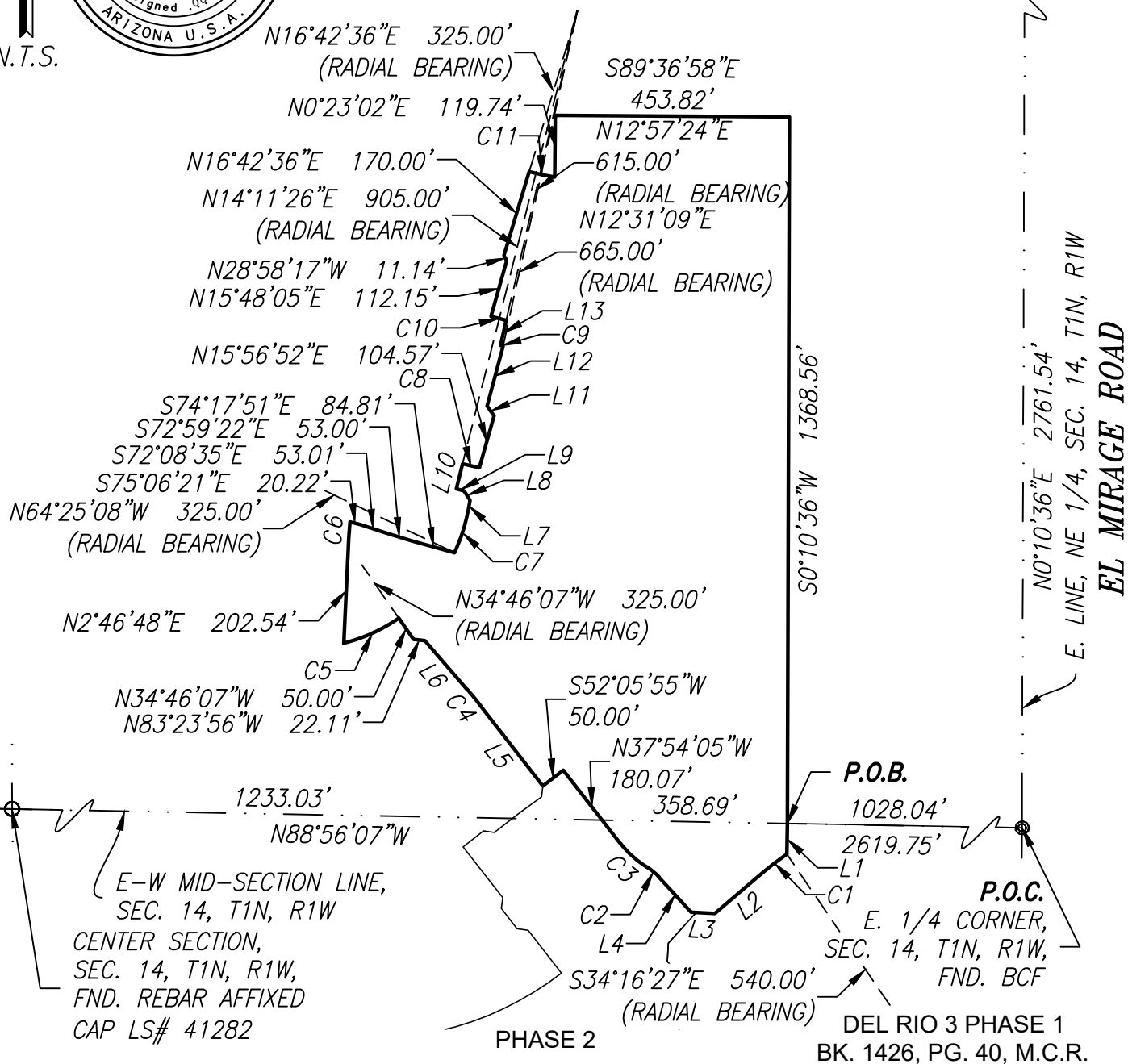
SAID PARCEL CONTAINS 851,709 SQUARE FEET OR 19.5526 ACRES, MORE OR LESS.





N.T.S.

NE CORNER,
SEC. 14, T1N, R1W,
FND. BCHH



EL MIRAGE ROAD

$N 0^{\circ} 10' 36'' E$ 2761.54'
E. LINE, NE $1/4$, SEC. 14, T1N, R1W

P.O.C.

DEL RIO 3 PHASE 1
BK. 1426, PG. 40, M.C.R.

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

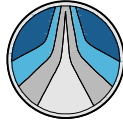
Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 1 of 6



HUBBARD ENGINEERING

www.hubbardengineering.com

1201 S. Alma School Rd.
Suite 12000
Mesa, AZ 85210
Ph: 480.892.3313

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S1°03'53"W	59.50'
L2	S49°27'44"W	121.64'
L3	N86°27'11"W	45.88'
L4	N42°33'35"W	91.67'
L5	N37°54'05"W	197.20'
L6	N40°53'00"W	125.31'
L7	N10°50'43"E	23.11'



LINE TABLE		
LINE #	BEARING	LENGTH
L8	N33°10'47"W	21.57'
L9	N76°17'48"W	15.27'
L10	N13°37'57"E	50.00'
L11	N35°40'23"W	23.64'
L12	N14°56'16"E	120.12'
L13	N12°57'24"E	50.00'

CURVE TABLE				
CURVE #	DELTA	RADIUS	LENGTH	CHORD
C1	6°15'49"	540.00'	59.03'	S52°35'39"W 59.00'
C2	16°06'13"	108.00'	30.35'	N50°36'42"W 30.25'
C3	20°45'43"	192.00'	69.57'	N48°16'57"W 69.19'
C4	2°58'54"	775.00'	40.33'	N39°23'32"W 40.33'
C5	20°45'09"	325.00'	117.71'	S65°36'27"W 117.07'
C6	2°28'49"	755.00'	32.68'	N04°01'13"E 32.68'
C7	14°44'09"	325.00'	83.59'	N18°12'47"E 83.36'
C8	2°07'23"	905.00'	33.54'	S76°52'16"E 33.53'
C9	0°26'15"	665.00'	5.08'	N77°15'43"W 5.08'
C10	2°50'41"	615.00'	30.54'	N75°37'15"W 30.53'
C11	8°56'32"	325.00'	50.72'	S77°45'40"E 50.67'

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 3 of 6



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TRACT TABLE

TRACT	SQUARE FEET	ACRES	USAGE
C	2386.00	0.0548	LANDSCAPE / PUBLIC UTILITY EASEMENT
E	11991.00	0.2753	LANDSCAPE / PUBLIC UTILITY EASEMENT / SEWER EASEMENT
F	3375.00	0.0775	LANDSCAPE / PUBLIC UTILITY EASEMENT
H	8972.00	0.2060	LANDSCAPE / PUBLIC UTILITY EASEMENT / SEWER EASEMENT
I	3375.00	0.0775	LANDSCAPE / PUBLIC UTILITY EASEMENT
J	29846.00	0.6852	LANDSCAPE / PUBLIC UTILITY EASEMENT / RETENTION
K	17489.00	0.4015	LANDSCAPE / PUBLIC UTILITY EASEMENT / RETENTION
L	3375.00	0.0775	LANDSCAPE / PUBLIC UTILITY EASEMENT
O	63746.00	1.4634	LANDSCAPE / RETENTION / PUBLIC UTILITY EASEMENT / SEWER EASEMENT / PRIVATE IRRIGATION EASEMENT
EE	1687.00	0.0387	LANDSCAPE / PUBLIC UTILITY EASEMENT
TOTAL	146242.00	3.3573	

EASEMENT

PUBLIC UTILITY EASEMENT	SEWER EASEMENT
VEHICAL NON ACCESS EASEMENT	FLOODWAY FLOWAGE EASEMENT
SIGHT VISIBILITY TRIANGLE	PUBLIC TRAIL EASEMENT
WATER EASEMENT	PRIVATE IRRIGATION EASEMENT



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

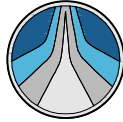
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16178

Date
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ADRIAN BURCHAM

Project Eng.

Sht: 4 of 6



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
321	6847.00	0.1572
322	6960.00	0.1598
323	6960.00	0.1598
324	6960.00	0.1598
325	6960.00	0.1598
326	6957.00	0.1597
327	6960.00	0.1598
328	6960.00	0.1598
329	6960.00	0.1598
330	6960.00	0.1598
331	6960.00	0.1598
332	6960.00	0.1598
333	6960.00	0.1598
334	6960.00	0.1598
335	6960.00	0.1598
336	6960.00	0.1598
337	6960.00	0.1598
338	6960.00	0.1598
339	6960.00	0.1598
340	6946.00	0.1595
341	10395.00	0.2386
342	15080.00	0.3462
343	6950.00	0.1596
344	7067.00	0.1622
345	7080.00	0.1625
346	7092.00	0.1628



LOT TABLE		
LOT #	SQUARE FEET	ACRES
347	7084.00	0.1626
348	8189.00	0.1880
349	7433.00	0.1706
350	6960.00	0.1598
351	6960.00	0.1598
352	6960.00	0.1598
353	7560.00	0.1736
354	7560.00	0.1736
355	7560.00	0.1736
356	7995.00	0.1835
357	8404.00	0.1929
358	7312.00	0.1679
359	7415.00	0.1702
360	7012.00	0.1610
361	6960.00	0.1598
362	6960.00	0.1598
363	6960.00	0.1598
364	6960.00	0.1598
365	6960.00	0.1598
366	6960.00	0.1598
367	6993.00	0.1605
368	7357.00	0.1689
369	7360.00	0.1690
370	7886.00	0.1810
371	7363.00	0.1690
372	6960.00	0.1598

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

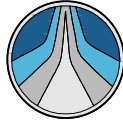
Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 5 of 6



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Mesa, AZ 85210
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LOT TABLE		
LOT #	SQUARE FEET	ACRES
373	6960.00	0.1598
374	6960.00	0.1598
375	6960.00	0.1598
376	6960.00	0.1598
377	6960.00	0.1598
378	7298.00	0.1675
379	8674.00	0.1991
380	10188.00	0.2339
381	7961.00	0.1828
382	6960.00	0.1598
383	6904.00	0.1585
384	10328.00	0.2371
385	7252.00	0.1665
386	6960.00	0.1598
387	6960.00	0.1598
388	6960.00	0.1598
389	6960.00	0.1598
390	6908.00	0.1586
TOTAL	517930.00	11.8900



RIGHT-OF-WAY			
USAGE	SQUARE FEET	ACRES	STREET NAME
RIGHT-OF-WAY	187513.00	4.3047	124TH LANE / 125TH AVENUE / 125TH DRIVE / APACHE STREET / MOHAVE STREET / COCOPAH STREET / PIMA STREET
TOTAL	187513.00	4.3047	

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 6 of 6

CITY OF AVONDALE

MAINTENANCE IMPROVEMENT DISTRICT NO. 26
"Del Rio III – Phase 3" Tracts C, E, F, H Through L, O, and EE.

ENGINEER'S ESTIMATE

In compliance with the provisions of A.R.S. Title 48, Chapter 4, Article 2, Section §48-574, and all amendments and supplements thereto, we hereby estimate the costs and expenses of said improvement to be as follows:

AREA

- Right-of-Way: 4.30 Ac
- Tract Area: 3.36 Ac

ANNUAL MAINTENANCE FEE

- Right of Way
4.30 Ac x \$2,000/Ac = \$8,600.00
- Tract Area
3.36 Ac. x \$10,500/Ac = \$35,280.00
\$43,880.00

ANNUAL ADMINISTRATIVE FEE

(\$43,880.00) X 5% = \$2,194.00

TOTAL ANNUAL COST

\$43,880.00 + \$2,194.00 = \$46,074.00

TOTAL COST PER MONTH

\$46,074.00/12 months = \$3,839.50



Dated: August 13, 2021

CITY OF AVONDALE
DEVELOPMENT & ENGINEERING SERVICES
ENGINEERING DIVISION


By: Kevin Murphy, P.E., City Engineer

RESOLUTION NO. 1079-1021

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO OPERATE, MAINTAIN AND REPAIR LANDSCAPING, IRRIGATION, DRAINAGE AND RETENTION FACILITIES AND HARDSCAPE ADJACENT TO DESIGNATED PUBLIC ROADWAYS WITHIN THE PROPOSED DISTRICT AND RELATED FACILITIES AS SHOWN ON THE PLANS, FOR MAINTENANCE WITHIN AN AREA IN THE CITY OF AVONDALE AS DESCRIBED HEREIN; ADOPTING PLANS FOR CITY OF AVONDALE MAINTENANCE IMPROVEMENT DISTRICT NO. 26 – DEL RIO RANCH III PHASE III, 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; 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 City of Avondale (the “City”) has been presented with a Petition for Formation of a Maintenance Improvement District purporting to be signed by all of the real property owners within the proposed district and, according to ARIZ. REV. STAT. § 48-574(C), the City finds that such ownership has been verified; and

WHEREAS, the Council of the City of Avondale (the “City Council”) desires to declare its intent to form the City of Avondale Maintenance Improvement District No. 26 – Del Rio Ranch III Phase III (the “Assessment District”) over the area described and depicted on Exhibit A, attached hereto and incorporated herein by reference and including those lots, pieces or parcels of land lying within the Assessment District as shown in more detail on the duplicate diagrams made by or at the direction of the City Engineer showing each separate lot numbered consecutively, the area in square feet of each lot, the area of any building or buildings located on each lot, and the location of the lot in relation to the work proposed to be done (the “Assessment Diagram”) attached hereto as a part of Exhibit A and incorporated herein by reference; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities in the Assessment District to be of more than local or ordinary public benefit, and further that the cost of said activities shall be assessed on the Assessment District; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities in the Assessment District are incidental to the maintenance and preservation of the public roadways and parkway and related facilities, has aesthetic value, and maintains and increases the value of property within the Assessment District; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities preserves and promotes the health, safety, and welfare of those citizens of the City living within the Assessment 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 Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district tend to preserve the structural integrity of the public streets and parkway and mitigate flooding of adjacent areas by draining water to and from the public streets and parkway in furtherance of the health, safety and welfare of those citizens of the City living within the Assessment District.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The public interest or convenience requires, and it is the intention of the Mayor and Council of the City of Avondale, Arizona, to order the following work (hereinafter the “Work”) to be performed: The operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district shown on the Assessment Diagram.

SECTION 3. The City Council designates as parkways those streets and rights-of-way areas set forth on the Assessment Diagram in accordance with Title 48, Chapter 4, Article 2, Arizona Revised Statutes, and specifically including those portions of pedestrian facilities, retention, detention and storm water management facilities included within or adjacent to the Assessment District. 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 showing the engineer’s estimate for the City of Avondale Maintenance Improvement District No. 26 – Del Rio Ranch III Phase III, filed with the City Clerk prior to the adoption of this Resolution (the “Plans and Specifications”), which are hereby approved and adopted by the City Council and which shall remain on file in the Office of the City Engineer; 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 (the City Engineer) and the City Clerk are hereby approved and adopted by the City Council. 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 Avondale Maintenance Improvement District No. 26 – Del Rio Ranch III Phase III.

SECTION 4. 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 5. The City Engineer is hereby authorized and directed to prepare duplicate Assessment Diagrams of the property contained within the Assessment District.

SECTION 6. 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 7. In no event will the City or any officer thereof be liable for any portion of the cost of said Assessment District or for any delinquency of persons or property assessed.

SECTION 8. The City Council shall make annual statements and estimates of the expenses of the Assessment 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 Assessment District as provided in ARIZ. REV. STAT. § 48-574 and amendments thereto.

SECTION 9. The Work and all proceedings pertaining thereto shall be performed under the provisions of ARIZ. REV. STAT. § 48-574, and all amendments thereto and pursuant to Article I, Section 3 and Article XII, Section 8 of the Avondale City Charter.

SECTION 10. The City Engineer is hereby authorized to fill in any blanks and to make any minor corrections necessary to complete the Plans and Specifications.

SECTION 11. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute and submit all documents and any other necessary or desirable instruments and to take all steps necessary to carry out the purpose and intent of this Resolution.

SECTION 12. 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 City Council as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 4, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1079-1021

[Legal Description of Assessment District and Assessment Diagram]

See following pages.

EXHIBIT "A"
MAINTENANCE IMPROVEMENT DISTRICT LEGAL DESCRIPTION &
EXHIBIT MAP FOR DEL RIO RANCH III

A PORTION OF LAND LOCATED IN EAST HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP FLUSH, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, BEARS NORTH 00 DEGREES 10 MINUTES 36 SECONDS EAST, 2761.54 FEET;

THENCE NORTH 88 DEGREES 56 MINUTES 07 SECONDS WEST, ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 14, 1028.04 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID EAST-WEST MID-SECTION LINE, SOUTH 01 DEGREE 03 MINUTES 53 SECONDS WEST, 59.50 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, FROM WHICH THE CENTER BEARS SOUTH 34 DEGREES 16 MINUTES 27 SECONDS EAST, 540.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06 DEGREES 15 MINUTES 49 SECONDS, AN ARC LENGTH OF 59.03 FEET;

THENCE SOUTH 49 DEGREES 27 MINUTES 44 SECONDS WEST, 121.64 FEET;

THENCE NORTH 86 DEGREES 27 MINUTES 11 SECONDS WEST, 45.88 FEET;

THENCE NORTH 42 DEGREES 33 MINUTES 35 SECONDS WEST, 91.67 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 108.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 16 DEGREES 06 MINUTES 13 SECONDS, AN ARC LENGTH OF 30.35 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 192.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 20 DEGREES 45 MINUTES 43 SECONDS, AN ARC LENGTH OF 69.57 FEET;

THENCE NORTH 37 DEGREES 54 MINUTES 05 SECONDS WEST, 57.60 FEET TO SAID EAST-WEST MID-SECTION LINE;

THENCE CONTINUING NORTH 37 DEGREES 54 MINUTES 05 SECONDS WEST, 122.47 FEET;

THENCE SOUTH 52 DEGREES 05 MINUTES 55 SECONDS WEST, 50.00 FEET;

THENCE NORTH 37 DEGREES 54 MINUTES 05 SECONDS WEST, 197.20 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 775.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 58 MINUTES 54 SECONDS, AN ARC LENGTH OF 40.33 FEET;
THENCE NORTH 40 DEGREES 53 MINUTES 00 SECONDS WEST, 125.31 FEET;

THENCE NORTH 83 DEGREES 23 MINUTES 56 SECONDS WEST, 22.11 FEET;

THENCE NORTH 34 DEGREES 46 MINUTES 07 SECONDS WEST, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 34 DEGREES 46 MINUTES 07 SECONDS WEST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 20 DEGREES 45 MINUTES 09 SECONDS, AN ARC LENGTH OF 117.71 FEET;

THENCE NORTH 02 DEGREES 46 MINUTES 48 SECONDS EAST, 202.54 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 755.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 28 MINUTES 49 SECONDS, AN ARC LENGTH OF 32.68 FEET;

THENCE SOUTH 75 DEGREES 06 MINUTES 21 SECONDS EAST, 20.22 FEET;

THENCE SOUTH 72 DEGREES 08 MINUTES 35 SECONDS EAST, 53.01 FEET;

THENCE SOUTH 72 DEGREES 59 MINUTES 22 SECONDS EAST, 53.00 FEET;

THENCE SOUTH 74 DEGREES 17 MINUTES 51 SECONDS EAST, 84.81 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 64 DEGREES 25 MINUTES 08 SECONDS WEST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 14 DEGREES 44 MINUTES 09 SECONDS, AN ARC LENGTH OF 83.59 FEET;

THENCE NORTH 10 DEGREES 50 MINUTES 43 SECONDS EAST, 23.11 FEET;

THENCE NORTH 33 DEGREES 10 MINUTES 47 SECONDS WEST, 21.57 FEET;

THENCE NORTH 76 DEGREES 17 MINUTES 48 SECONDS WEST, 15.27 FEET;

THENCE NORTH 13 DEGREES 37 MINUTES 57 SECONDS EAST, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 14 DEGREES 11 MINUTES 26 SECONDS EAST, 905.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 07 MINUTES 23 SECONDS, AN ARC LENGTH OF 33.54 FEET;

THENCE NORTH 15 DEGREES 56 MINUTES 52 SECONDS EAST, 104.57 FEET;

THENCE NORTH 35 DEGREES 40 MINUTES 23 SECONDS WEST, 23.64 FEET;

THENCE NORTH 14 DEGREES 56 MINUTES 16 SECONDS EAST, 120.12 FEET THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 12 DEGREES 31 MINUTES 09 SECONDS EAST, 665.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 00 DEGREES 26 MINUTES 15 SECONDS, AN ARC LENGTH OF 5.08 FEET;

THENCE NORTH 12 DEGREES 57 MINUTES 24 SECONDS EAST, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 12 DEGREES 57 MINUTES 24 SECONDS EAST, 615.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 50 MINUTES 41 SECONDS, AN ARC LENGTH OF 30.54 FEET;

THENCE NORTH 15 DEGREES 48 MINUTES 05 SECONDS EAST, 112.15 FEET;

THENCE NORTH 28 DEGREES 58 MINUTES 17 SECONDS WEST, 11.14 FEET;

THENCE NORTH 16 DEGREES 42 MINUTES 36 SECONDS EAST, 170.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 16 DEGREES 42 MINUTES 36 SECONDS EAST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 08 DEGREES 56 MINUTES 32 SECONDS, AN ARC LENGTH OF 50.72 FEET;

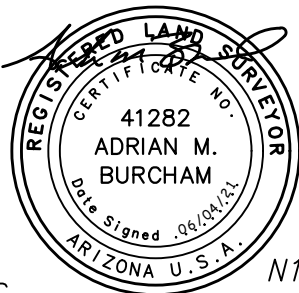
THENCE NORTH 00 DEGREES 23 MINUTES 02 SECONDS EAST, 119.74 FEET;

THENCE SOUTH 89 DEGREES 36 MINUTES 58 SECONDS EAST, 453.82 FEET;

THENCE SOUTH 00 DEGREES 10 MINUTES 36 SECONDS WEST, 1368.56 FEET
TO THE **POINT OF BEGINNING**;

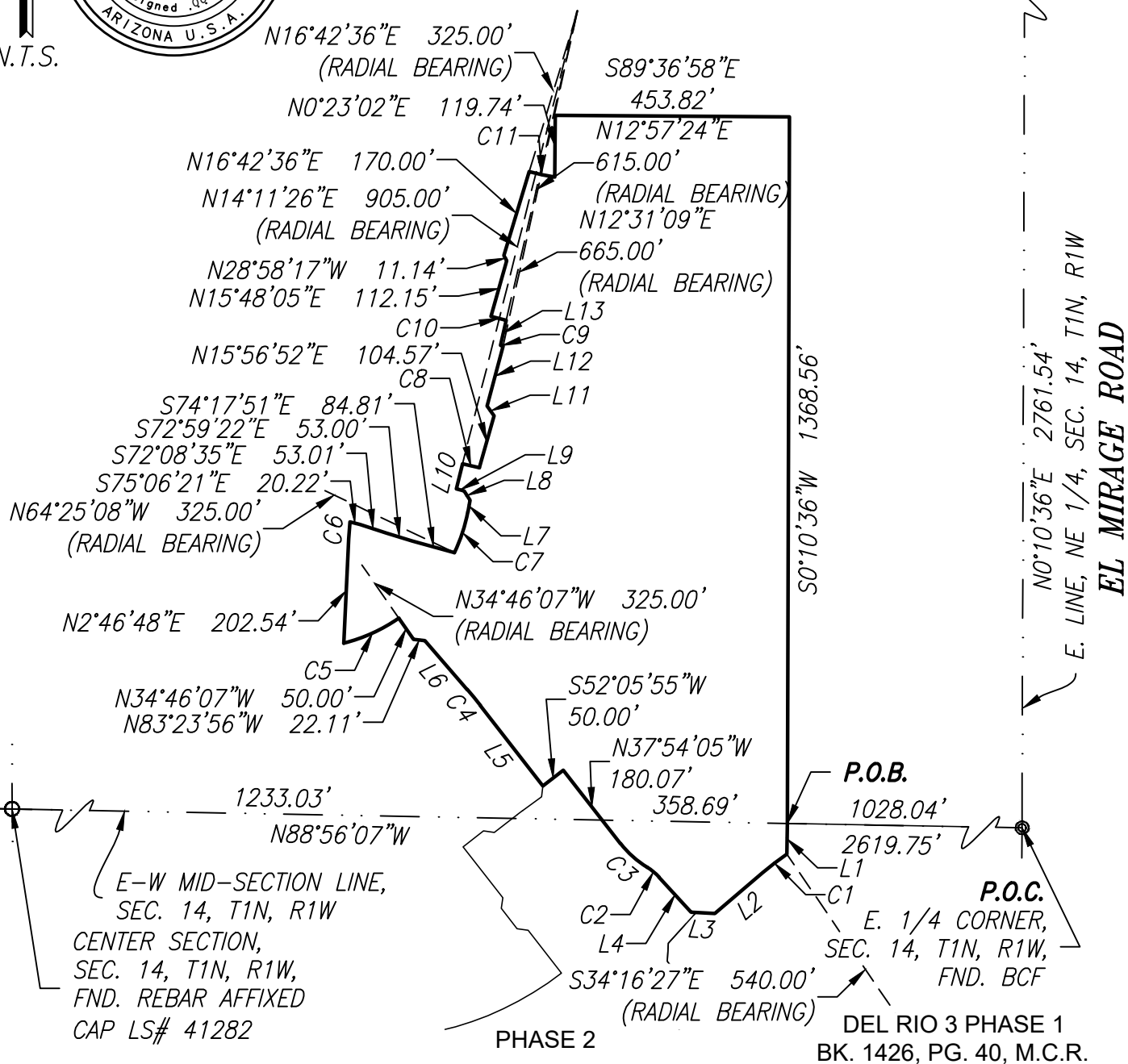
SAID PARCEL CONTAINS 851,709 SQUARE FEET OR 19.5526 ACRES, MORE OR LESS.





N.T.S.

NE CORNER,
SEC. 14, T1N, R1W,
FND. BCHH



EL MIRAGE ROAD

E. LINE, NE 1/4, SEC. 14, T1N, R1W
N0°10'36"E 2761.54'

P.O.C.

DEL RIO 3 PHASE 1
BK. 1426, PG. 40, M.C.R.

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

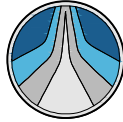
Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 1 of 6

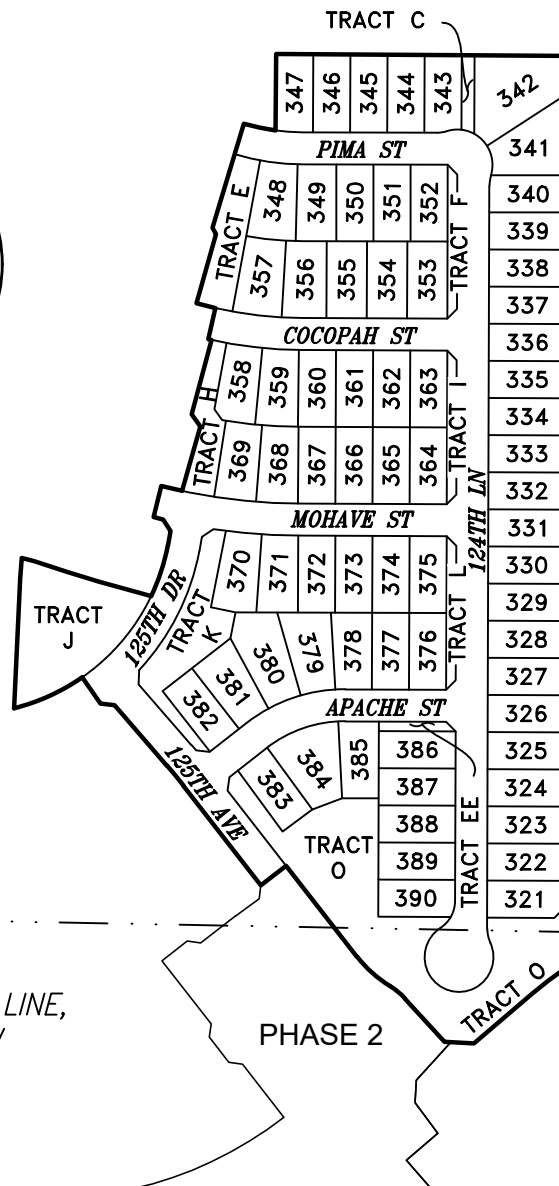
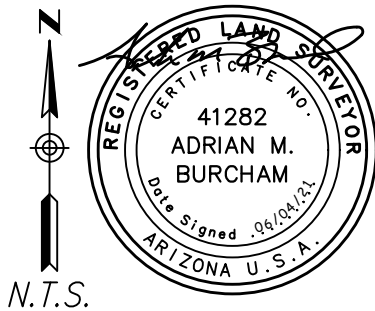


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NE CORNER,
SEC. 14, T1N, R1W,
FND. BCHH



E-W MID-SECTION LINE,
SEC. 14, T1N, R1W
CENTER SECTION,
SEC. 14, T1N, R1W,
FND. REBAR AFFIXED
CAP LS# 41282

E. 1/4 CORNER,
SEC. 14, T1N, R1W,
FND. BCF

DEL RIO 3 PHASE 1
BK. 1426, PG. 40, M.C.R.

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

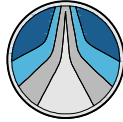
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Sht: 2 of 6



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LINE TABLE		
LINE #	BEARING	LENGTH
L1	S1°03'53"W	59.50'
L2	S49°27'44"W	121.64'
L3	N86°27'11"W	45.88'
L4	N42°33'35"W	91.67'
L5	N37°54'05"W	197.20'
L6	N40°53'00"W	125.31'
L7	N10°50'43"E	23.11'



LINE TABLE		
LINE #	BEARING	LENGTH
L8	N33°10'47"W	21.57'
L9	N76°17'48"W	15.27'
L10	N13°37'57"E	50.00'
L11	N35°40'23"W	23.64'
L12	N14°56'16"E	120.12'
L13	N12°57'24"E	50.00'

CURVE TABLE				
CURVE #	DELTA	RADIUS	LENGTH	CHORD
C1	6°15'49"	540.00'	59.03'	S52°35'39"W 59.00'
C2	16°06'13"	108.00'	30.35'	N50°36'42"W 30.25'
C3	20°45'43"	192.00'	69.57'	N48°16'57"W 69.19'
C4	2°58'54"	775.00'	40.33'	N39°23'32"W 40.33'
C5	20°45'09"	325.00'	117.71'	S65°36'27"W 117.07'
C6	2°28'49"	755.00'	32.68'	N04°01'13"E 32.68'
C7	14°44'09"	325.00'	83.59'	N18°12'47"E 83.36'
C8	2°07'23"	905.00'	33.54'	S76°52'16"E 33.53'
C9	0°26'15"	665.00'	5.08'	N77°15'43"W 5.08'
C10	2°50'41"	615.00'	30.54'	N75°37'15"W 30.53'
C11	8°56'32"	325.00'	50.72'	S77°45'40"E 50.67'

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
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Date
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Sht: 3 of 6



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TRACT TABLE

TRACT	SQUARE FEET	ACRES	USAGE
C	2386.00	0.0548	LANDSCAPE / PUBLIC UTILITY EASEMENT
E	11991.00	0.2753	LANDSCAPE / PUBLIC UTILITY EASEMENT / SEWER EASEMENT
F	3375.00	0.0775	LANDSCAPE / PUBLIC UTILITY EASEMENT
H	8972.00	0.2060	LANDSCAPE / PUBLIC UTILITY EASEMENT / SEWER EASEMENT
I	3375.00	0.0775	LANDSCAPE / PUBLIC UTILITY EASEMENT
J	29846.00	0.6852	LANDSCAPE / PUBLIC UTILITY EASEMENT / RETENTION
K	17489.00	0.4015	LANDSCAPE / PUBLIC UTILITY EASEMENT / RETENTION
L	3375.00	0.0775	LANDSCAPE / PUBLIC UTILITY EASEMENT
O	63746.00	1.4634	LANDSCAPE / RETENTION / PUBLIC UTILITY EASEMENT / SEWER EASEMENT / PRIVATE IRRIGATION EASEMENT
EE	1687.00	0.0387	LANDSCAPE / PUBLIC UTILITY EASEMENT
TOTAL	146242.00	3.3573	

EASEMENT

PUBLIC UTILITY EASEMENT	SEWER EASEMENT
VEHICAL NON ACCESS EASEMENT	FLOODWAY FLOWAGE EASEMENT
SIGHT VISIBILITY TRIANGLE	PUBLIC TRAIL EASEMENT
WATER EASEMENT	PRIVATE IRRIGATION EASEMENT



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

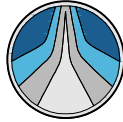
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16178

Date
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Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 4 of 6



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
321	6847.00	0.1572
322	6960.00	0.1598
323	6960.00	0.1598
324	6960.00	0.1598
325	6960.00	0.1598
326	6957.00	0.1597
327	6960.00	0.1598
328	6960.00	0.1598
329	6960.00	0.1598
330	6960.00	0.1598
331	6960.00	0.1598
332	6960.00	0.1598
333	6960.00	0.1598
334	6960.00	0.1598
335	6960.00	0.1598
336	6960.00	0.1598
337	6960.00	0.1598
338	6960.00	0.1598
339	6960.00	0.1598
340	6946.00	0.1595
341	10395.00	0.2386
342	15080.00	0.3462
343	6950.00	0.1596
344	7067.00	0.1622
345	7080.00	0.1625
346	7092.00	0.1628



LOT TABLE		
LOT #	SQUARE FEET	ACRES
347	7084.00	0.1626
348	8189.00	0.1880
349	7433.00	0.1706
350	6960.00	0.1598
351	6960.00	0.1598
352	6960.00	0.1598
353	7560.00	0.1736
354	7560.00	0.1736
355	7560.00	0.1736
356	7995.00	0.1835
357	8404.00	0.1929
358	7312.00	0.1679
359	7415.00	0.1702
360	7012.00	0.1610
361	6960.00	0.1598
362	6960.00	0.1598
363	6960.00	0.1598
364	6960.00	0.1598
365	6960.00	0.1598
366	6960.00	0.1598
367	6993.00	0.1605
368	7357.00	0.1689
369	7360.00	0.1690
370	7886.00	0.1810
371	7363.00	0.1690
372	6960.00	0.1598

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 5 of 6



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
373	6960.00	0.1598
374	6960.00	0.1598
375	6960.00	0.1598
376	6960.00	0.1598
377	6960.00	0.1598
378	7298.00	0.1675
379	8674.00	0.1991
380	10188.00	0.2339
381	7961.00	0.1828
382	6960.00	0.1598
383	6904.00	0.1585
384	10328.00	0.2371
385	7252.00	0.1665
386	6960.00	0.1598
387	6960.00	0.1598
388	6960.00	0.1598
389	6960.00	0.1598
390	6908.00	0.1586
TOTAL	517930.00	11.8900



RIGHT-OF-WAY			
USAGE	SQUARE FEET	ACRES	STREET NAME
RIGHT-OF-WAY	187513.00	4.3047	124TH LANE / 125TH AVENUE / 125TH DRIVE / APACHE STREET / MOHAVE STREET / COCOPAH STREET / PIMA STREET
TOTAL	187513.00	4.3047	

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 6 of 6

RESOLUTION NO. 1080-1021

RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, 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 AVONDALE MAINTENANCE IMPROVEMENT DISTRICT NO. 26, DEL RIO RANCH III PHASE III; 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.

WHEREAS, the Council of the City of Avondale (the “City Council”) has adopted Resolution 1079-1021 declaring its intent to form the City of Avondale Maintenance Improvement District No. 26 – Del Rio Ranch III Phase III; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 48-574(C), as amended, the City Council has immediate jurisdiction to adopt a resolution ordering the improvements pursuant to ARIZ. REV. STAT. § 48-581, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE, as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The public interest or convenience require and it is the intention of the City Council to order the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and that the cost of such activities, together with appurtenant structures, be assessed upon a certain improvement district to be known as Avondale Maintenance Improvement District No. 26 – Del Rio Ranch III Phase III (the “District”) as described and depicted on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 3. The estimate of the cost and expenses for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and on file with the

Superintendent of Streets (City Engineer) and the City Clerk is approved and adopted by the City Council.

SECTION 4. The City Council determines that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, 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 City Council makes and orders the cost and expense for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and related facilities together with appurtenant structures be chargeable upon the District, the area of which is described and depicted as set forth on Exhibit A, and declare that the District benefited by the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and related facilities together with appurtenant structures to be assessed, shall pay the costs and expenses thereof in proportion to the benefits derived therefrom.

SECTION 5. The City shall not assess the costs and expenses for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, 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 District 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 District only that portion of such costs and expenses which benefits the lots, pieces and parcels of land located within the boundaries of the District.

SECTION 6. The costs and expense for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district shall be made and all proceedings therein taken; that the Superintendent of Streets of the City (the City Engineer) 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 District 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 7. 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 City Council as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 4, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1080-1021

[Legal Description and Map of Assessment District]

See following pages.

EXHIBIT "A"
MAINTENANCE IMPROVEMENT DISTRICT LEGAL DESCRIPTION &
EXHIBIT MAP FOR DEL RIO RANCH III

A PORTION OF LAND LOCATED IN EAST HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP FLUSH, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, BEARS NORTH 00 DEGREES 10 MINUTES 36 SECONDS EAST, 2761.54 FEET;

THENCE NORTH 88 DEGREES 56 MINUTES 07 SECONDS WEST, ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 14, 1028.04 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID EAST-WEST MID-SECTION LINE, SOUTH 01 DEGREE 03 MINUTES 53 SECONDS WEST, 59.50 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, FROM WHICH THE CENTER BEARS SOUTH 34 DEGREES 16 MINUTES 27 SECONDS EAST, 540.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06 DEGREES 15 MINUTES 49 SECONDS, AN ARC LENGTH OF 59.03 FEET;

THENCE SOUTH 49 DEGREES 27 MINUTES 44 SECONDS WEST, 121.64 FEET;

THENCE NORTH 86 DEGREES 27 MINUTES 11 SECONDS WEST, 45.88 FEET;

THENCE NORTH 42 DEGREES 33 MINUTES 35 SECONDS WEST, 91.67 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 108.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 16 DEGREES 06 MINUTES 13 SECONDS, AN ARC LENGTH OF 30.35 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 192.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 20 DEGREES 45 MINUTES 43 SECONDS, AN ARC LENGTH OF 69.57 FEET;

THENCE NORTH 37 DEGREES 54 MINUTES 05 SECONDS WEST, 57.60 FEET TO SAID EAST-WEST MID-SECTION LINE;

THENCE CONTINUING NORTH 37 DEGREES 54 MINUTES 05 SECONDS WEST, 122.47 FEET;

THENCE SOUTH 52 DEGREES 05 MINUTES 55 SECONDS WEST, 50.00 FEET;

THENCE NORTH 37 DEGREES 54 MINUTES 05 SECONDS WEST, 197.20 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 775.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 58 MINUTES 54 SECONDS, AN ARC LENGTH OF 40.33 FEET;
THENCE NORTH 40 DEGREES 53 MINUTES 00 SECONDS WEST, 125.31 FEET;

THENCE NORTH 83 DEGREES 23 MINUTES 56 SECONDS WEST, 22.11 FEET;

THENCE NORTH 34 DEGREES 46 MINUTES 07 SECONDS WEST, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 34 DEGREES 46 MINUTES 07 SECONDS WEST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 20 DEGREES 45 MINUTES 09 SECONDS, AN ARC LENGTH OF 117.71 FEET;

THENCE NORTH 02 DEGREES 46 MINUTES 48 SECONDS EAST, 202.54 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 755.00 FEET;

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THENCE SOUTH 72 DEGREES 08 MINUTES 35 SECONDS EAST, 53.01 FEET;

THENCE SOUTH 72 DEGREES 59 MINUTES 22 SECONDS EAST, 53.00 FEET;

THENCE SOUTH 74 DEGREES 17 MINUTES 51 SECONDS EAST, 84.81 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 64 DEGREES 25 MINUTES 08 SECONDS WEST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 14 DEGREES 44 MINUTES 09 SECONDS, AN ARC LENGTH OF 83.59 FEET;

THENCE NORTH 10 DEGREES 50 MINUTES 43 SECONDS EAST, 23.11 FEET;

THENCE NORTH 33 DEGREES 10 MINUTES 47 SECONDS WEST, 21.57 FEET;

THENCE NORTH 76 DEGREES 17 MINUTES 48 SECONDS WEST, 15.27 FEET;

THENCE NORTH 13 DEGREES 37 MINUTES 57 SECONDS EAST, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 14 DEGREES 11 MINUTES 26 SECONDS EAST, 905.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 07 MINUTES 23 SECONDS, AN ARC LENGTH OF 33.54 FEET;

THENCE NORTH 15 DEGREES 56 MINUTES 52 SECONDS EAST, 104.57 FEET;

THENCE NORTH 35 DEGREES 40 MINUTES 23 SECONDS WEST, 23.64 FEET;

THENCE NORTH 14 DEGREES 56 MINUTES 16 SECONDS EAST, 120.12 FEET THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 12 DEGREES 31 MINUTES 09 SECONDS EAST, 665.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 00 DEGREES 26 MINUTES 15 SECONDS, AN ARC LENGTH OF 5.08 FEET;

THENCE NORTH 12 DEGREES 57 MINUTES 24 SECONDS EAST, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 12 DEGREES 57 MINUTES 24 SECONDS EAST, 615.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 50 MINUTES 41 SECONDS, AN ARC LENGTH OF 30.54 FEET;

THENCE NORTH 15 DEGREES 48 MINUTES 05 SECONDS EAST, 112.15 FEET;

THENCE NORTH 28 DEGREES 58 MINUTES 17 SECONDS WEST, 11.14 FEET;

THENCE NORTH 16 DEGREES 42 MINUTES 36 SECONDS EAST, 170.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 16 DEGREES 42 MINUTES 36 SECONDS EAST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 08 DEGREES 56 MINUTES 32 SECONDS, AN ARC LENGTH OF 50.72 FEET;

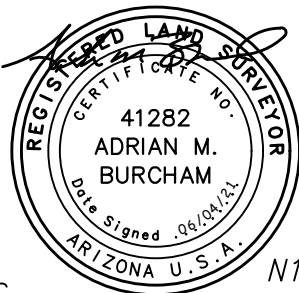
THENCE NORTH 00 DEGREES 23 MINUTES 02 SECONDS EAST, 119.74 FEET;

THENCE SOUTH 89 DEGREES 36 MINUTES 58 SECONDS EAST, 453.82 FEET;

THENCE SOUTH 00 DEGREES 10 MINUTES 36 SECONDS WEST, 1368.56 FEET
TO THE **POINT OF BEGINNING**;

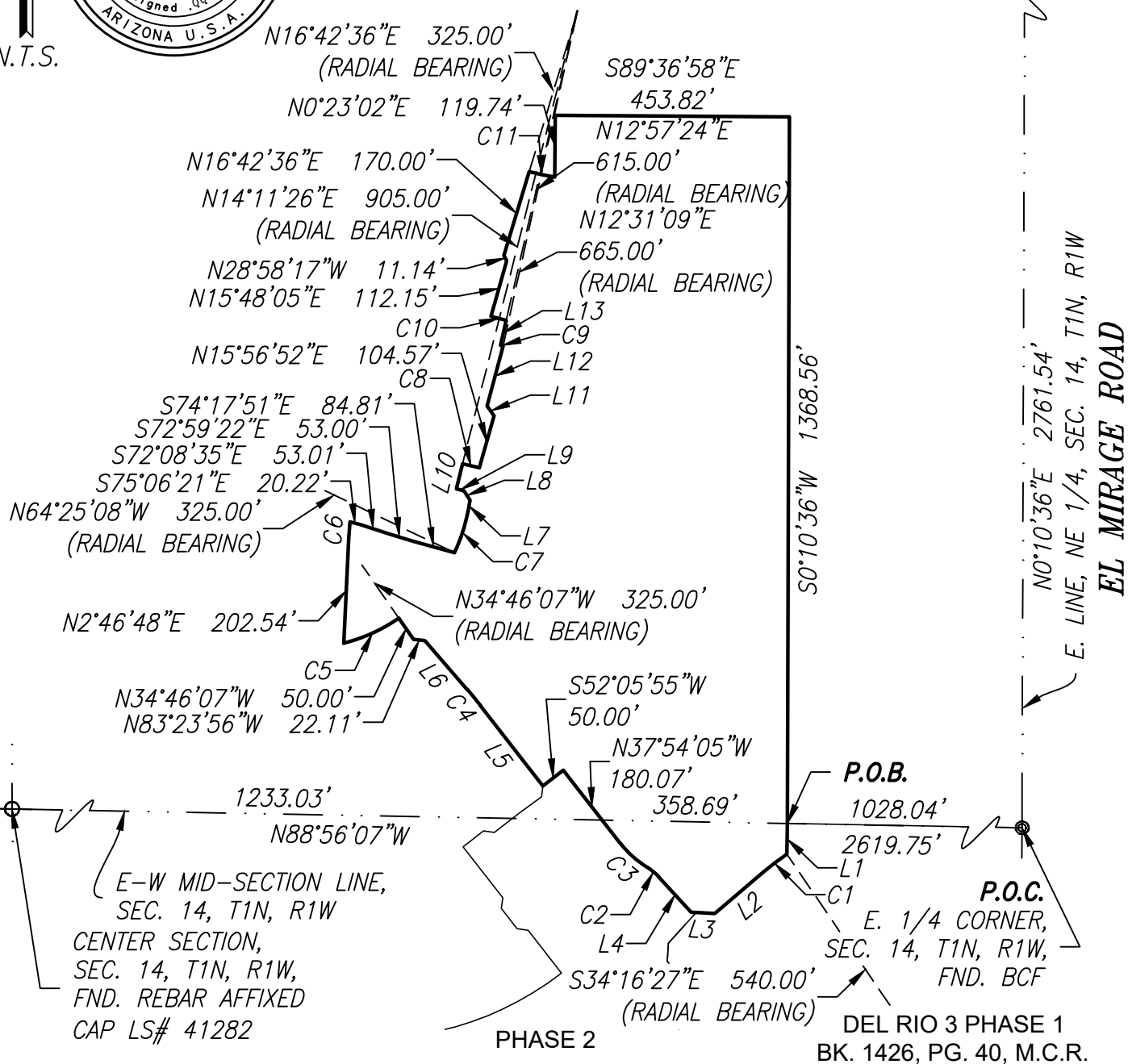
SAID PARCEL CONTAINS 851,709 SQUARE FEET OR 19.5526 ACRES, MORE OR LESS.





N.T.S.

NE CORNER,
SEC. 14, T1N, R1W,
FND. BCHH



EL MIRAGE ROAD

$N 0^{\circ} 10' 36'' E$ 2761.54'
E. LINE, NE $1/4$, SEC. 14, T1N, R1W

P.O.C.

DEL RIO 3 PHASE 1
BK. 1426, PG. 40, M.C.R.

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

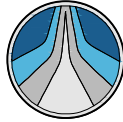
Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 1 of 6



HUBBARD ENGINEERING

www.hubbardengineering.com

1201 S. Alma School Rd.
Suite 12000
Mesa, AZ 85210
Ph: 480.892.3313

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S1°03'53"W	59.50'
L2	S49°27'44"W	121.64'
L3	N86°27'11"W	45.88'
L4	N42°33'35"W	91.67'
L5	N37°54'05"W	197.20'
L6	N40°53'00"W	125.31'
L7	N10°50'43"E	23.11'



LINE TABLE		
LINE #	BEARING	LENGTH
L8	N33°10'47"W	21.57'
L9	N76°17'48"W	15.27'
L10	N13°37'57"E	50.00'
L11	N35°40'23"W	23.64'
L12	N14°56'16"E	120.12'
L13	N12°57'24"E	50.00'

CURVE TABLE				
CURVE #	DELTA	RADIUS	LENGTH	CHORD
C1	6°15'49"	540.00'	59.03'	S52°35'39"W 59.00'
C2	16°06'13"	108.00'	30.35'	N50°36'42"W 30.25'
C3	20°45'43"	192.00'	69.57'	N48°16'57"W 69.19'
C4	2°58'54"	775.00'	40.33'	N39°23'32"W 40.33'
C5	20°45'09"	325.00'	117.71'	S65°36'27"W 117.07'
C6	2°28'49"	755.00'	32.68'	N04°01'13"E 32.68'
C7	14°44'09"	325.00'	83.59'	N18°12'47"E 83.36'
C8	2°07'23"	905.00'	33.54'	S76°52'16"E 33.53'
C9	0°26'15"	665.00'	5.08'	N77°15'43"W 5.08'
C10	2°50'41"	615.00'	30.54'	N75°37'15"W 30.53'
C11	8°56'32"	325.00'	50.72'	S77°45'40"E 50.67'

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 3 of 6



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TRACT TABLE

TRACT	SQUARE FEET	ACRES	USAGE
C	2386.00	0.0548	LANDSCAPE / PUBLIC UTILITY EASEMENT
E	11991.00	0.2753	LANDSCAPE / PUBLIC UTILITY EASEMENT / SEWER EASEMENT
F	3375.00	0.0775	LANDSCAPE / PUBLIC UTILITY EASEMENT
H	8972.00	0.2060	LANDSCAPE / PUBLIC UTILITY EASEMENT / SEWER EASEMENT
I	3375.00	0.0775	LANDSCAPE / PUBLIC UTILITY EASEMENT
J	29846.00	0.6852	LANDSCAPE / PUBLIC UTILITY EASEMENT / RETENTION
K	17489.00	0.4015	LANDSCAPE / PUBLIC UTILITY EASEMENT / RETENTION
L	3375.00	0.0775	LANDSCAPE / PUBLIC UTILITY EASEMENT
O	63746.00	1.4634	LANDSCAPE / RETENTION / PUBLIC UTILITY EASEMENT / SEWER EASEMENT / PRIVATE IRRIGATION EASEMENT
EE	1687.00	0.0387	LANDSCAPE / PUBLIC UTILITY EASEMENT
TOTAL	146242.00	3.3573	

EASEMENT

PUBLIC UTILITY EASEMENT	SEWER EASEMENT
VEHICAL NON ACCESS EASEMENT	FLOODWAY FLOWAGE EASEMENT
SIGHT VISIBILITY TRIANGLE	PUBLIC TRAIL EASEMENT
WATER EASEMENT	PRIVATE IRRIGATION EASEMENT



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

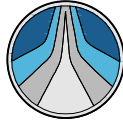
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Project Eng.

Sht: 4 of 6



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
321	6847.00	0.1572
322	6960.00	0.1598
323	6960.00	0.1598
324	6960.00	0.1598
325	6960.00	0.1598
326	6957.00	0.1597
327	6960.00	0.1598
328	6960.00	0.1598
329	6960.00	0.1598
330	6960.00	0.1598
331	6960.00	0.1598
332	6960.00	0.1598
333	6960.00	0.1598
334	6960.00	0.1598
335	6960.00	0.1598
336	6960.00	0.1598
337	6960.00	0.1598
338	6960.00	0.1598
339	6960.00	0.1598
340	6946.00	0.1595
341	10395.00	0.2386
342	15080.00	0.3462
343	6950.00	0.1596
344	7067.00	0.1622
345	7080.00	0.1625
346	7092.00	0.1628



LOT TABLE		
LOT #	SQUARE FEET	ACRES
347	7084.00	0.1626
348	8189.00	0.1880
349	7433.00	0.1706
350	6960.00	0.1598
351	6960.00	0.1598
352	6960.00	0.1598
353	7560.00	0.1736
354	7560.00	0.1736
355	7560.00	0.1736
356	7995.00	0.1835
357	8404.00	0.1929
358	7312.00	0.1679
359	7415.00	0.1702
360	7012.00	0.1610
361	6960.00	0.1598
362	6960.00	0.1598
363	6960.00	0.1598
364	6960.00	0.1598
365	6960.00	0.1598
366	6960.00	0.1598
367	6993.00	0.1605
368	7357.00	0.1689
369	7360.00	0.1690
370	7886.00	0.1810
371	7363.00	0.1690
372	6960.00	0.1598

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

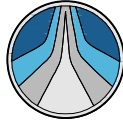
Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 5 of 6



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Suite 12000
Mesa, AZ 85210
Ph: 480.892.3313

LOT TABLE		
LOT #	SQUARE FEET	ACRES
373	6960.00	0.1598
374	6960.00	0.1598
375	6960.00	0.1598
376	6960.00	0.1598
377	6960.00	0.1598
378	7298.00	0.1675
379	8674.00	0.1991
380	10188.00	0.2339
381	7961.00	0.1828
382	6960.00	0.1598
383	6904.00	0.1585
384	10328.00	0.2371
385	7252.00	0.1665
386	6960.00	0.1598
387	6960.00	0.1598
388	6960.00	0.1598
389	6960.00	0.1598
390	6908.00	0.1586
TOTAL	517930.00	11.8900



RIGHT-OF-WAY			
USAGE	SQUARE FEET	ACRES	STREET NAME
RIGHT-OF-WAY	187513.00	4.3047	124TH LANE / 125TH AVENUE / 125TH DRIVE / APACHE STREET / MOHAVE STREET / COCOPAH STREET / PIMA STREET
TOTAL	187513.00	4.3047	

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 3
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 6 of 6

CITY COUNCIL REPORT

SUBJECT: Resolutions 1081-1021 and 1082-1021 – Maintenance Improvement District No. 31 for Del Rio Ranch III Phase 4

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include housing that is affordable to workers and close to their jobs.
-

PURPOSE:

City Council will consider a request to approve the Petition for Formation, adopt Resolution 1081-1021, declaring its intention to form the City of Avondale Maintenance Improvement District No. 31, Del Rio Ranch III Phase 4, providing for the assessment, and Resolution 1082-1021, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency, and authorize the Mayor, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Under provisions of the City Code and Zoning Ordinance, developers are responsible for landscaping development projects prior to issuance of a Certificate of Occupancy. In particular, subdivisions are required to provide landscaping along certain arterial and collector streets and in other locations as provided in the zoning requirements, approval conditions, engineering requests or subdivision requirements. In addition, developers are often required to provide paths, trails, and other usable amenities in common open space areas within a community.

The purpose of the Maintenance Improvement District (MID) is to provide for the operations, maintenance, repair and improvements to landscaping and open space adjacent to designated public roadways and parkways within the proposed district, as well as drainage and retention within each proposed district in the event a Homeowner's Association fails. Until such time as the Homeowner's Association fails, and the Council directs City Staff to assume maintenance responsibility, a line item of \$0.00 will display on the homeowners' property tax bills. Pursuant to the provision of A.R.S. 48-574, et. seq., the Mayor and Council are empowered to adopt a Resolution ordering the formation of a Maintenance Improvement District.

A Resolution of Intention for formation of City of Avondale Maintenance Improvement District No. 31, Del Rio Ranch III Phase 4, northwest corner of Durango Street and 125th Avenue, is attached. In the case in which all of the property owners have consented to MID formation, the ordinary publication and protest period are not required by law; the 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. In accordance with State statute, an assessment diagram and map, listing each parcel of property within the district has been prepared.

PUBLIC PARTICIPATION:

Public notification is not required for MID applications.

PLANNING COMMISSION ACTION:

The Planning Commission does not review MID applications.

ANALYSIS:

The acceptance of this Maintenance Improvement District will allow any additional charges associated with the maintenance responsibilities, should the Homeowner's Association fail, to be assessed on the property tax bill for the properties located within the District.

The Maintenance Improvement District has been approved through the Development and Engineering Services Department, which recommends that City Council formally approve the Maintenance Improvement District to allow for the taxing district to be recorded and in place in the event the Homeowner's Association fails.

It should be noted that not approving the Maintenance Improvement District will prevent any charges from being assessed on the property tax bills for those properties located within the District in the event that the Homeowner's Association fails.

DISCUSSION:

The proposed MID has been reviewed by the City Attorney and is in conformance with the City of Avondale's Subdivision Regulations and State statute governing Maintenance Improvement District formation.

BUDGET IMPACT:

There is no direct budgetary impact to the City to approve the Maintenance Improvement District. However, the City would incur the additional charges associated with the maintenance responsibilities should the taxing district not be approved and recorded, and the Homeowner's Association fails.

RECOMMENDATION:

Staff recommends Council **ADOPT** a Resolution declaring its intention to create and adopt plans for the City of Avondale Maintenance Improvement District No. 31, Del Rio Ranch III Phase 4, providing for the assessment, and a second Resolution declaring its intention to order the improvements within the newly established Maintenance Improvement District, providing for the assessment and declaring an emergency, subject to the following conditions: 1) The final plat for the subdivision must be approved by City Council and recorded with the Maricopa County Recorder's Office prior to recordation of the Maintenance Improvement District; and 2) The developer must provide a fully executed Petition, Waiver and Consent to Formation of a Municipal Improvement District.

PROPOSED MOTION:

I move that City Council **ADOPT** the necessary resolutions approving City of Avondale Maintenance Improvement District No. 31, Del Rio Ranch III Phase 4, subject to two (2) recommended conditions of approval as listed in the staff report.

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

**Maintenance Improvement District No. 31
(DEL RIO RANCH III PHASE IV)**

To: Honorable Mayor and Council
City of Avondale, Arizona

Pursuant to ARIZ. REV. STAT. § 48-574(C), the undersigned property owners respectfully petition the Council of the City of Avondale, Arizona (the “City Council”) to order the formation of a Municipal Improvement District (the “District”) under ARIZ. REV. STAT. § 48-574, *et seq.* In support of this petition, the undersigned agree to waive certain rights under Arizona Law and to consent to the formation and completion of the District.

1. Area of District. The proposed District is described by a diagram and by a legal description on Exhibit A, attached hereto and incorporated herein by reference. The proposed District consists of $\pm$ 37.9548 acres and is entirely within the corporate boundaries of the City of Avondale.
2. Ownership. The undersigned is the sole owner 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 landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways 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, drainage and retention facilities and hardscape adjacent to designated public roadways 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 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. All protest rights whatsoever under ARIZ. REV. STAT. §§ 48-579(A) and (B), as amended.
 - c. 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. The Engineer's Estimate of the costs and expenses of the improvements are attached as part of Exhibit A.

IN WITNESS WHEREOF, the parties have executed this Petition and Waiver Agreement as of _____, 2021.

"Property Owner"

DC ONE HOLDINGS, INC,
an Arizona corporation

By: _____
Donald Switzenberg, President

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On, _____ 2021, before me personally appeared Donald Switzenberg, the President of DC ONE HOLDINGS, INC, an Arizona corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document on behalf of the corporation.

Notary Public

(Affix notary seal here)

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

ACCEPTED AND APPROVED BY:

“City”

CITY OF AVONDALE,
an Arizona municipal corporation

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On _____, 2021, before me personally appeared Kenneth N. Weise, the Mayor of the CITY OF AVONDALE, an Arizona municipal corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document, on behalf of the City of Avondale.

Notary Public

(Affix notary seal here)

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

**Maintenance Improvement District No. 31
(Del Rio Ranch III Phase IV)**

[Legal Description, Assessment Diagram and Engineer's Estimate]

(See following pages.)

EXHIBIT "A"
MAINTENANCE IMPROVEMENT DISTRICT LEGAL DESCRIPTION &
EXHIBIT MAP FOR DEL RIO RANCH III

A PORTION OF LAND LOCATED IN THE EAST HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, BEARS SOUTH 89 DEGREES 06 MINUTES 56 SECONDS EAST, 2595.86 FEET;

THENCE NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 14, 2122.70 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID NORTH-SOUTH MID-SECTION LINE, NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, 552.76 FEET TO THE CENTER OF SECTION OF SAID SECTION 14;

THENCE CONTINUING ALONG SAID NORTH-SOUTH MID-SECTION LINE, NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, 1126.60 FEET;

THENCE DEPARTING SAID NORTH-SOUTH MID-SECTION LINE, NORTH 89 DEGREES 39 MINUTES 44 SECONDS EAST, 537.77 FEET;

THENCE NORTH 19 DEGREES 30 MINUTES 27 SECONDS EAST, 290.22 FEET;

THENCE NORTH 75 DEGREES 06 MINUTES 13 SECONDS EAST, 192.77 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 75 DEGREES 06 MINUTES 13 SECONDS EAST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 17 DEGREES 54 MINUTES 55 SECONDS, AN ARC LENGTH OF 101.62 FEET;

THENCE SOUTH 38 DEGREES 15 MINUTES 18 SECONDS WEST, 250.86 FEET;

THENCE SOUTH 51 DEGREES 44 MINUTES 42 SECONDS EAST, 170.00 FEET;

THENCE NORTH 38 DEGREES 15 MINUTES 18 SECONDS EAST, 105.12 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 35 DEGREES 21 MINUTES 37 SECONDS EAST, 495.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 18 DEGREES 39 MINUTES 01 SECONDS, AN ARC LENGTH OF 161.13 FEET;

THENCE SOUTH 28 DEGREES 58 MINUTES 17 SECONDS EAST, 11.14 FEET;

THENCE SOUTH 15 DEGREES 48 MINUTES 05 SECONDS WEST, 112.15 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 15 DEGREES 48 MINUTES 05 SECONDS EAST, 615.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 50 MINUTES 41 SECONDS, AN ARC LENGTH OF 30.54 FEET;

THENCE SOUTH 12 DEGREES 57 MINUTES 24 SECONDS WEST, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 12 DEGREES 57 MINUTES 24 SECONDS EAST, 665.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 00 DEGREES 26 MINUTES 15 SECONDS, AN ARC LENGTH OF 5.08 FEET;

THENCE SOUTH 14 DEGREES 56 MINUTES 16 SECONDS WEST, 120.12 FEET;

THENCE SOUTH 35 DEGREES 40 MINUTES 23 SECONDS EAST, 23.64 FEET;

THENCE SOUTH 15 DEGREES 56 MINUTES 52 SECONDS WEST, 104.57 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 12 DEGREES 04 MINUTES 03 SECONDS EAST, 905.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 07 MINUTES 23 SECONDS, AN ARC LENGTH OF 33.54 FEET;

THENCE SOUTH 13 DEGREES 37 MINUTES 57 SECONDS WEST, 50.00 FEET;

THENCE SOUTH 76 DEGREES 17 MINUTES 48 SECONDS EAST, 15.27 FEET;

THENCE SOUTH 33 DEGREES 10 MINUTES 47 SECONDS EAST, 21.57 FEET;

THENCE SOUTH 10 DEGREES 50 MINUTES 43 SECONDS WEST, 23.11 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 14 DEGREES 44 MINUTES 09 SECONDS, AN ARC LENGTH OF 83.59 FEET;

THENCE NORTH 74 DEGREES 17 MINUTES 51 SECONDS WEST, 84.81 FEET;

THENCE NORTH 72 DEGREES 59 MINUTES 22 SECONDS WEST, 53.00 FEET;

THENCE NORTH 72 DEGREES 08 MINUTES 35 SECONDS WEST, 53.01 FEET;

THENCE NORTH 75 DEGREES 06 MINUTES 21 SECONDS WEST, 20.22 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, FROM WHICH THE CENTER BEARS, SOUTH 84 DEGREES 44 MINUTES 23 SECONDS EAST, 755.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 28 MINUTES 49 SECONDS, AN ARC LENGTH OF 32.68 FEET;

THENCE SOUTH 02 DEGREES 46 MINUTES 48 SECONDS WEST, 202.54 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 14 DEGREES 00 MINUTES 58 SECONDS WEST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 20 DEGREES 45 MINUTES 09 SECONDS, AN ARC LENGTH OF 117.71 FEET;

THENCE SOUTH 34 DEGREES 46 MINUTES 07 SECONDS EAST, 50.00 FEET;

THENCE SOUTH 83 DEGREES 23 MINUTES 56 SECONDS EAST, 22.11 FEET;

THENCE SOUTH 40 DEGREES 53 MINUTES 00 SECONDS EAST, 125.31 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 775.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 58 MINUTES 54 SECONDS, AN ARC LENGTH OF 40.33 FEET;

THENCE SOUTH 37 DEGREES 54 MINUTES 05 SECONDS EAST, 197.20 FEET;

THENCE SOUTH 07 DEGREES 56 MINUTES 11 SECONDS WEST, 20.90 FEET;

THENCE SOUTH 53 DEGREES 46 MINUTES 27 SECONDS WEST, 45.86 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 425.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 01 DEGREES 40 MINUTES 32 SECONDS, AN ARC LENGTH OF 12.43 FEET;

THENCE SOUTH 52 DEGREES 05 MINUTES 55 SECONDS WEST, 12.03 FEET TO THE EAST-WEST MID-SECTION LINE OF SAID SECTION 14;

THENCE CONTINUING SOUTH 52 DEGREES 05 MINUTES 55 SECONDS WEST, 43.93 FEET;

THENCE NORTH 82 DEGREES 54 MINUTES 05 SECONDS WEST, 21.21 FEET;

THENCE SOUTH 52 DEGREE 05 MINUTES 55 SECONDS WEST, 50.00 FEET;

THENCE SOUTH 37 DEGREE 54 MINUTES 05 SECONDS EAST, 124.64 FEET;

THENCE SOUTH 07 DEGREES 35 MINUTES 33 SECONDS WEST, 21.03 FEET;

THENCE SOUTH 37 DEGREE 54 MINUTES 05 SECONDS EAST, 50.03 FEET;

THENCE SOUTH 82 DEGREES 27 MINUTES 30 SECONDS EAST, 21.38 FEET;

THENCE SOUTH 37 DEGREE 54 MINUTES 05 SECONDS EAST, 105.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 37 DEGREES 54 MINUTES 05 SECONDS WEST, 605.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 40 DEGREES 40 MINUTES 53 SECONDS, AN ARC LENGTH OF 429.57 FEET;

THENCE NORTH 87 DEGREES 13 MINUTES 12 SECONDS WEST, 168.19 FEET;

THENCE NORTH 02 DEGREES 46 MINUTES 48 SECONDS EAST, 16.72 FEET;

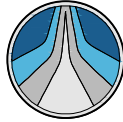
THENCE NORTH 87 DEGREES 13 MINUTES 12 SECONDS WEST, 184.11 FEET;

THENCE SOUTH 02 DEGREES 06 MINUTES 36 SECONDS WEST, 159.01 FEET;

THENCE NORTH 87 DEGREES 19 MINUTES 30 SECONDS WEST, 393.12 FEET TO SAID **POINT OF BEGINNING**;

SAID PARCEL CONTAINS 1,653,309 SQUARE FEET OR 37.9548 ACRES, MORE OR LESS.

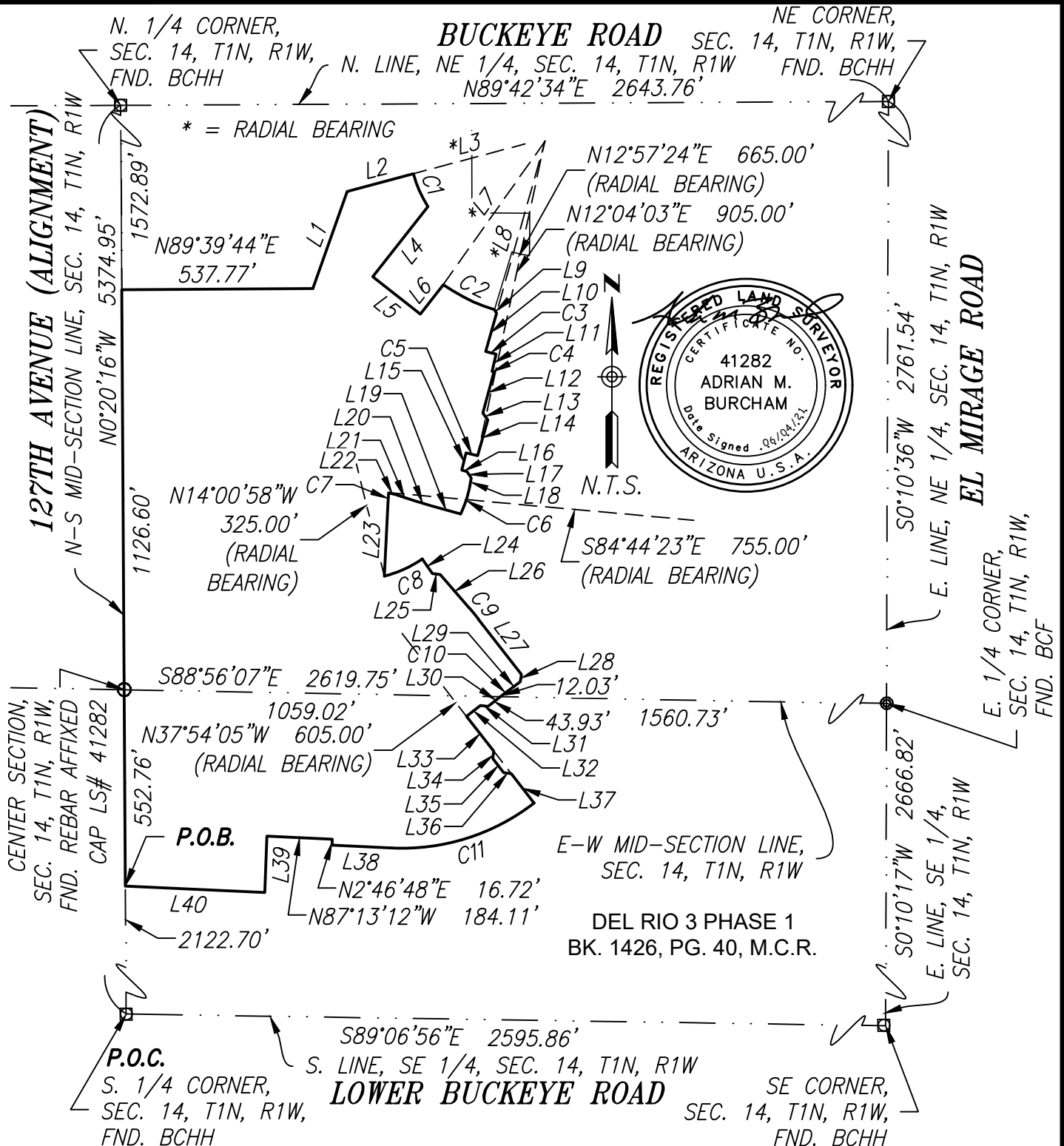




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MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

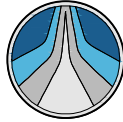
Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

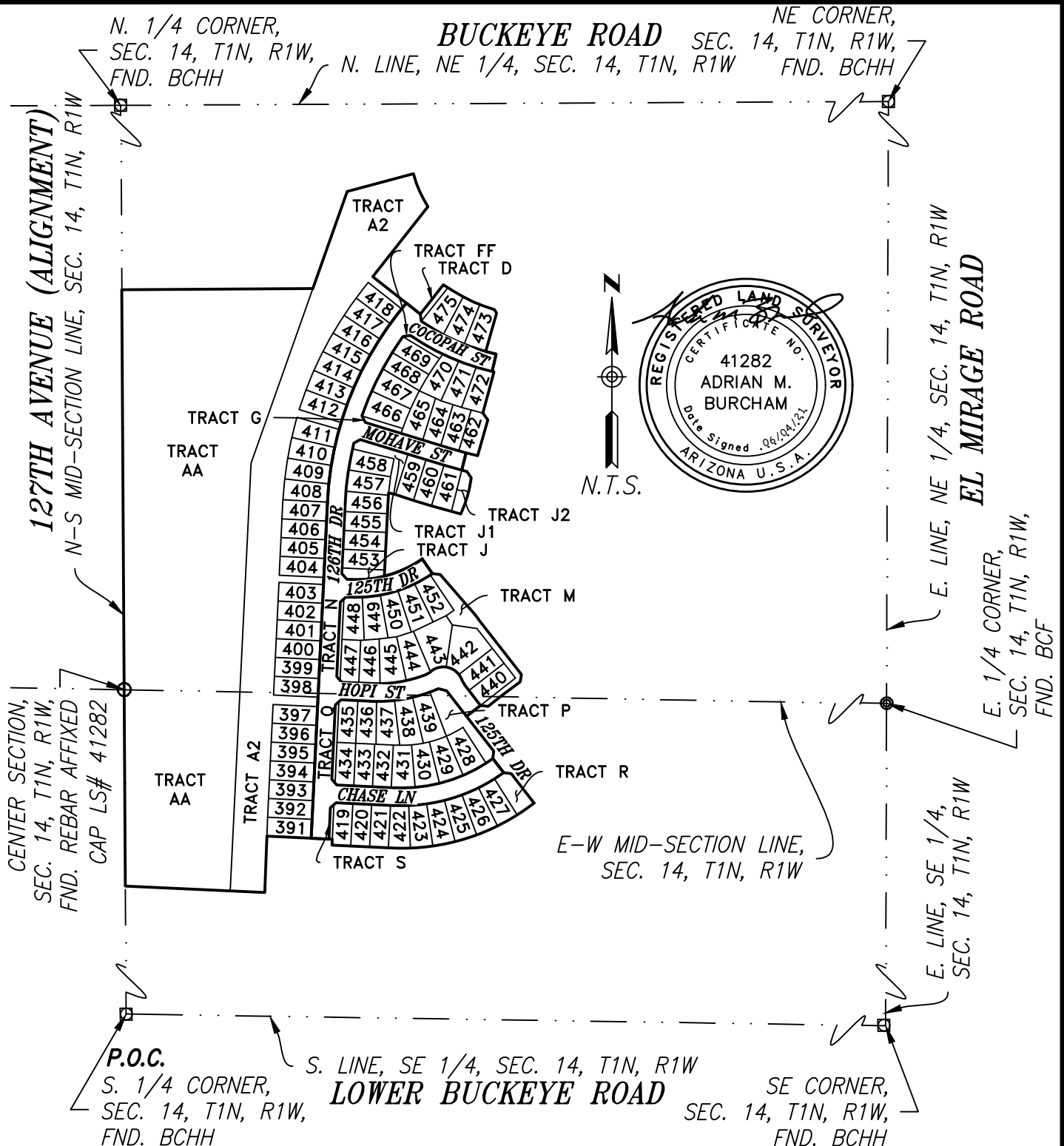
Sht: 1 of 7



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MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 2 of 7



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LINE TABLE

LINE #	BEARING	LENGTH
L1	N19°30'27"E	290.22'
L2	N75°06'13"E	192.77'
L3	N75°06'13"E	325.00'
L4	S38°15'18"W	250.86'
L5	S51°44'42"E	170.00'
L6	N38°15'18"E	105.12'
L7	N35°21'37"E	495.00'
L8	N15°48'05"E	615.00'
L9	S28°58'17"E	11.14'
L10	S15°48'05"W	112.15'
L11	S12°57'24"W	50.00'
L12	S14°56'16"W	120.12'
L13	S35°40'23"E	23.64'
L14	S15°56'52"W	104.57'
L15	S13°37'57"W	50.00'
L16	S76°17'48"E	15.27'
L17	S33°10'47"E	21.57'
L18	S10°50'43"W	23.11'
L19	N74°17'51"W	84.81'
L20	N72°59'22"W	53.00'



LINE TABLE

LINE #	BEARING	LENGTH
L21	N72°08'35"W	53.01'
L22	N75°06'21"W	20.22'
L23	S2°46'48"W	202.54'
L24	S34°46'07"E	50.00'
L25	S83°23'56"E	22.11'
L26	S40°53'00"E	125.31'
L27	S37°54'05"E	197.20'
L28	S7°56'11"W	20.90'
L29	S53°46'27"W	45.86'
L30	S52°05'55"W	55.97'
L31	N82°54'05"W	21.21'
L32	S52°05'55"W	50.00'
L33	S37°54'05"E	124.64'
L34	S7°35'33"W	21.03'
L35	S37°54'05"E	50.03'
L36	S82°27'30"E	21.38'
L37	S37°54'05"E	105.00'
L38	N87°13'12"W	168.19'
L39	S2°06'36"W	159.01'
L40	N87°19'30"W	393.12'

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

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Project Eng.

Sht: 3 of 7



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CURVE TABLE				
CURVE #	DELTA	RADIUS	LENGTH	CHORD
C1	17°54'55"	325.00'	101.62'	S23°51'15"E 101.21'
C2	18°39'01"	495.00'	161.13'	S63°57'54"E 160.42'
C3	2°50'41"	615.00'	30.54'	S75°37'15"E 30.53'
C4	0°26'15"	665.00'	5.08'	S77°15'43"E 5.08'
C5	2°07'23"	905.00'	33.54'	N76°52'16"W 33.53'
C6	14°44'09"	325.00'	83.59'	S18°12'47"W 83.36'
C7	2°28'49"	755.00'	32.68'	S04°01'13"W 32.68'
C8	20°45'09"	325.00'	117.71'	N65°36'27"E 117.07'
C9	2°58'54"	775.00'	40.33'	S39°23'32"E 40.33'
C10	1°40'32"	425.00'	12.43'	S52°56'11"W 12.43'
C11	40°40'53"	605.00'	429.57'	S72°26'21"W 420.60'

NOTE:

THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAYS AND PARKWAYS WITHIN THE DISTRICT.



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

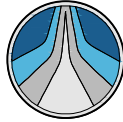
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Sht: 4 of 7



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
391	6626.00	0.1521
392	6650.00	0.1527
393	6650.00	0.1527
394	6650.00	0.1527
395	6650.00	0.1527
396	6650.00	0.1527
397	6650.00	0.1527
398	6650.00	0.1527
399	6650.00	0.1527
400	6650.00	0.1527
401	6650.00	0.1527
402	6650.00	0.1527
403	6650.00	0.1527
404	6650.00	0.1527
405	6650.00	0.1527
406	6650.00	0.1527
407	6682.00	0.1534
408	6949.00	0.1595
409	6925.00	0.1590
410	6901.00	0.1584
411	6876.00	0.1579
412	6841.00	0.1570
413	6815.00	0.1565
414	6788.00	0.1558
415	6761.00	0.1552
416	6733.00	0.1546
417	6705.00	0.1539



LOT TABLE		
LOT #	SQUARE FEET	ACRES
418	6519.00	0.1497
419	6345.00	0.1457
420	6360.00	0.1460
421	6360.00	0.1460
422	6802.00	0.1562
423	6894.00	0.1583
424	6894.00	0.1583
425	6894.00	0.1583
426	6894.00	0.1583
427	6894.00	0.1583
428	7580.00	0.1740
429	7255.00	0.1666
430	7235.00	0.1661
431	7084.00	0.1626
432	6360.00	0.1460
433	6360.00	0.1460
434	6345.00	0.1457
435	6345.00	0.1457
436	6592.00	0.1513
437	7226.00	0.1659
438	7722.00	0.1773
439	7911.00	0.1816
440	6625.00	0.1521
441	6544.00	0.1502
442	11188.00	0.2568
443	10551.00	0.2422
444	7769.00	0.1784

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

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Sht: 5 of 7



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
445	7848.00	0.1802
446	6908.00	0.1586
447	6349.00	0.1458
448	6880.00	0.1579
449	7181.00	0.1649
450	7306.00	0.1677
451	7116.00	0.1634
452	7096.00	0.1629
453	6360.00	0.1460
454	6360.00	0.1460
455	6360.00	0.1460
456	6605.00	0.1516
457	6725.00	0.1544
458	6729.00	0.1545
459	6339.00	0.1455
460	6360.00	0.1460



LOT TABLE		
LOT #	SQUARE FEET	ACRES
461	6614.00	0.1518
462	6335.00	0.1454
463	6374.00	0.1463
464	6396.00	0.1468
465	7457.00	0.1712
466	8064.00	0.1851
467	7615.00	0.1748
468	6360.00	0.1460
469	6501.00	0.1492
470	7247.00	0.1664
471	6837.00	0.1570
472	6813.00	0.1564
473	6926.00	0.1590
474	6957.00	0.1597
475	7382.00	0.1695
TOTAL	587300.00	13.4826

RIGHT-OF-WAY			
USAGE	SQUARE FEET	ACRES	STREET NAME
RIGHT-OF-WAY	166661.00	3.8260	125TH DRIVE / 126TH DRIVE / CHASE LANE / HOPI STREET / MOHAVE STREET / COCOPAH STREET
TOTAL	166661.00	3.8260	

EASEMENT	
PUBLIC UTILITY EASEMENT	SEWER EASEMENT
VEHICAL NON ACCESS EASEMENT	FLOODWAY FLOWAGE EASEMENT
SIGHT VISIBILITY TRIANGLE	PUBLIC TRAIL EASEMENT
WATER EASEMENT	PRIVATE IRRIGATION EASEMENT

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

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Sht: 6 of 7



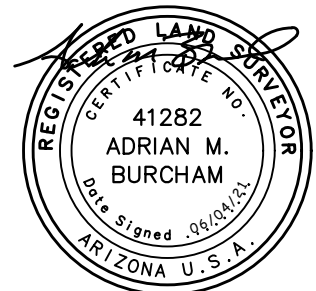
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TRACT TABLE

TRACT	SQUARE FEET	ACRES	USAGE
AA	612829.00	14.0686	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT / MULTI-USE TRAIL
A2	232392.00	5.3350	FLOODWAY FLOWAGE EASEMENT / AGUA FRIA RIVER CORRIDOR / MULTI-USE TRAIL
D	1690.00	0.0388	LANDSCAPE / PUBLIC UTILITY EASEMENT
FF	1484.00	0.0341	LANDSCAPE / PUBLIC UTILITY EASEMENT
G	1688.00	0.0388	LANDSCAPE / PUBLIC UTILITY EASEMENT
J	3185.00	0.0731	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
J1	6739.00	0.1547	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
J2	3667.00	0.0842	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
M	12925.00	0.2967	LANDSCAPE / PUBLIC UTILITY EASEMENT
N	1687.00	0.0387	LANDSCAPE / PUBLIC UTILITY EASEMENT
P	11527.00	0.2646	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
Q	2092.00	0.0480	LANDSCAPE / PUBLIC UTILITY EASEMENT
R	6153.00	0.1413	LANDSCAPE / PUBLIC UTILITY EASEMENT
S	886.00	0.0203	LANDSCAPE / PUBLIC UTILITY EASEMENT
TOTAL	878286.00	20.1627	



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 7 of 7

CITY OF AVONDALE

MAINTENANCE IMPROVEMENT DISTRICT NO. 31

"Del Rio III – Phase 4" Tracts AA, A2, D, FF, G, J, J1, J2, M, N, and P Through S.

ENGINEER'S ESTIMATE

In compliance with the provisions of A.R.S. Title 48, Chapter 4, Article 2, Section §48-574, and all amendments and supplements thereto, we hereby estimate the costs and expenses of said improvement to be as follows:

AREA

- Right-of-Way: 3.83 Ac
- Tract Area: 20.16 Ac

ANNUAL MAINTENANCE FEE

- Right of Way
3.83 Ac x \$2,000/Ac = \$7,660.00
- Tract Area
20.16 Ac. x \$10,500/Ac = \$211,680.00
\$219,340.00

ANNUAL ADMINISTRATIVE FEE

(\$219,340.00) X 5% = \$10,967.00

TOTAL ANNUAL COST

\$219,340.00+ \$10,967.00= \$230,307.00

TOTAL COST PER MONTH

\$230,307.00/12 months = \$19,192.25



Dated: August 13, 2021

CITY OF AVONDALE
DEVELOPMENT & ENGINEERING SERVICES
ENGINEERING DIVISION


By: Kevin Murphy, P.E., City Engineer

RESOLUTION NO. 1081-1021

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO OPERATE, MAINTAIN AND REPAIR LANDSCAPING, IRRIGATION, DRAINAGE AND RETENTION FACILITIES AND HARDSCAPE ADJACENT TO DESIGNATED PUBLIC ROADWAYS WITHIN THE PROPOSED DISTRICT AND RELATED FACILITIES AS SHOWN ON THE PLANS, FOR MAINTENANCE WITHIN AN AREA IN THE CITY OF AVONDALE AS DESCRIBED HEREIN; ADOPTING PLANS FOR CITY OF AVONDALE MAINTENANCE IMPROVEMENT DISTRICT NO. 31 – DEL RIO RANCH III PHASE IV, 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; 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 City of Avondale (the “City”) has been presented with a Petition for Formation of a Maintenance Improvement District purporting to be signed by all of the real property owners within the proposed district and, according to ARIZ. REV. STAT. § 48-574(C), the City finds that such ownership has been verified; and

WHEREAS, the Council of the City of Avondale (the “City Council”) desires to declare its intent to form the City of Avondale Maintenance Improvement District No. 31 – Del Rio Ranch III Phase IV (the “Assessment District”) over the area described and depicted on Exhibit A, attached hereto and incorporated herein by reference and including those lots, pieces or parcels of land lying within the Assessment District as shown in more detail on the duplicate diagrams made by or at the direction of the City Engineer showing each separate lot numbered consecutively, the area in square feet of each lot, the area of any building or buildings located on each lot, and the location of the lots in relation to the work proposed to be done (the “Assessment Diagram”) attached hereto as a part of Exhibit A and incorporated herein by reference; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities in the Assessment District to be of more than local or ordinary public benefit, and further that the cost of said activities shall be assessed on the Assessment District; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities in the Assessment District are incidental to the maintenance and preservation of the public roadways and parkways and related facilities, has aesthetic value, and maintains and increases the value of property within the Assessment District; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities preserves and promotes the health, safety, and welfare of those citizens of the City living within the Assessment 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 Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district tend to preserve the structural integrity of the public streets and parkways and mitigate flooding of adjacent areas by draining water to and from the public streets and parkways in furtherance of the health, safety and welfare of those citizens of the City living within the Assessment District.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The public interest or convenience requires, and it is the intention of the Mayor and Council of the City of Avondale, Arizona, to order the following work (hereinafter the “Work”) to be performed: The operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district shown on the Assessment Diagram.

SECTION 3. The City Council designates as parkways those streets and rights-of-way areas set forth on the Assessment Diagram in accordance with Title 48, Chapter 4, Article 2, Arizona Revised Statutes, and specifically including those portions of pedestrian facilities, retention, detention and storm water management facilities included within or adjacent to the Assessment District. 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 showing the engineer’s estimate for the City of Avondale Maintenance Improvement District No. 31 – Del Rio Ranch III Phase IV, filed with the City Clerk prior to the adoption of this Resolution (the “Plans and Specifications”), which are hereby approved and adopted by the City Council and which shall remain on file in the Office of the City Engineer; 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 (the City Engineer) and the City Clerk are hereby approved and adopted by the City Council. 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 Avondale Maintenance Improvement District No. 31 – Del Rio Ranch III Phase IV.

SECTION 4. 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 5. The City Engineer is hereby authorized and directed to prepare duplicate Assessment Diagrams of the property contained within the Assessment District.

SECTION 6. 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 7. In no event will the City or any officer thereof be liable for any portion of the cost of said Assessment District or for any delinquency of persons or property assessed.

SECTION 8. The City Council shall make annual statements and estimates of the expenses of the Assessment 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 Assessment District as provided in ARIZ. REV. STAT. § 48-574 and amendments thereto.

SECTION 9. The Work and all proceedings pertaining thereto shall be performed under the provisions of ARIZ. REV. STAT. § 48-574, and all amendments thereto and pursuant to Article I, Section 3 and Article XII, Section 8 of the Avondale City Charter.

SECTION 10. The City Engineer is hereby authorized to fill in any blanks and to make any minor corrections necessary to complete the Plans and Specifications.

SECTION 11. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute and submit all documents and any other necessary or desirable instruments and to take all steps necessary to carry out the purpose and intent of this Resolution.

SECTION 12. 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 City Council as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 4, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1081-1021

[Legal Description of Assessment District and Assessment Diagram]

See following pages.

EXHIBIT "A"
MAINTENANCE IMPROVEMENT DISTRICT LEGAL DESCRIPTION &
EXHIBIT MAP FOR DEL RIO RANCH III

A PORTION OF LAND LOCATED IN THE EAST HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, BEARS SOUTH 89 DEGREES 06 MINUTES 56 SECONDS EAST, 2595.86 FEET;

THENCE NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 14, 2122.70 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID NORTH-SOUTH MID-SECTION LINE, NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, 552.76 FEET TO THE CENTER OF SECTION OF SAID SECTION 14;

THENCE CONTINUING ALONG SAID NORTH-SOUTH MID-SECTION LINE, NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, 1126.60 FEET;

THENCE DEPARTING SAID NORTH-SOUTH MID-SECTION LINE, NORTH 89 DEGREES 39 MINUTES 44 SECONDS EAST, 537.77 FEET;

THENCE NORTH 19 DEGREES 30 MINUTES 27 SECONDS EAST, 290.22 FEET;

THENCE NORTH 75 DEGREES 06 MINUTES 13 SECONDS EAST, 192.77 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 75 DEGREES 06 MINUTES 13 SECONDS EAST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 17 DEGREES 54 MINUTES 55 SECONDS, AN ARC LENGTH OF 101.62 FEET;

THENCE SOUTH 38 DEGREES 15 MINUTES 18 SECONDS WEST, 250.86 FEET;

THENCE SOUTH 51 DEGREES 44 MINUTES 42 SECONDS EAST, 170.00 FEET;

THENCE NORTH 38 DEGREES 15 MINUTES 18 SECONDS EAST, 105.12 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 35 DEGREES 21 MINUTES 37 SECONDS EAST, 495.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 18 DEGREES 39 MINUTES 01 SECONDS, AN ARC LENGTH OF 161.13 FEET;

THENCE SOUTH 28 DEGREES 58 MINUTES 17 SECONDS EAST, 11.14 FEET;

THENCE SOUTH 15 DEGREES 48 MINUTES 05 SECONDS WEST, 112.15 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 15 DEGREES 48 MINUTES 05 SECONDS EAST, 615.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 50 MINUTES 41 SECONDS, AN ARC LENGTH OF 30.54 FEET;

THENCE SOUTH 12 DEGREES 57 MINUTES 24 SECONDS WEST, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 12 DEGREES 57 MINUTES 24 SECONDS EAST, 665.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 00 DEGREES 26 MINUTES 15 SECONDS, AN ARC LENGTH OF 5.08 FEET;

THENCE SOUTH 14 DEGREES 56 MINUTES 16 SECONDS WEST, 120.12 FEET;

THENCE SOUTH 35 DEGREES 40 MINUTES 23 SECONDS EAST, 23.64 FEET;

THENCE SOUTH 15 DEGREES 56 MINUTES 52 SECONDS WEST, 104.57 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 12 DEGREES 04 MINUTES 03 SECONDS EAST, 905.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 07 MINUTES 23 SECONDS, AN ARC LENGTH OF 33.54 FEET;

THENCE SOUTH 13 DEGREES 37 MINUTES 57 SECONDS WEST, 50.00 FEET;

THENCE SOUTH 76 DEGREES 17 MINUTES 48 SECONDS EAST, 15.27 FEET;

THENCE SOUTH 33 DEGREES 10 MINUTES 47 SECONDS EAST, 21.57 FEET;

THENCE SOUTH 10 DEGREES 50 MINUTES 43 SECONDS WEST, 23.11 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 14 DEGREES 44 MINUTES 09 SECONDS, AN ARC LENGTH OF 83.59 FEET;

THENCE NORTH 74 DEGREES 17 MINUTES 51 SECONDS WEST, 84.81 FEET;

THENCE NORTH 72 DEGREES 59 MINUTES 22 SECONDS WEST, 53.00 FEET;

THENCE NORTH 72 DEGREES 08 MINUTES 35 SECONDS WEST, 53.01 FEET;

THENCE NORTH 75 DEGREES 06 MINUTES 21 SECONDS WEST, 20.22 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, FROM WHICH THE CENTER BEARS, SOUTH 84 DEGREES 44 MINUTES 23 SECONDS EAST, 755.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 28 MINUTES 49 SECONDS, AN ARC LENGTH OF 32.68 FEET;

THENCE SOUTH 02 DEGREES 46 MINUTES 48 SECONDS WEST, 202.54 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 14 DEGREES 00 MINUTES 58 SECONDS WEST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 20 DEGREES 45 MINUTES 09 SECONDS, AN ARC LENGTH OF 117.71 FEET;

THENCE SOUTH 34 DEGREES 46 MINUTES 07 SECONDS EAST, 50.00 FEET;

THENCE SOUTH 83 DEGREES 23 MINUTES 56 SECONDS EAST, 22.11 FEET;

THENCE SOUTH 40 DEGREES 53 MINUTES 00 SECONDS EAST, 125.31 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 775.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 58 MINUTES 54 SECONDS, AN ARC LENGTH OF 40.33 FEET;

THENCE SOUTH 37 DEGREES 54 MINUTES 05 SECONDS EAST, 197.20 FEET;

THENCE SOUTH 07 DEGREES 56 MINUTES 11 SECONDS WEST, 20.90 FEET;

THENCE SOUTH 53 DEGREES 46 MINUTES 27 SECONDS WEST, 45.86 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 425.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 01 DEGREES 40 MINUTES 32 SECONDS, AN ARC LENGTH OF 12.43 FEET;

THENCE SOUTH 52 DEGREES 05 MINUTES 55 SECONDS WEST, 12.03 FEET TO THE EAST-WEST MID-SECTION LINE OF SAID SECTION 14;

THENCE CONTINUING SOUTH 52 DEGREES 05 MINUTES 55 SECONDS WEST, 43.93 FEET;

THENCE NORTH 82 DEGREES 54 MINUTES 05 SECONDS WEST, 21.21 FEET;

THENCE SOUTH 52 DEGREE 05 MINUTES 55 SECONDS WEST, 50.00 FEET;

THENCE SOUTH 37 DEGREE 54 MINUTES 05 SECONDS EAST, 124.64 FEET;

THENCE SOUTH 07 DEGREES 35 MINUTES 33 SECONDS WEST, 21.03 FEET;

THENCE SOUTH 37 DEGREE 54 MINUTES 05 SECONDS EAST, 50.03 FEET;

THENCE SOUTH 82 DEGREES 27 MINUTES 30 SECONDS EAST, 21.38 FEET;

THENCE SOUTH 37 DEGREE 54 MINUTES 05 SECONDS EAST, 105.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 37 DEGREES 54 MINUTES 05 SECONDS WEST, 605.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 40 DEGREES 40 MINUTES 53 SECONDS, AN ARC LENGTH OF 429.57 FEET;

THENCE NORTH 87 DEGREES 13 MINUTES 12 SECONDS WEST, 168.19 FEET;

THENCE NORTH 02 DEGREES 46 MINUTES 48 SECONDS EAST, 16.72 FEET;

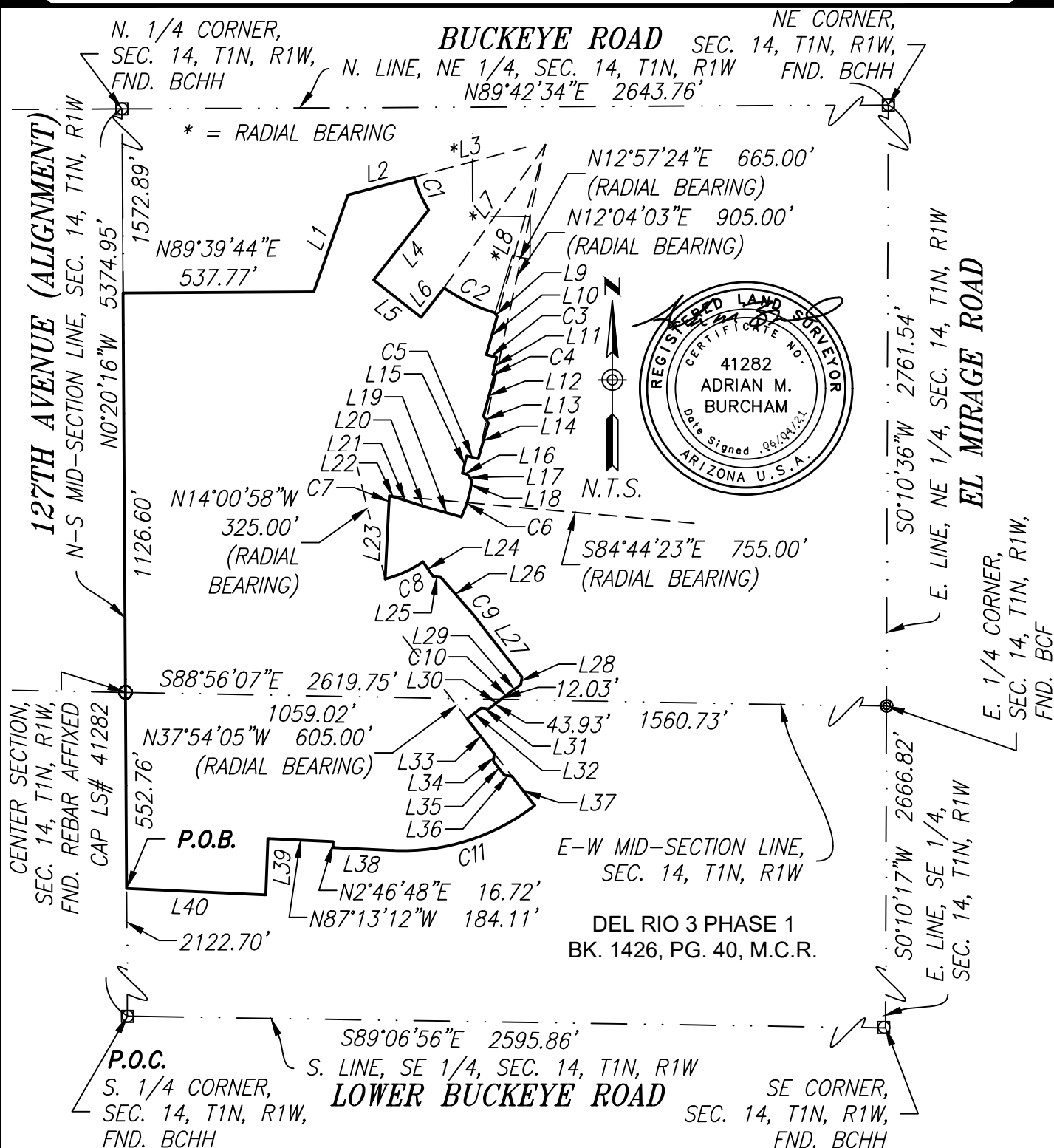
THENCE NORTH 87 DEGREES 13 MINUTES 12 SECONDS WEST, 184.11 FEET;

THENCE SOUTH 02 DEGREES 06 MINUTES 36 SECONDS WEST, 159.01 FEET;

THENCE NORTH 87 DEGREES 19 MINUTES 30 SECONDS WEST, 393.12 FEET TO SAID **POINT OF BEGINNING**;

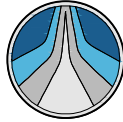
SAID PARCEL CONTAINS 1,653,309 SQUARE FEET OR 37.9548 ACRES, MORE OR LESS.





MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

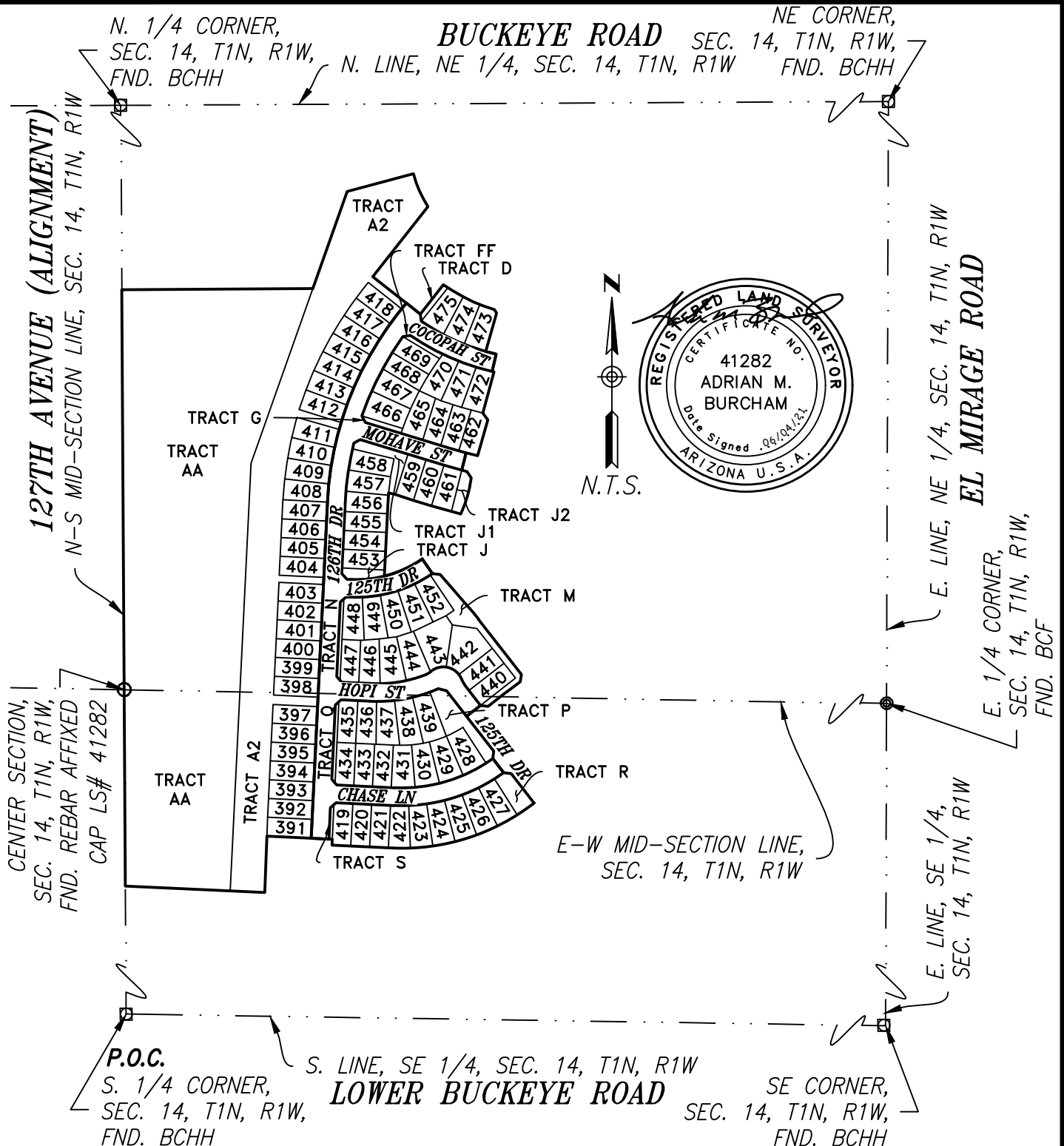
Project No. 16178	Date 06/04/21	Sht: 1 of 7
Project Manager ADRIAN BURCHAM	Project Eng.	



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MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 2 of 7



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LINE TABLE

LINE #	BEARING	LENGTH
L1	N19°30'27"E	290.22'
L2	N75°06'13"E	192.77'
L3	N75°06'13"E	325.00'
L4	S38°15'18"W	250.86'
L5	S51°44'42"E	170.00'
L6	N38°15'18"E	105.12'
L7	N35°21'37"E	495.00'
L8	N15°48'05"E	615.00'
L9	S28°58'17"E	11.14'
L10	S15°48'05"W	112.15'
L11	S12°57'24"W	50.00'
L12	S14°56'16"W	120.12'
L13	S35°40'23"E	23.64'
L14	S15°56'52"W	104.57'
L15	S13°37'57"W	50.00'
L16	S76°17'48"E	15.27'
L17	S33°10'47"E	21.57'
L18	S10°50'43"W	23.11'
L19	N74°17'51"W	84.81'
L20	N72°59'22"W	53.00'



LINE TABLE

LINE #	BEARING	LENGTH
L21	N72°08'35"W	53.01'
L22	N75°06'21"W	20.22'
L23	S2°46'48"W	202.54'
L24	S34°46'07"E	50.00'
L25	S83°23'56"E	22.11'
L26	S40°53'00"E	125.31'
L27	S37°54'05"E	197.20'
L28	S7°56'11"W	20.90'
L29	S53°46'27"W	45.86'
L30	S52°05'55"W	55.97'
L31	N82°54'05"W	21.21'
L32	S52°05'55"W	50.00'
L33	S37°54'05"E	124.64'
L34	S7°35'33"W	21.03'
L35	S37°54'05"E	50.03'
L36	S82°27'30"E	21.38'
L37	S37°54'05"E	105.00'
L38	N87°13'12"W	168.19'
L39	S2°06'36"W	159.01'
L40	N87°19'30"W	393.12'

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 3 of 7



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CURVE TABLE				
CURVE #	DELTA	RADIUS	LENGTH	CHORD
C1	17°54'55"	325.00'	101.62'	S23°51'15"E 101.21'
C2	18°39'01"	495.00'	161.13'	S63°57'54"E 160.42'
C3	2°50'41"	615.00'	30.54'	S75°37'15"E 30.53'
C4	0°26'15"	665.00'	5.08'	S77°15'43"E 5.08'
C5	2°07'23"	905.00'	33.54'	N76°52'16"W 33.53'
C6	14°44'09"	325.00'	83.59'	S18°12'47"W 83.36'
C7	2°28'49"	755.00'	32.68'	S04°01'13"W 32.68'
C8	20°45'09"	325.00'	117.71'	N65°36'27"E 117.07'
C9	2°58'54"	775.00'	40.33'	S39°23'32"E 40.33'
C10	1°40'32"	425.00'	12.43'	S52°56'11"W 12.43'
C11	40°40'53"	605.00'	429.57'	S72°26'21"W 420.60'

NOTE:

THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAYS AND PARKWAYS WITHIN THE DISTRICT.



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

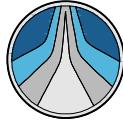
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Sht: 4 of 7



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
391	6626.00	0.1521
392	6650.00	0.1527
393	6650.00	0.1527
394	6650.00	0.1527
395	6650.00	0.1527
396	6650.00	0.1527
397	6650.00	0.1527
398	6650.00	0.1527
399	6650.00	0.1527
400	6650.00	0.1527
401	6650.00	0.1527
402	6650.00	0.1527
403	6650.00	0.1527
404	6650.00	0.1527
405	6650.00	0.1527
406	6650.00	0.1527
407	6682.00	0.1534
408	6949.00	0.1595
409	6925.00	0.1590
410	6901.00	0.1584
411	6876.00	0.1579
412	6841.00	0.1570
413	6815.00	0.1565
414	6788.00	0.1558
415	6761.00	0.1552
416	6733.00	0.1546
417	6705.00	0.1539



LOT TABLE		
LOT #	SQUARE FEET	ACRES
418	6519.00	0.1497
419	6345.00	0.1457
420	6360.00	0.1460
421	6360.00	0.1460
422	6802.00	0.1562
423	6894.00	0.1583
424	6894.00	0.1583
425	6894.00	0.1583
426	6894.00	0.1583
427	6894.00	0.1583
428	7580.00	0.1740
429	7255.00	0.1666
430	7235.00	0.1661
431	7084.00	0.1626
432	6360.00	0.1460
433	6360.00	0.1460
434	6345.00	0.1457
435	6345.00	0.1457
436	6592.00	0.1513
437	7226.00	0.1659
438	7722.00	0.1773
439	7911.00	0.1816
440	6625.00	0.1521
441	6544.00	0.1502
442	11188.00	0.2568
443	10551.00	0.2422
444	7769.00	0.1784

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 5 of 7



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
445	7848.00	0.1802
446	6908.00	0.1586
447	6349.00	0.1458
448	6880.00	0.1579
449	7181.00	0.1649
450	7306.00	0.1677
451	7116.00	0.1634
452	7096.00	0.1629
453	6360.00	0.1460
454	6360.00	0.1460
455	6360.00	0.1460
456	6605.00	0.1516
457	6725.00	0.1544
458	6729.00	0.1545
459	6339.00	0.1455
460	6360.00	0.1460



LOT TABLE		
LOT #	SQUARE FEET	ACRES
461	6614.00	0.1518
462	6335.00	0.1454
463	6374.00	0.1463
464	6396.00	0.1468
465	7457.00	0.1712
466	8064.00	0.1851
467	7615.00	0.1748
468	6360.00	0.1460
469	6501.00	0.1492
470	7247.00	0.1664
471	6837.00	0.1570
472	6813.00	0.1564
473	6926.00	0.1590
474	6957.00	0.1597
475	7382.00	0.1695
TOTAL	587300.00	13.4826

RIGHT-OF-WAY			
USAGE	SQUARE FEET	ACRES	STREET NAME
RIGHT-OF-WAY	166661.00	3.8260	125TH DRIVE / 126TH DRIVE / CHASE LANE / HOPI STREET / MOHAVE STREET / COCOPAH STREET
TOTAL	166661.00	3.8260	

EASEMENT	
PUBLIC UTILITY EASEMENT	SEWER EASEMENT
VEHICAL NON ACCESS EASEMENT	FLOODWAY FLOWAGE EASEMENT
SIGHT VISIBILITY TRIANGLE	PUBLIC TRAIL EASEMENT
WATER EASEMENT	PRIVATE IRRIGATION EASEMENT

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 6 of 7



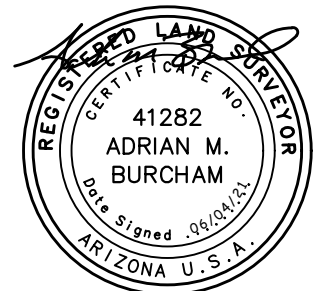
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TRACT TABLE

TRACT	SQUARE FEET	ACRES	USAGE
AA	612829.00	14.0686	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT / MULTI-USE TRAIL
A2	232392.00	5.3350	FLOODWAY FLOWAGE EASEMENT / AGUA FRIA RIVER CORRIDOR / MULTI-USE TRAIL
D	1690.00	0.0388	LANDSCAPE / PUBLIC UTILITY EASEMENT
FF	1484.00	0.0341	LANDSCAPE / PUBLIC UTILITY EASEMENT
G	1688.00	0.0388	LANDSCAPE / PUBLIC UTILITY EASEMENT
J	3185.00	0.0731	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
J1	6739.00	0.1547	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
J2	3667.00	0.0842	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
M	12925.00	0.2967	LANDSCAPE / PUBLIC UTILITY EASEMENT
N	1687.00	0.0387	LANDSCAPE / PUBLIC UTILITY EASEMENT
P	11527.00	0.2646	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
Q	2092.00	0.0480	LANDSCAPE / PUBLIC UTILITY EASEMENT
R	6153.00	0.1413	LANDSCAPE / PUBLIC UTILITY EASEMENT
S	886.00	0.0203	LANDSCAPE / PUBLIC UTILITY EASEMENT
TOTAL	878286.00	20.1627	



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 7 of 7

RESOLUTION NO. 1082-1021

RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, 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 AVONDALE MAINTENANCE IMPROVEMENT DISTRICT NO. 31, DEL RIO RANCH III PHASE IV; 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.

WHEREAS, the Council of the City of Avondale (the “City Council”) has adopted Resolution 1081-1021 declaring its intent to form the City of Avondale Maintenance Improvement District No. 31 – Del Rio Ranch III Phase IV; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 48-574(C), as amended, the City Council has immediate jurisdiction to adopt a resolution ordering the improvements pursuant to ARIZ. REV. STAT. § 48-581, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE, as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The public interest or convenience require and it is the intention of the City Council to order the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and that the cost of such activities, together with appurtenant structures, be assessed upon a certain improvement district to be known as Avondale Maintenance Improvement District No. 31 – Del Rio Ranch III Phase IV (the “District”) as described and depicted on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 3. The estimate of the cost and expenses for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and on file with the

Superintendent of Streets (City Engineer) and the City Clerk is approved and adopted by the City Council.

SECTION 4. The City Council determines that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, 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 City Council makes and orders the cost and expense for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and related facilities together with appurtenant structures be chargeable upon the District, the area of which is described and depicted as set forth on Exhibit A, and declare that the District benefited by the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and related facilities together with appurtenant structures to be assessed, shall pay the costs and expenses thereof in proportion to the benefits derived therefrom.

SECTION 5. The City shall not assess the costs and expenses for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, 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 District 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 District only that portion of such costs and expenses which benefits the lots, pieces and parcels of land located within the boundaries of the District.

SECTION 6. The costs and expense for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district shall be made and all proceedings therein taken; that the Superintendent of Streets of the City (the City Engineer) 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 District 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 7. 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 City Council as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 4, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1082-1021

[Legal Description and Map of Assessment District]

See following pages.

EXHIBIT "A"
MAINTENANCE IMPROVEMENT DISTRICT LEGAL DESCRIPTION &
EXHIBIT MAP FOR DEL RIO RANCH III

A PORTION OF LAND LOCATED IN THE EAST HALF OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, BEARS SOUTH 89 DEGREES 06 MINUTES 56 SECONDS EAST, 2595.86 FEET;

THENCE NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 14, 2122.70 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID NORTH-SOUTH MID-SECTION LINE, NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, 552.76 FEET TO THE CENTER OF SECTION OF SAID SECTION 14;

THENCE CONTINUING ALONG SAID NORTH-SOUTH MID-SECTION LINE, NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, 1126.60 FEET;

THENCE DEPARTING SAID NORTH-SOUTH MID-SECTION LINE, NORTH 89 DEGREES 39 MINUTES 44 SECONDS EAST, 537.77 FEET;

THENCE NORTH 19 DEGREES 30 MINUTES 27 SECONDS EAST, 290.22 FEET;

THENCE NORTH 75 DEGREES 06 MINUTES 13 SECONDS EAST, 192.77 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 75 DEGREES 06 MINUTES 13 SECONDS EAST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 17 DEGREES 54 MINUTES 55 SECONDS, AN ARC LENGTH OF 101.62 FEET;

THENCE SOUTH 38 DEGREES 15 MINUTES 18 SECONDS WEST, 250.86 FEET;

THENCE SOUTH 51 DEGREES 44 MINUTES 42 SECONDS EAST, 170.00 FEET;

THENCE NORTH 38 DEGREES 15 MINUTES 18 SECONDS EAST, 105.12 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 35 DEGREES 21 MINUTES 37 SECONDS EAST, 495.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 18 DEGREES 39 MINUTES 01 SECONDS, AN ARC LENGTH OF 161.13 FEET;

THENCE SOUTH 28 DEGREES 58 MINUTES 17 SECONDS EAST, 11.14 FEET;

THENCE SOUTH 15 DEGREES 48 MINUTES 05 SECONDS WEST, 112.15 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 15 DEGREES 48 MINUTES 05 SECONDS EAST, 615.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 50 MINUTES 41 SECONDS, AN ARC LENGTH OF 30.54 FEET;

THENCE SOUTH 12 DEGREES 57 MINUTES 24 SECONDS WEST, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 12 DEGREES 57 MINUTES 24 SECONDS EAST, 665.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 00 DEGREES 26 MINUTES 15 SECONDS, AN ARC LENGTH OF 5.08 FEET;

THENCE SOUTH 14 DEGREES 56 MINUTES 16 SECONDS WEST, 120.12 FEET;

THENCE SOUTH 35 DEGREES 40 MINUTES 23 SECONDS EAST, 23.64 FEET;

THENCE SOUTH 15 DEGREES 56 MINUTES 52 SECONDS WEST, 104.57 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 12 DEGREES 04 MINUTES 03 SECONDS EAST, 905.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 07 MINUTES 23 SECONDS, AN ARC LENGTH OF 33.54 FEET;

THENCE SOUTH 13 DEGREES 37 MINUTES 57 SECONDS WEST, 50.00 FEET;

THENCE SOUTH 76 DEGREES 17 MINUTES 48 SECONDS EAST, 15.27 FEET;

THENCE SOUTH 33 DEGREES 10 MINUTES 47 SECONDS EAST, 21.57 FEET;

THENCE SOUTH 10 DEGREES 50 MINUTES 43 SECONDS WEST, 23.11 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 14 DEGREES 44 MINUTES 09 SECONDS, AN ARC LENGTH OF 83.59 FEET;

THENCE NORTH 74 DEGREES 17 MINUTES 51 SECONDS WEST, 84.81 FEET;

THENCE NORTH 72 DEGREES 59 MINUTES 22 SECONDS WEST, 53.00 FEET;

THENCE NORTH 72 DEGREES 08 MINUTES 35 SECONDS WEST, 53.01 FEET;

THENCE NORTH 75 DEGREES 06 MINUTES 21 SECONDS WEST, 20.22 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, FROM WHICH THE CENTER BEARS, SOUTH 84 DEGREES 44 MINUTES 23 SECONDS EAST, 755.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 28 MINUTES 49 SECONDS, AN ARC LENGTH OF 32.68 FEET;

THENCE SOUTH 02 DEGREES 46 MINUTES 48 SECONDS WEST, 202.54 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 14 DEGREES 00 MINUTES 58 SECONDS WEST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 20 DEGREES 45 MINUTES 09 SECONDS, AN ARC LENGTH OF 117.71 FEET;

THENCE SOUTH 34 DEGREES 46 MINUTES 07 SECONDS EAST, 50.00 FEET;

THENCE SOUTH 83 DEGREES 23 MINUTES 56 SECONDS EAST, 22.11 FEET;

THENCE SOUTH 40 DEGREES 53 MINUTES 00 SECONDS EAST, 125.31 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 775.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 58 MINUTES 54 SECONDS, AN ARC LENGTH OF 40.33 FEET;

THENCE SOUTH 37 DEGREES 54 MINUTES 05 SECONDS EAST, 197.20 FEET;

THENCE SOUTH 07 DEGREES 56 MINUTES 11 SECONDS WEST, 20.90 FEET;

THENCE SOUTH 53 DEGREES 46 MINUTES 27 SECONDS WEST, 45.86 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 425.00 FEET;

THENCE ALONG THE SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 01 DEGREES 40 MINUTES 32 SECONDS, AN ARC LENGTH OF 12.43 FEET;

THENCE SOUTH 52 DEGREES 05 MINUTES 55 SECONDS WEST, 12.03 FEET TO THE EAST-WEST MID-SECTION LINE OF SAID SECTION 14;

THENCE CONTINUING SOUTH 52 DEGREES 05 MINUTES 55 SECONDS WEST, 43.93 FEET;

THENCE NORTH 82 DEGREES 54 MINUTES 05 SECONDS WEST, 21.21 FEET;

THENCE SOUTH 52 DEGREE 05 MINUTES 55 SECONDS WEST, 50.00 FEET;

THENCE SOUTH 37 DEGREE 54 MINUTES 05 SECONDS EAST, 124.64 FEET;

THENCE SOUTH 07 DEGREES 35 MINUTES 33 SECONDS WEST, 21.03 FEET;

THENCE SOUTH 37 DEGREE 54 MINUTES 05 SECONDS EAST, 50.03 FEET;

THENCE SOUTH 82 DEGREES 27 MINUTES 30 SECONDS EAST, 21.38 FEET;

THENCE SOUTH 37 DEGREE 54 MINUTES 05 SECONDS EAST, 105.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH THE CENTER BEARS NORTH 37 DEGREES 54 MINUTES 05 SECONDS WEST, 605.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 40 DEGREES 40 MINUTES 53 SECONDS, AN ARC LENGTH OF 429.57 FEET;

THENCE NORTH 87 DEGREES 13 MINUTES 12 SECONDS WEST, 168.19 FEET;

THENCE NORTH 02 DEGREES 46 MINUTES 48 SECONDS EAST, 16.72 FEET;

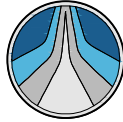
THENCE NORTH 87 DEGREES 13 MINUTES 12 SECONDS WEST, 184.11 FEET;

THENCE SOUTH 02 DEGREES 06 MINUTES 36 SECONDS WEST, 159.01 FEET;

THENCE NORTH 87 DEGREES 19 MINUTES 30 SECONDS WEST, 393.12 FEET TO SAID **POINT OF BEGINNING**;

SAID PARCEL CONTAINS 1,653,309 SQUARE FEET OR 37.9548 ACRES, MORE OR LESS.

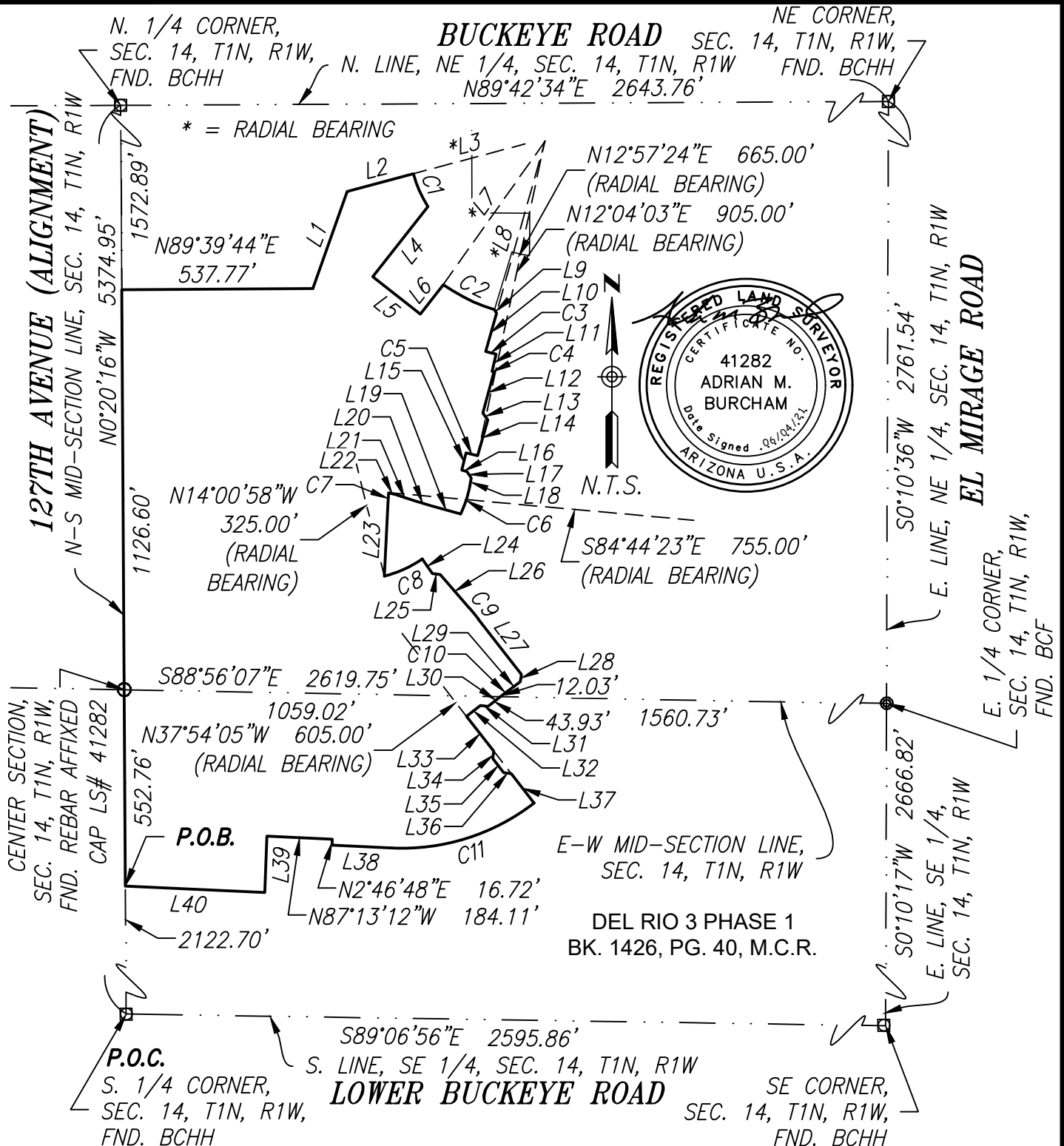




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MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

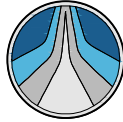
Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

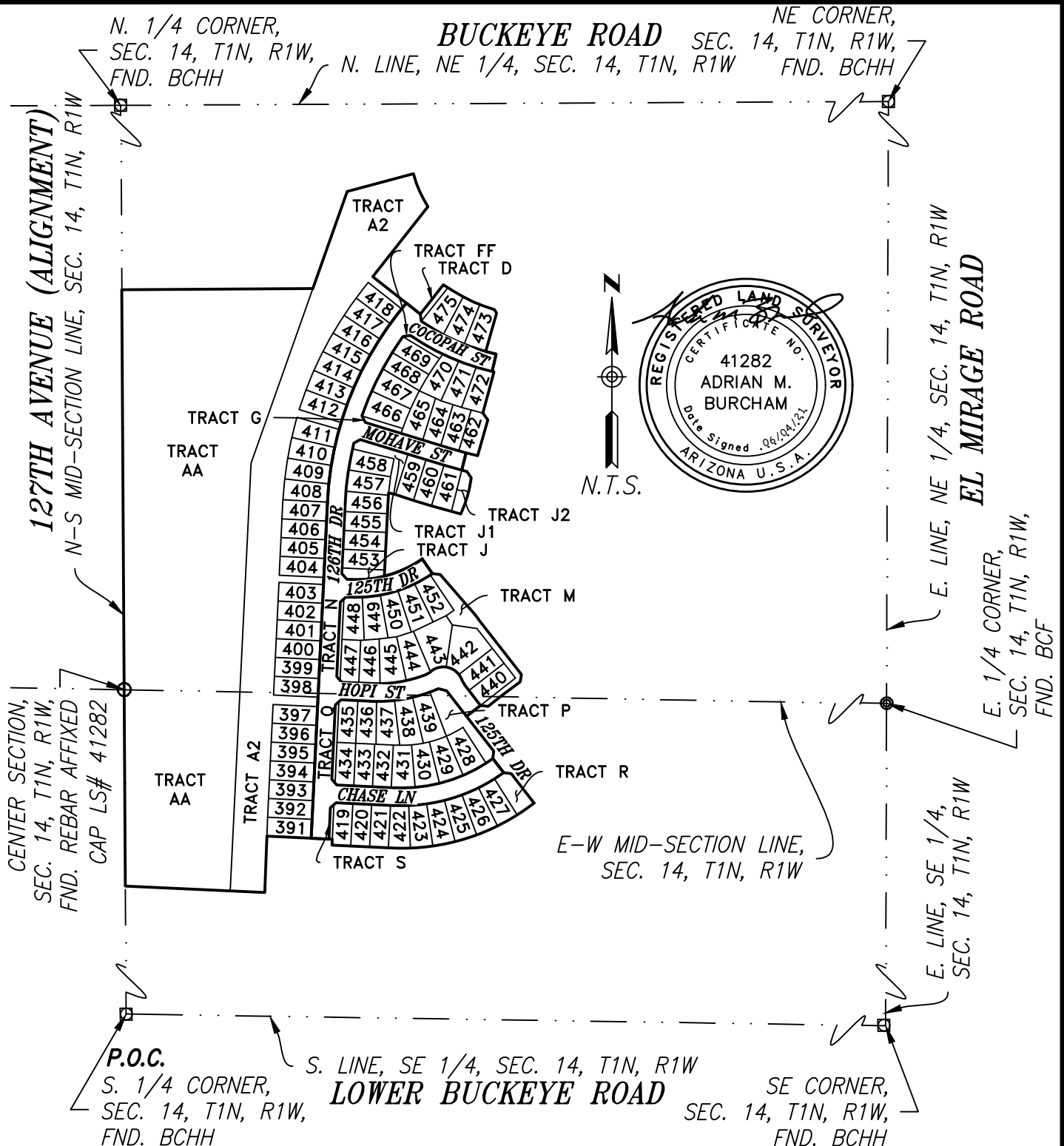
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MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

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ADRIAN BURCHAM

Project Eng.

Sht: 2 of 7



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LINE TABLE

LINE #	BEARING	LENGTH
L1	N19°30'27"E	290.22'
L2	N75°06'13"E	192.77'
L3	N75°06'13"E	325.00'
L4	S38°15'18"W	250.86'
L5	S51°44'42"E	170.00'
L6	N38°15'18"E	105.12'
L7	N35°21'37"E	495.00'
L8	N15°48'05"E	615.00'
L9	S28°58'17"E	11.14'
L10	S15°48'05"W	112.15'
L11	S12°57'24"W	50.00'
L12	S14°56'16"W	120.12'
L13	S35°40'23"E	23.64'
L14	S15°56'52"W	104.57'
L15	S13°37'57"W	50.00'
L16	S76°17'48"E	15.27'
L17	S33°10'47"E	21.57'
L18	S10°50'43"W	23.11'
L19	N74°17'51"W	84.81'
L20	N72°59'22"W	53.00'



LINE TABLE

LINE #	BEARING	LENGTH
L21	N72°08'35"W	53.01'
L22	N75°06'21"W	20.22'
L23	S2°46'48"W	202.54'
L24	S34°46'07"E	50.00'
L25	S83°23'56"E	22.11'
L26	S40°53'00"E	125.31'
L27	S37°54'05"E	197.20'
L28	S7°56'11"W	20.90'
L29	S53°46'27"W	45.86'
L30	S52°05'55"W	55.97'
L31	N82°54'05"W	21.21'
L32	S52°05'55"W	50.00'
L33	S37°54'05"E	124.64'
L34	S7°35'33"W	21.03'
L35	S37°54'05"E	50.03'
L36	S82°27'30"E	21.38'
L37	S37°54'05"E	105.00'
L38	N87°13'12"W	168.19'
L39	S2°06'36"W	159.01'
L40	N87°19'30"W	393.12'

MAINTENANCE IMPROVEMENT DISTRICT
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EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
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Date
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Project Eng.

Sht: 3 of 7



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CURVE TABLE				
CURVE #	DELTA	RADIUS	LENGTH	CHORD
C1	17°54'55"	325.00'	101.62'	S23°51'15"E 101.21'
C2	18°39'01"	495.00'	161.13'	S63°57'54"E 160.42'
C3	2°50'41"	615.00'	30.54'	S75°37'15"E 30.53'
C4	0°26'15"	665.00'	5.08'	S77°15'43"E 5.08'
C5	2°07'23"	905.00'	33.54'	N76°52'16"W 33.53'
C6	14°44'09"	325.00'	83.59'	S18°12'47"W 83.36'
C7	2°28'49"	755.00'	32.68'	S04°01'13"W 32.68'
C8	20°45'09"	325.00'	117.71'	N65°36'27"E 117.07'
C9	2°58'54"	775.00'	40.33'	S39°23'32"E 40.33'
C10	1°40'32"	425.00'	12.43'	S52°56'11"W 12.43'
C11	40°40'53"	605.00'	429.57'	S72°26'21"W 420.60'

NOTE:

THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAYS AND PARKWAYS WITHIN THE DISTRICT.



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

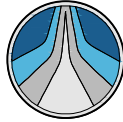
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Sht: 4 of 7



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
391	6626.00	0.1521
392	6650.00	0.1527
393	6650.00	0.1527
394	6650.00	0.1527
395	6650.00	0.1527
396	6650.00	0.1527
397	6650.00	0.1527
398	6650.00	0.1527
399	6650.00	0.1527
400	6650.00	0.1527
401	6650.00	0.1527
402	6650.00	0.1527
403	6650.00	0.1527
404	6650.00	0.1527
405	6650.00	0.1527
406	6650.00	0.1527
407	6682.00	0.1534
408	6949.00	0.1595
409	6925.00	0.1590
410	6901.00	0.1584
411	6876.00	0.1579
412	6841.00	0.1570
413	6815.00	0.1565
414	6788.00	0.1558
415	6761.00	0.1552
416	6733.00	0.1546
417	6705.00	0.1539



LOT TABLE		
LOT #	SQUARE FEET	ACRES
418	6519.00	0.1497
419	6345.00	0.1457
420	6360.00	0.1460
421	6360.00	0.1460
422	6802.00	0.1562
423	6894.00	0.1583
424	6894.00	0.1583
425	6894.00	0.1583
426	6894.00	0.1583
427	6894.00	0.1583
428	7580.00	0.1740
429	7255.00	0.1666
430	7235.00	0.1661
431	7084.00	0.1626
432	6360.00	0.1460
433	6360.00	0.1460
434	6345.00	0.1457
435	6345.00	0.1457
436	6592.00	0.1513
437	7226.00	0.1659
438	7722.00	0.1773
439	7911.00	0.1816
440	6625.00	0.1521
441	6544.00	0.1502
442	11188.00	0.2568
443	10551.00	0.2422
444	7769.00	0.1784

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

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Date
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Project Eng.

Sht: 5 of 7



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LOT TABLE		
LOT #	SQUARE FEET	ACRES
445	7848.00	0.1802
446	6908.00	0.1586
447	6349.00	0.1458
448	6880.00	0.1579
449	7181.00	0.1649
450	7306.00	0.1677
451	7116.00	0.1634
452	7096.00	0.1629
453	6360.00	0.1460
454	6360.00	0.1460
455	6360.00	0.1460
456	6605.00	0.1516
457	6725.00	0.1544
458	6729.00	0.1545
459	6339.00	0.1455
460	6360.00	0.1460



LOT TABLE		
LOT #	SQUARE FEET	ACRES
461	6614.00	0.1518
462	6335.00	0.1454
463	6374.00	0.1463
464	6396.00	0.1468
465	7457.00	0.1712
466	8064.00	0.1851
467	7615.00	0.1748
468	6360.00	0.1460
469	6501.00	0.1492
470	7247.00	0.1664
471	6837.00	0.1570
472	6813.00	0.1564
473	6926.00	0.1590
474	6957.00	0.1597
475	7382.00	0.1695
TOTAL	587300.00	13.4826

RIGHT-OF-WAY			
USAGE	SQUARE FEET	ACRES	STREET NAME
RIGHT-OF-WAY	166661.00	3.8260	125TH DRIVE / 126TH DRIVE / CHASE LANE / HOPI STREET / MOHAVE STREET / COCOPAH STREET
TOTAL	166661.00	3.8260	

EASEMENT	
PUBLIC UTILITY EASEMENT	SEWER EASEMENT
VEHICAL NON ACCESS EASEMENT	FLOODWAY FLOWAGE EASEMENT
SIGHT VISIBILITY TRIANGLE	PUBLIC TRAIL EASEMENT
WATER EASEMENT	PRIVATE IRRIGATION EASEMENT

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

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Sht: 6 of 7



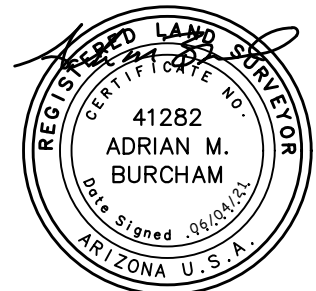
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TRACT TABLE

TRACT	SQUARE FEET	ACRES	USAGE
AA	612829.00	14.0686	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT / MULTI-USE TRAIL
A2	232392.00	5.3350	FLOODWAY FLOWAGE EASEMENT / AGUA FRIA RIVER CORRIDOR / MULTI-USE TRAIL
D	1690.00	0.0388	LANDSCAPE / PUBLIC UTILITY EASEMENT
FF	1484.00	0.0341	LANDSCAPE / PUBLIC UTILITY EASEMENT
G	1688.00	0.0388	LANDSCAPE / PUBLIC UTILITY EASEMENT
J	3185.00	0.0731	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
J1	6739.00	0.1547	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
J2	3667.00	0.0842	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
M	12925.00	0.2967	LANDSCAPE / PUBLIC UTILITY EASEMENT
N	1687.00	0.0387	LANDSCAPE / PUBLIC UTILITY EASEMENT
P	11527.00	0.2646	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
Q	2092.00	0.0480	LANDSCAPE / PUBLIC UTILITY EASEMENT
R	6153.00	0.1413	LANDSCAPE / PUBLIC UTILITY EASEMENT
S	886.00	0.0203	LANDSCAPE / PUBLIC UTILITY EASEMENT
TOTAL	878286.00	20.1627	



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 4
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 7 of 7

CITY COUNCIL REPORT

SUBJECT: Resolutions 1083-1021 and 1084-1021 – Maintenance Improvement District No. 32 for Del Rio Ranch III Phase 5

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include housing that is affordable to workers and close to their jobs.
-

PURPOSE:

City Council will consider a request to approve the Petition for Formation, adopt Resolution 1083-1021, declaring its intention to form the City of Avondale Maintenance Improvement District No. 32, Del Rio Ranch III Phase 5, providing for the assessment, and adopt Resolution 1084-1021, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency, and authorize the Mayor, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Under provisions of the City Code and Zoning Ordinance, developers are responsible for landscaping development projects prior to issuance of a Certificate of Occupancy. In particular, subdivisions are required to provide landscaping along certain arterial and collector streets and in other locations as provided in the zoning requirements, approval conditions, engineering requests or subdivision requirements. In addition, developers are often required to provide paths, trails, and other usable amenities in common open space areas within a community.

The purpose of the Maintenance Improvement District (MID) is to provide for the operations, maintenance, repair and improvements to landscaping and open space adjacent to designated public roadways and parkways within the proposed district, as well as drainage and retention within each proposed district in the event a Homeowner's Association fails. Until such time as the Homeowner's Association fails, and the Council directs City Staff to assume maintenance responsibility, a line item of \$0.00 will display on the homeowners' property tax bills. Pursuant to the provision of A.R.S. 48-574, et. seq., the Mayor and Council are empowered to adopt a Resolution ordering the formation of a Maintenance Improvement District.

A Resolution of Intention for formation of City of Avondale Maintenance Improvement District No. 32, Del Rio Ranch III Phase 5, southwest corner of Durango Street and 125th Avenue, is attached. In the case in which all of the property owners have consented to MID formation, the ordinary publication and protest period are not required by law; the 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. In accordance with State statute, an assessment diagram and map, listing each parcel of property within the district has been prepared.

PUBLIC PARTICIPATION:

Public notification is not required for MID applications.

PLANNING COMMISSION ACTION:

The Planning Commission does not review MID applications.

ANALYSIS:

The acceptance of this Maintenance Improvement District will allow any additional charges associated with the maintenance responsibilities, should the Homeowner's Association fail, to be assessed on the property tax bill for the properties located within the District.

The Maintenance Improvement District has been approved through the Development and Engineering Services Department, which recommends that City Council formally approve the Maintenance Improvement District to allow for the taxing district to be recorded and in place in the event the Homeowner's Association fails.

It should be noted that not approving the Maintenance Improvement District will prevent any charges from being assessed on the property tax bills for those properties located within the District in the event that the Homeowner's Association fails.

DISCUSSION:

The proposed MID has been reviewed by the City Attorney and is in conformance with the City of Avondale's Subdivision Regulations and State statute governing Maintenance Improvement District formation.

BUDGET IMPACT:

There is no direct budgetary impact to the City to approve the Maintenance Improvement District. However, the City would incur the additional charges associated with the maintenance responsibilities should the taxing district not be approved and recorded, and the Homeowner's Association fails.

RECOMMENDATION:

Staff recommends Council **ADOPT** a Resolution declaring its intention to create and adopt plans for the City of Avondale Maintenance Improvement District No. 32, Del Rio Ranch III Phase 5, providing for the assessment, and a second Resolution declaring its intention to order the improvements within the newly established Maintenance Improvement District, providing for the assessment and declaring an emergency, subject to the following conditions:

1. The final plat for the subdivision must be approved by City Council and recorded with the Maricopa County Recorder's Office prior to recordation of the Maintenance Improvement District; and
2. The developer must provide a fully executed Petition, Waiver and Consent to Formation of a Municipal Improvement District.

PROPOSED MOTION:

I move that City Council **ADOPT** the necessary resolutions approving City of Avondale Maintenance Improvement District No. 32, Del Rio Ranch III Phase 5, subject to two (2) recommended conditions of approval as listed in the staff report.

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

**Maintenance Improvement District No. 32
(DEL RIO RANCH III PHASE V)**

To: Honorable Mayor and Council
City of Avondale, Arizona

Pursuant to ARIZ. REV. STAT. § 48-574(C), the undersigned property owners respectfully petition the Council of the City of Avondale, Arizona (the “City Council”) to order the formation of a Municipal Improvement District (the “District”) under ARIZ. REV. STAT. § 48-574, *et seq.* In support of this petition, the undersigned agree to waive certain rights under Arizona Law and to consent to the formation and completion of the District.

1. Area of District. The proposed District is described by a diagram and by a legal description on Exhibit A, attached hereto and incorporated herein by reference. The proposed District consists of $\pm$ 27.4676 acres and is entirely within the corporate boundaries of the City of Avondale.
2. Ownership. The undersigned is the sole owner 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 landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways 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, drainage and retention facilities and hardscape adjacent to designated public roadways 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 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. All protest rights whatsoever under ARIZ. REV. STAT. §§ 48-579(A) and (B), as amended.
 - c. 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. The Engineer's Estimate of the costs and expenses of the improvements are attached as part of Exhibit A.

IN WITNESS WHEREOF, the parties have executed this Petition and Waiver Agreement as of _____, 2021.

"Property Owner"

DC ONE HOLDINGS, INC,
an Arizona corporation

By: _____
Donald Switzenberg, President

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On, _____ 2021, before me personally appeared Donald Switzenberg, the President of DC ONE HOLDINGS, INC, an Arizona corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document on behalf of the corporation.

Notary Public

(Affix notary seal here)

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

ACCEPTED AND APPROVED BY:

“City”

CITY OF AVONDALE,
an Arizona municipal corporation

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On _____, 2021, before me personally appeared Kenneth N. Weise, the Mayor of the CITY OF AVONDALE, an Arizona municipal corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document, on behalf of the City of Avondale.

Notary Public

(Affix notary seal here)

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

**Maintenance Improvement District No. 32
(Del Rio Ranch III Phase V)**

[Legal Description, Assessment Diagram and Engineer's Estimate]

(See following pages.)

EXHIBIT "A"
MAINTENANCE IMPROVEMENT DISTRICT LEGAL DESCRIPTION &
EXHIBIT MAP FOR DEL RIO RANCH III

A PORTION OF LAND LOCATED IN NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, BEARS NORTH 89 DEGREES 42 MINUTES 34 SECONDS EAST, 2643.76 FEET;

THENCE SOUTH 00 DEGREES 20 MINUTES 16 SECONDS EAST, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 14, 340.00 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID NORTH-SOUTH MID-SECTION LINE, NORTH 89 DEGREES 42 MINUTES 17 SECONDS EAST, 990.25 FEET;

THENCE SOUTH 00 DEGREES 08 MINUTES 36 SECONDS EAST, 1021.45 FEET;

THENCE SOUTH 89 DEGREES 36 MINUTES 58 SECONDS EAST, 162.97 FEET;

THENCE SOUTH 00 DEGREES 23 MINUTES 02 SECONDS WEST, 119.74 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 07 DEGREES 46 MINUTES 04 SECONDS EAST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 08 DEGREES 56 MINUTES 32 SECONDS, AN ARC LENGTH OF 50.72 FEET;

THENCE SOUTH 16 DEGREES 42 MINUTES 36 SECONDS WEST, 170.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 16 DEGREES 42 MINUTES 36 SECONDS EAST, 495.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 18 DEGREES 39 MINUTES 01 SECONDS, AN ARC LENGTH OF 161.13 FEET;

THENCE SOUTH 38 DEGREES 15 MINUTES 18 SECONDS WEST, 105.12 FEET;

THENCE NORTH 51 DEGREES 44 MINUTES 42 SECONDS WEST, 170.00 FEET;

THENCE NORTH 38 DEGREES 15 MINUTES 18 SECONDS EAST, 250.86 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 57 DEGREES 11 MINUTES 17 SECONDS EAST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 17 DEGREES 54 MINUTES 55 SECONDS, AN ARC LENGTH OF 101.62 FEET;

THENCE SOUTH 75 DEGREES 06 MINUTES 13 SECONDS WEST, 192.77 FEET;

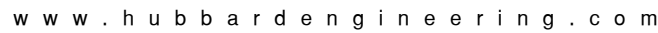
THENCE SOUTH 19 DEGREES 30 MINUTES 27 SECONDS WEST, 290.22 FEET;

THENCE SOUTH 89 DEGREES 39 MINUTES 44 SECONDS WEST, 537.77 FEET TO SAID NORTH-SOUTH MID-SECTION LINE;

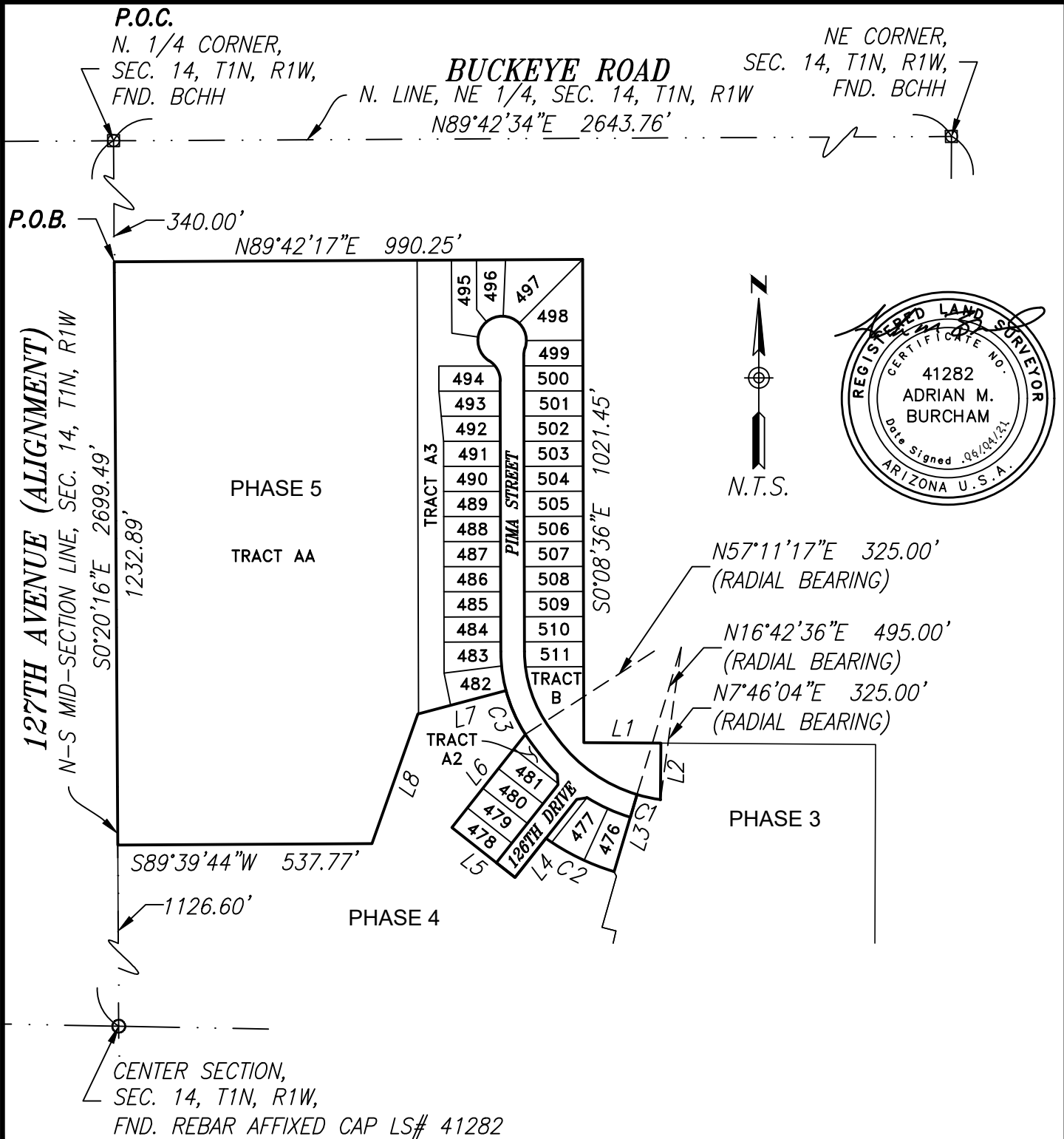
THENCE NORTH 00 DEGREES 20 MINUTES 16 SECONDS WEST, ALONG SAID NORTH-SOUTH MID-SECTION LINE, 1232.89 FEET TO SAID **POINT OF BEGINNING**;

SAID PARCEL CONTAINS 1,196,488 SQUARE FEET OR 27.4676 ACRES, MORE OR LESS.





1201 S. Alma School Rd.
Suite 12000
Mesa, AZ 85210
Ph: 480.892.3313



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 5
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

<i>Project No.</i> <i>16178</i>	<i>Date</i> <i>06/04/21</i>	<i>Sht: 1 of 4</i>
<i>Project Manager</i> <i>ADRIAN BURCHAM</i>	<i>Project Eng.</i>	



HUBBARD ENGINEERING

www.hubbardengineering.com

1201 S. Alma School Rd.
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Mesa, AZ 85210
Ph: 480.892.3313

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S89°36'58"E	162.97'
L2	S0°23'02"W	119.74'
L3	S16°42'36"W	170.00'
L4	S38°15'18"W	105.12'
L5	N51°44'42"W	170.00'
L6	N38°15'18"E	250.86'
L7	S75°06'13"W	192.77'
L8	S19°30'27"W	290.22'



CURVE TABLE				
CURVE #	DELTA	RADIUS	LENGTH	CHORD
C1	8°56'32"	325.00'	50.72'	N77°45'40"W 50.67'
C2	18°39'01"	495.00'	161.13'	N63°57'54"W 160.42'
C3	17°54'55"	325.00'	101.62'	N23°51'15"W 101.21'

NOTE:

THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAYS AND PARKWAYS WITHIN THE DISTRICT.

MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 5
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 2 of 4



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ENGINEERING

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LOT TABLE		
LOT #	SQUARE FEET	ACRES
476	7133.00	0.1638
477	7689.00	0.1765
478	6360.00	0.1460
479	6360.00	0.1460
480	6360.00	0.1460
481	6359.00	0.1460
482	7393.00	0.1697
483	7041.00	0.1616
484	6360.00	0.1460
485	6360.00	0.1460
486	6360.00	0.1460
487	6360.00	0.1460
488	6360.00	0.1460
489	6360.00	0.1460
490	6360.00	0.1460
491	6360.00	0.1460
492	6484.00	0.1489
493	6733.00	0.1546
494	6748.00	0.1549

LOT TABLE		
LOT #	SQUARE FEET	ACRES
495	8983.00	0.2062
496	7117.00	0.1634
497	12946.00	0.2972
498	13596.00	0.3121
499	6648.00	0.1526
500	6625.00	0.1521
501	6625.00	0.1521
502	6625.00	0.1521
503	6625.00	0.1521
504	6625.00	0.1521
505	6625.00	0.1521
506	6625.00	0.1521
507	6625.00	0.1521
508	6625.00	0.1521
509	6625.00	0.1521
510	6625.00	0.1521
511	6604.00	0.1516
TOTAL	254309.00	5.8381



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 5
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 3 of 4



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TRACT TABLE

TRACT	SQUARE FEET	ACRES	USAGE
AA	612829.00	14.0686	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT / MULTI-USE TRAIL
A2	232392.00	5.3350	FLOODWAY FLOWAGE EASEMENT / AGUA FRIA RIVER CORRIDOR / MULTI-USE TRAIL
A3	232392.00	5.3350	FLOODWAY FLOWAGE EASEMENT / AGUA FRIA RIVER CORRIDOR / MULTI-USE TRAIL / WATER EASEMENT
B	1690.00	0.0388	LANDSCAPE / PUBLIC UTILITY EASEMENT
D	1690.00	0.0388	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
TOTAL	1080993.00	24.8162	

RIGHT-OF-WAY

USAGE	SQUARE FEET	ACRES	STREET NAME
RIGHT-OF-WAY	72615.00	1.6670	126TH DRIVE / PIMA STREET
TOTAL	72615.00	1.6670	

EASEMENT

PUBLIC UTILITY EASEMENT	SEWER EASEMENT
VEHICULAR NON ACCESS EASEMENT	FLOODWAY FLOWAGE EASEMENT
SIGHT VISIBILITY TRIANGLE	PUBLIC TRAIL EASEMENT
WATER EASEMENT	



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III - PHASE 5
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 4 of 4

CITY OF AVONDALE

MAINTENANCE IMPROVEMENT DISTRICT NO. 32
"Del Rio III – Phase 5" Tracts AA, A2, A3, B and D.

ENGINEER'S ESTIMATE

In compliance with the provisions of A.R.S. Title 48, Chapter 4, Article 2, Section §48-574, and all amendments and supplements thereto, we hereby estimate the costs and expenses of said improvement to be as follows:

AREA

- Right-of-Way: 1.67 Ac
- Tract Area: 24.82 Ac

ANNUAL MAINTENANCE FEE

- Right of Way
1.67 Ac x \$2,000/Ac = \$3,340.00
- Tract Area
24.82 Ac. x \$10,500/Ac = \$260,610.00
\$263,950.00

ANNUAL ADMINISTRATIVE FEE

(\$263,950.00) X 5% = \$13,197.50

TOTAL ANNUAL COST

\$263,950.00+ \$13,197.50= \$277,147.50

TOTAL COST PER MONTH

\$277,147.50/12 months = \$23,095.63



Dated: August 13, 2021

CITY OF AVONDALE
DEVELOPMENT & ENGINEERING SERVICES
ENGINEERING DIVISION


By: Kevin Murphy, P.E., City Engineer

RESOLUTION NO. 1083-1021

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO OPERATE, MAINTAIN AND REPAIR LANDSCAPING, IRRIGATION, DRAINAGE AND RETENTION FACILITIES AND HARDSCAPE ADJACENT TO DESIGNATED PUBLIC ROADWAYS WITHIN THE PROPOSED DISTRICT AND RELATED FACILITIES AS SHOWN ON THE PLANS, FOR MAINTENANCE WITHIN AN AREA IN THE CITY OF AVONDALE AS DESCRIBED HEREIN; ADOPTING PLANS FOR CITY OF AVONDALE MAINTENANCE IMPROVEMENT DISTRICT NO. 32 – DEL RIO RANCH III PHASE V, 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; 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 City of Avondale (the “City”) has been presented with a Petition for Formation of a Maintenance Improvement District purporting to be signed by all of the real property owners within the proposed district and, according to ARIZ. REV. STAT. § 48-574(C), the City finds that such ownership has been verified; and

WHEREAS, the Council of the City of Avondale (the “City Council”) desires to declare its intent to form the City of Avondale Maintenance Improvement District No. 32 – Del Rio Ranch III Phase V (the “Assessment District”) over the area described and depicted on Exhibit A, attached hereto and incorporated herein by reference and including those lots, pieces or parcels of land lying within the Assessment District as shown in more detail on the duplicate diagrams made by or at the direction of the City Engineer showing each separate lot numbered consecutively, the area in square feet of each lot, the area of any building or buildings located on each lot, and the location of the lots in relation to the work proposed to be done (the “Assessment Diagram”) attached hereto as a part of Exhibit A and incorporated herein by reference; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities in the Assessment District to be of more than local or ordinary public benefit, and further that the cost of said activities shall be assessed on the Assessment District; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities in the Assessment District are incidental to the maintenance and preservation of the public roadways and parkways and related facilities, has aesthetic value, and maintains and increases the value of property within the Assessment District; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities preserves and promotes the health, safety, and welfare of those citizens of the City living within the Assessment 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 Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district tend to preserve the structural integrity of the public streets and parkway and mitigate flooding of adjacent areas by draining water to and from the public streets and parkways in furtherance of the health, safety and welfare of those citizens of the City living within the Assessment District.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The public interest or convenience requires, and it is the intention of the Mayor and Council of the City of Avondale, Arizona, to order the following work (hereinafter the “Work”) to be performed: The operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district shown on the Assessment Diagram.

SECTION 3. The City Council designates as parkways those streets and rights-of-way areas set forth on the Assessment Diagram in accordance with Title 48, Chapter 4, Article 2, Arizona Revised Statutes, and specifically including those portions of pedestrian facilities, retention, detention and storm water management facilities included within or adjacent to the Assessment District. 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 showing the engineer’s estimate for the City of Avondale Maintenance Improvement District No. 32 – Del Rio Ranch III Phase V, filed with the City Clerk prior to the adoption of this Resolution (the “Plans and Specifications”), which are hereby approved and adopted by the City Council and which shall remain on file in the Office of the City Engineer; 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 (the City Engineer) and the City Clerk are hereby approved and adopted by the City Council. 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 Avondale Maintenance Improvement District No. 32 – Del Rio Ranch III Phase V.

SECTION 4. 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 5. The City Engineer is hereby authorized and directed to prepare duplicate Assessment Diagrams of the property contained within the Assessment District.

SECTION 6. 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 7. In no event will the City or any officer thereof be liable for any portion of the cost of said Assessment District or for any delinquency of persons or property assessed.

SECTION 8. The City Council shall make annual statements and estimates of the expenses of the Assessment 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 Assessment District as provided in ARIZ. REV. STAT. § 48-574 and amendments thereto.

SECTION 9. The Work and all proceedings pertaining thereto shall be performed under the provisions of ARIZ. REV. STAT. § 48-574, and all amendments thereto and pursuant to Article I, Section 3 and Article XII, Section 8 of the Avondale City Charter.

SECTION 10. The City Engineer is hereby authorized to fill in any blanks and to make any minor corrections necessary to complete the Plans and Specifications.

SECTION 11. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute and submit all documents and any other necessary or desirable instruments and to take all steps necessary to carry out the purpose and intent of this Resolution.

SECTION 12. 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 City Council as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 4, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1083-1021

[Legal Description of Assessment District and Assessment Diagram]

See following pages.

EXHIBIT "A"
MAINTENANCE IMPROVEMENT DISTRICT LEGAL DESCRIPTION &
EXHIBIT MAP FOR DEL RIO RANCH III

A PORTION OF LAND LOCATED IN NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, BEARS NORTH 89 DEGREES 42 MINUTES 34 SECONDS EAST, 2643.76 FEET;

THENCE SOUTH 00 DEGREES 20 MINUTES 16 SECONDS EAST, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 14, 340.00 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID NORTH-SOUTH MID-SECTION LINE, NORTH 89 DEGREES 42 MINUTES 17 SECONDS EAST, 990.25 FEET;

THENCE SOUTH 00 DEGREES 08 MINUTES 36 SECONDS EAST, 1021.45 FEET;

THENCE SOUTH 89 DEGREES 36 MINUTES 58 SECONDS EAST, 162.97 FEET;

THENCE SOUTH 00 DEGREES 23 MINUTES 02 SECONDS WEST, 119.74 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 07 DEGREES 46 MINUTES 04 SECONDS EAST, 325.00 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 08 DEGREES 56 MINUTES 32 SECONDS, AN ARC LENGTH OF 50.72 FEET;

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THENCE NORTH 38 DEGREES 15 MINUTES 18 SECONDS EAST, 250.86 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH THE CENTER BEARS NORTH 57 DEGREES 11 MINUTES 17 SECONDS EAST, 325.00 FEET;

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THENCE SOUTH 75 DEGREES 06 MINUTES 13 SECONDS WEST, 192.77 FEET;

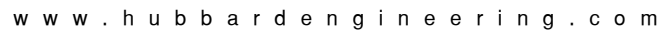
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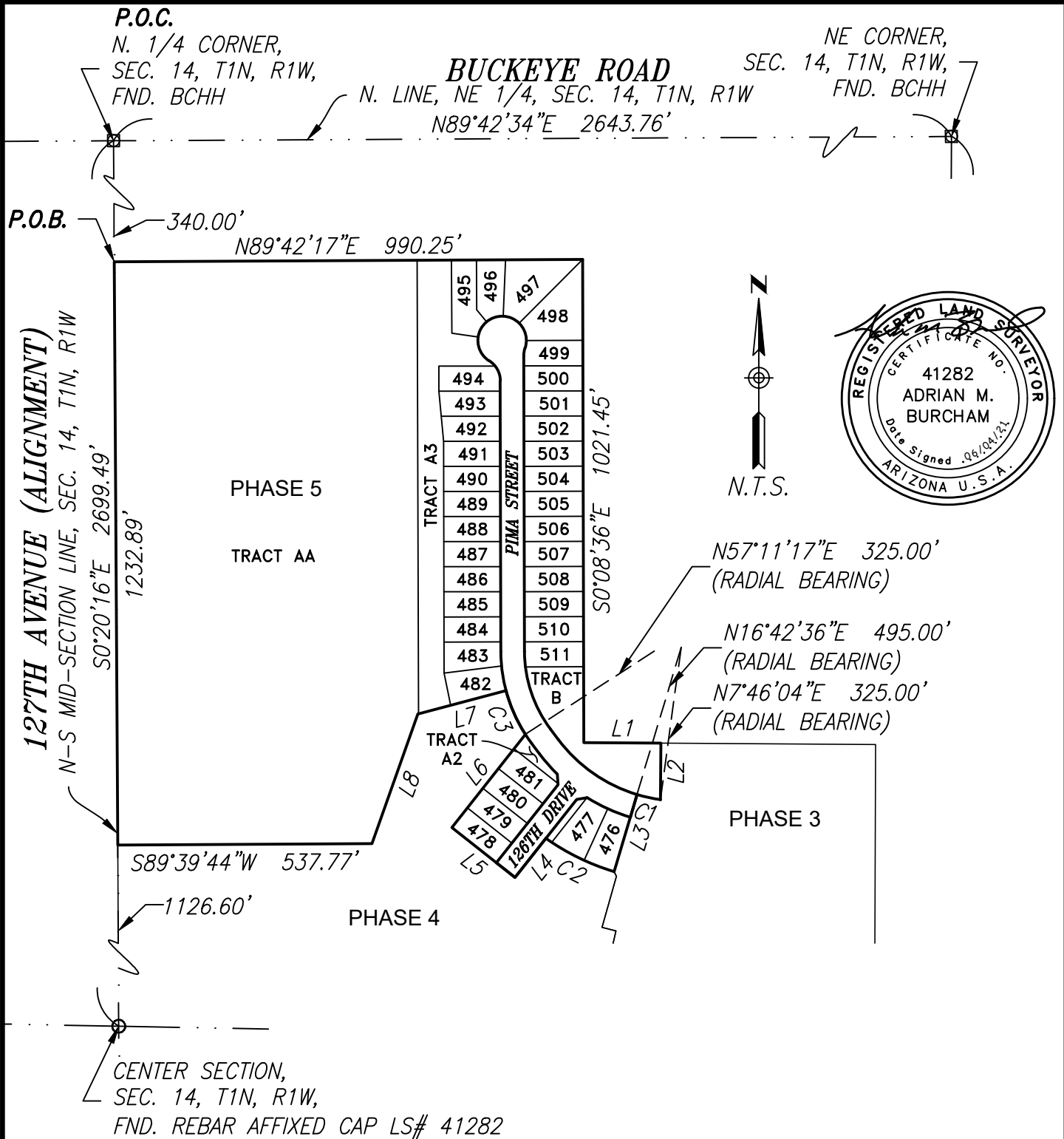
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SAID PARCEL CONTAINS 1,196,488 SQUARE FEET OR 27.4676 ACRES, MORE OR LESS.





1201 S. Alma School Rd.
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Mesa, AZ 85210
Ph: 480.892.3313



MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 5
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

<i>Project No.</i> <i>16178</i>	<i>Date</i> <i>06/04/21</i>	<i>Sht: 1 of 4</i>
<i>Project Manager</i> <i>ADRIAN BURCHAM</i>	<i>Project Eng.</i>	



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CURVE TABLE				
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NOTE:

THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAYS AND PARKWAYS WITHIN THE DISTRICT.

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481	6359.00	0.1460
482	7393.00	0.1697
483	7041.00	0.1616
484	6360.00	0.1460
485	6360.00	0.1460
486	6360.00	0.1460
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505	6625.00	0.1521
506	6625.00	0.1521
507	6625.00	0.1521
508	6625.00	0.1521
509	6625.00	0.1521
510	6625.00	0.1521
511	6604.00	0.1516
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City of Avondale, Maricopa County, Arizona

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Sht: 3 of 4



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TRACT TABLE

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A3	232392.00	5.3350	FLOODWAY FLOWAGE EASEMENT / AGUA FRIA RIVER CORRIDOR / MULTI-USE TRAIL / WATER EASEMENT
B	1690.00	0.0388	LANDSCAPE / PUBLIC UTILITY EASEMENT
D	1690.00	0.0388	LANDSCAPE / DRAINAGE / PUBLIC UTILITY EASEMENT
TOTAL	1080993.00	24.8162	

RIGHT-OF-WAY

USAGE	SQUARE FEET	ACRES	STREET NAME
RIGHT-OF-WAY	72615.00	1.6670	126TH DRIVE / PIMA STREET
TOTAL	72615.00	1.6670	

EASEMENT

PUBLIC UTILITY EASEMENT	SEWER EASEMENT
VEHICAL NON ACCESS EASEMENT	FLOODWAY FLOWAGE EASEMENT
SIGHT VISIBILITY TRIANGLE	PUBLIC TRAIL EASEMENT
WATER EASEMENT	



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Sht: 4 of 4

RESOLUTION NO. 1084-1021

RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, 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 AVONDALE MAINTENANCE IMPROVEMENT DISTRICT NO. 32, DEL RIO RANCH III PHASE V; 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.

WHEREAS, the Council of the City of Avondale (the “City Council”) has adopted Resolution 1083-1021 declaring its intent to form the City of Avondale Maintenance Improvement District No. 32 – Del Rio Ranch III Phase V; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 48-574(C), as amended, the City Council has immediate jurisdiction to adopt a resolution ordering the improvements pursuant to ARIZ. REV. STAT. § 48-581, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE, as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The public interest or convenience require and it is the intention of the City Council to order the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and that the cost of such activities, together with appurtenant structures, be assessed upon a certain improvement district to be known as Avondale Maintenance Improvement District No. 32 – Del Rio Ranch III Phase V (the “District”) as described and depicted on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 3. The estimate of the cost and expenses for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and on file with the

Superintendent of Streets (City Engineer) and the City Clerk is approved and adopted by the City Council.

SECTION 4. The City Council determines that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, 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 City Council makes and orders the cost and expense for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and related facilities together with appurtenant structures be chargeable upon the District, the area of which is described and depicted as set forth on Exhibit A, and declare that the District benefited by the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and related facilities together with appurtenant structures to be assessed, shall pay the costs and expenses thereof in proportion to the benefits derived therefrom.

SECTION 5. The City shall not assess the costs and expenses for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, 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 District 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 District only that portion of such costs and expenses which benefits the lots, pieces and parcels of land located within the boundaries of the District.

SECTION 6. The costs and expense for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district shall be made and all proceedings therein taken; that the Superintendent of Streets of the City (the City Engineer) 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 District 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 7. 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 City Council as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 4, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1084-1021

[Legal Description and Map of Assessment District]

See following pages.

EXHIBIT "A"
MAINTENANCE IMPROVEMENT DISTRICT LEGAL DESCRIPTION &
EXHIBIT MAP FOR DEL RIO RANCH III

A PORTION OF LAND LOCATED IN NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, BEARS NORTH 89 DEGREES 42 MINUTES 34 SECONDS EAST, 2643.76 FEET;

THENCE SOUTH 00 DEGREES 20 MINUTES 16 SECONDS EAST, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 14, 340.00 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID NORTH-SOUTH MID-SECTION LINE, NORTH 89 DEGREES 42 MINUTES 17 SECONDS EAST, 990.25 FEET;

THENCE SOUTH 00 DEGREES 08 MINUTES 36 SECONDS EAST, 1021.45 FEET;

THENCE SOUTH 89 DEGREES 36 MINUTES 58 SECONDS EAST, 162.97 FEET;

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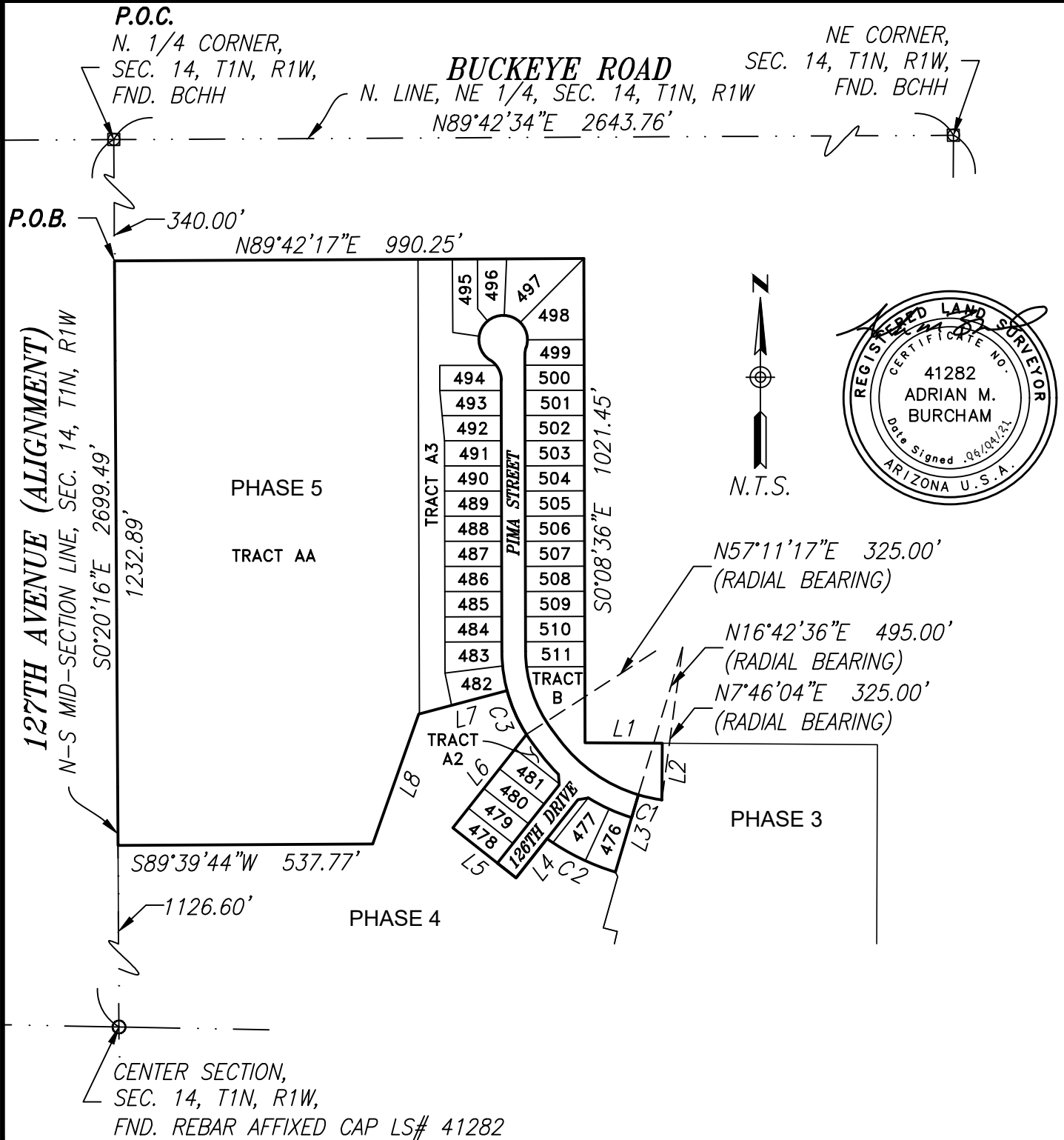
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SAID PARCEL CONTAINS 1,196,488 SQUARE FEET OR 27.4676 ACRES, MORE OR LESS.





MAINTENANCE IMPROVEMENT DISTRICT
ASSESSMENT DIAGRAM
FOR DEL RIO RANCH III – PHASE 5
EXHIBIT "A"
City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
06/04/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 1 of 4



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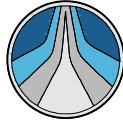
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TOTAL	1080993.00	24.8162	

RIGHT-OF-WAY

USAGE	SQUARE FEET	ACRES	STREET NAME
RIGHT-OF-WAY	72615.00	1.6670	126TH DRIVE / PIMA STREET
TOTAL	72615.00	1.6670	

EASEMENT

PUBLIC UTILITY EASEMENT	SEWER EASEMENT
VEHICULAR NON ACCESS EASEMENT	FLOODWAY FLOWAGE EASEMENT
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WATER EASEMENT	



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Sht: 4 of 4

CITY COUNCIL REPORT

SUBJECT: Resolutions 1085-1021 and 1086-1021 – Maintenance Improvement District No. 27 for Verde Trails Parcel 6

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development and Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development

- STRATEGY: Develop diverse housing options, to include housing that is affordable to workers and close to their jobs.
-

PURPOSE:

City Council will consider a request to approve the Petition for Formation, adopt Resolution 1085-1021, declaring its intention to form the City of Avondale Maintenance Improvement District No. 27, Verde Trails Parcel 6, providing for the assessment, and adopt Resolution 1086-1021, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency, and authorize the Mayor, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Under provisions of the City Code and Zoning Ordinance, developers are responsible for landscaping development projects prior to issuance of a Certificate of Occupancy. In particular, subdivisions are required to provide landscaping along certain arterial and collector streets and in other locations as provided in the zoning requirements, approval conditions, engineering requests or subdivision requirements. In addition, developers are often required to provide paths, trails, and other usable amenities in common open space areas within a community.

The purpose of the Maintenance Improvement District (MID) is to provide for the operations, maintenance, repair and improvements to landscaping and open space adjacent to designated public roadways and parkways within the proposed district, as well as drainage and retention within each proposed district in the event a Homeowner's Association fails. Until such time as the Homeowner's Association fails, and the Council directs City Staff to assume maintenance responsibility, a line item of \$0.00 will display on the homeowners' property tax bills. Pursuant to the provision of A.R.S. 48-574, et. seq., the Mayor and Council are empowered to adopt a Resolution ordering the formation of a Maintenance Improvement District.

A Resolution of Intention for formation of City of Avondale Maintenance Improvement District No. 27, Verde

Trails Parcel 6, northwest corner of 107th Avenue and Wier Avenue alignment, south of Broadway Road, is attached. In the case in which all of the property owners have consented to MID formation, the ordinary publication and protest period are not required by law; the 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. In accordance with State statute, an assessment diagram and map, listing each parcel of property within the district has been prepared.

PUBLIC PARTICIPATION:

Public notification is not required for MID applications.

PLANNING COMMISSION ACTION:

The Planning Commission does not review MID applications.

ANALYSIS:

The acceptance of this Maintenance Improvement District will allow any additional charges associated with the maintenance responsibilities, should the Homeowner's Association fail, to be assessed on the property tax bill for the properties located within the District.

The Maintenance Improvement District has been approved through the Development and Engineering Services Department, which recommends that City Council formally approve the Maintenance Improvement District to allow for the taxing district to be recorded and in place in the event the Homeowner's Association fails.

It should be noted that not approving the Maintenance Improvement District will prevent any charges from being assessed on the property tax bills for those properties located within the District in the event that the Homeowner's Association fails.

DISCUSSION:

The proposed MID has been reviewed by the City Attorney and is in conformance with the City of Avondale's Subdivision Regulations and State statute governing Maintenance Improvement District formation.

BUDGET IMPACT:

There is no direct budgetary impact to the City to approve the Maintenance Improvement District. However, the City would incur the additional charges associated with the maintenance responsibilities should the taxing district not be approved and recorded, and the Homeowner's Association fails.

RECOMMENDATION:

Staff recommends Council ADOPT a Resolution declaring its intention to create and adopt plans for the City of Avondale Maintenance Improvement District No. 27 Verde Trails Parcel 6, providing for the assessment, and a second Resolution declaring its intention to order the improvements within the newly established Maintenance Improvement District, providing for the assessment and declaring an emergency, subject to the following conditions:

1. The final plat for the subdivision must be approved by City Council and recorded with the Maricopa County Recorder's Office prior to recordation of the Maintenance Improvement District; and
2. The developer must provide a fully executed Petition, Waiver and Consent to Formation of a Municipal Improvement District.

PROPOSED MOTION:

I move that City Council ADOPT the necessary resolutions approving City of Avondale Maintenance Improvement District No. 27, Verde Trails Parcel 6, subject to two (2) recommended conditions of approval as listed in the staff report.

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

**Maintenance Improvement District No. 27
(VERDE TRAILS PARCEL 6)**

To: Honorable Mayor and Council
City of Avondale, Arizona

Pursuant to ARIZ. REV. STAT. § 48-574(C), the undersigned property owners respectfully petition the Council of the City of Avondale, Arizona (the “City Council”) to order the formation of a Municipal Improvement District (the “District”) under ARIZ. REV. STAT. § 48-574, *et seq.* In support of this petition, the undersigned agree to waive certain rights under Arizona Law and to consent to the formation and completion of the District.

1. Area of District. The proposed District is described by a diagram and by a legal description on Exhibit A, attached hereto and incorporated herein by reference. The proposed District consists of $\pm$ 15.7539 acres and is entirely within the corporate boundaries of the City of Avondale.
2. Ownership. The undersigned is the sole owner 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 landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways 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, drainage and retention facilities and hardscape adjacent to designated public roadways 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 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. All protest rights whatsoever under ARIZ. REV. STAT. §§ 48-579(A) and (B), as amended.
 - c. 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. The Engineer's Estimate of the costs and expenses of the improvements are attached as part of Exhibit A.

IN WITNESS WHEREOF, the parties have executed this Petition and Waiver Agreement as of _____, 2021.

"Property Owner"

HILLCREST RESIDENTIAL I, LP,
an Arizona limited partnership

By: HILLCREST GP, LLC,
an Arizona limited liability company
Its: General Partner

By: HARVARD INVESTMENTS, INC.,
a Nevada corporation
Its: Manager

By: _____

Its: _____

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On, _____ 2021, before me personally appeared _____, the _____ of HARVARD INVESTMENTS, INC., a Nevada corporation, the Manager of HILLCREST GP, LLC, an Arizona limited liability company, the General Partner of HILLCREST RESIDENTIAL I, LP, an Arizona limited partnership, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document on behalf of the corporation.

Notary Public

(Affix notary seal here)

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

ACCEPTED AND APPROVED BY:

“City”

CITY OF AVONDALE,
an Arizona municipal corporation

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On _____, 2021, before me personally appeared Kenneth N. Weise, the Mayor of the CITY OF AVONDALE, an Arizona municipal corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document, on behalf of the City of Avondale.

Notary Public

(Affix notary seal here)

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

**Maintenance Improvement District No. 27
(Verde Trails Parcel 6)**

[Legal Description, Assessment Diagram and Engineer's Estimate]

(See following pages.)

EXHIBIT "A"
VERDE TRAILS
MAINTENANCE IMPROVEMENT DISTRICT – PARCEL 6
LEGAL DESCRIPTION

A portion of land being situated within Northeast Quarter of Section 30, Township 1 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found Brass cap in Hand Hole accepted as the Northeast corner of said Section 30 from which a found Brass cap flush accepted as the East Quarter corner thereof bears South 01°08'51" East, 2655.67 feet;

Thence South 01°08'51" East, 445.01 feet along the east line of the Northeast Quarter of said Section 30 being the **POINT OF BEGINNING**;

Thence continuing South 01°08'51" East, 875.02 feet along said east line;

Thence leaving said east line, South 88°51'09" West, 483.32 feet to the beginning of a tangent curve concave southeasterly, having a radius of 2600.00 feet;

Thence southwesterly along said curve, through a central angle of 06°36'45", an arc length of 300.06 feet to a tangent line;

Thence South 82°14'24" West, 0.25 feet;

Thence North 00°47'21" West, 897.22 feet to the south line of the north 445.00 feet of said Northeast Quarter;

Thence North 89°12'39" East, 777.38 feet along said south line to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 686,239 sq. ft. (15.7539 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1377
Date: July 2021



"MAINTENANCE IMPROVEMENT DISTRICT"
 "ASSESSMENT DIAGRAM"
 OF VERDE TRAILS PARCEL 6

NOTE: THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAY AND PARKWAYS WITHIN THE DISTRICT



NE CORNER SEC. 30, T1N, R1E
 FOUND MARICOPA CO.
 ENGINEER DEPT. BRASS CAP
 IN HAND HOLE
 POINT OF COMMENCEMENT

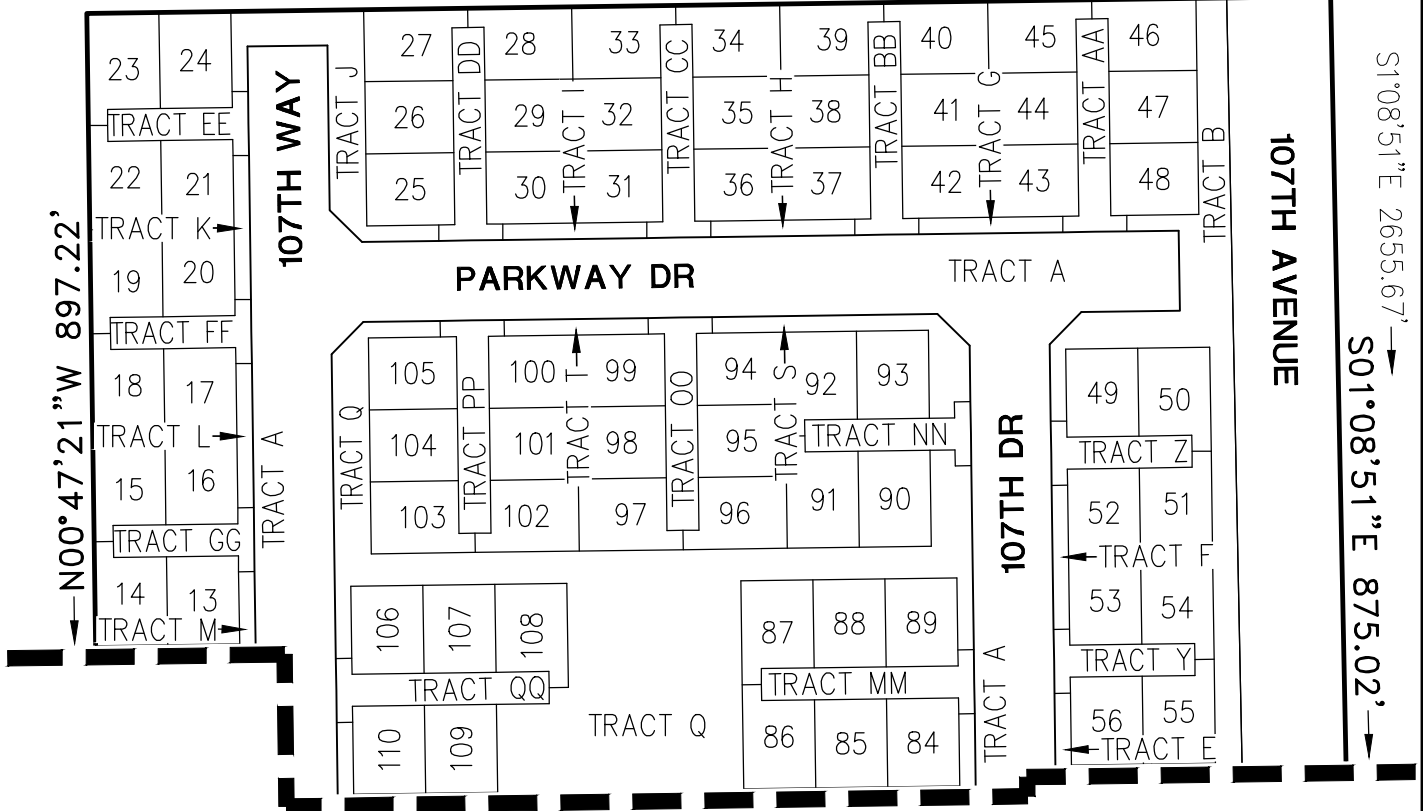
445.01'

N89°12'39"E 777.38'

POINT OF BEGINNING

S1°08'51"E 2655.67'

S01°08'51"E 875.02'



MATCH SHEET 3 OF 5

SHEET 2 OF 5

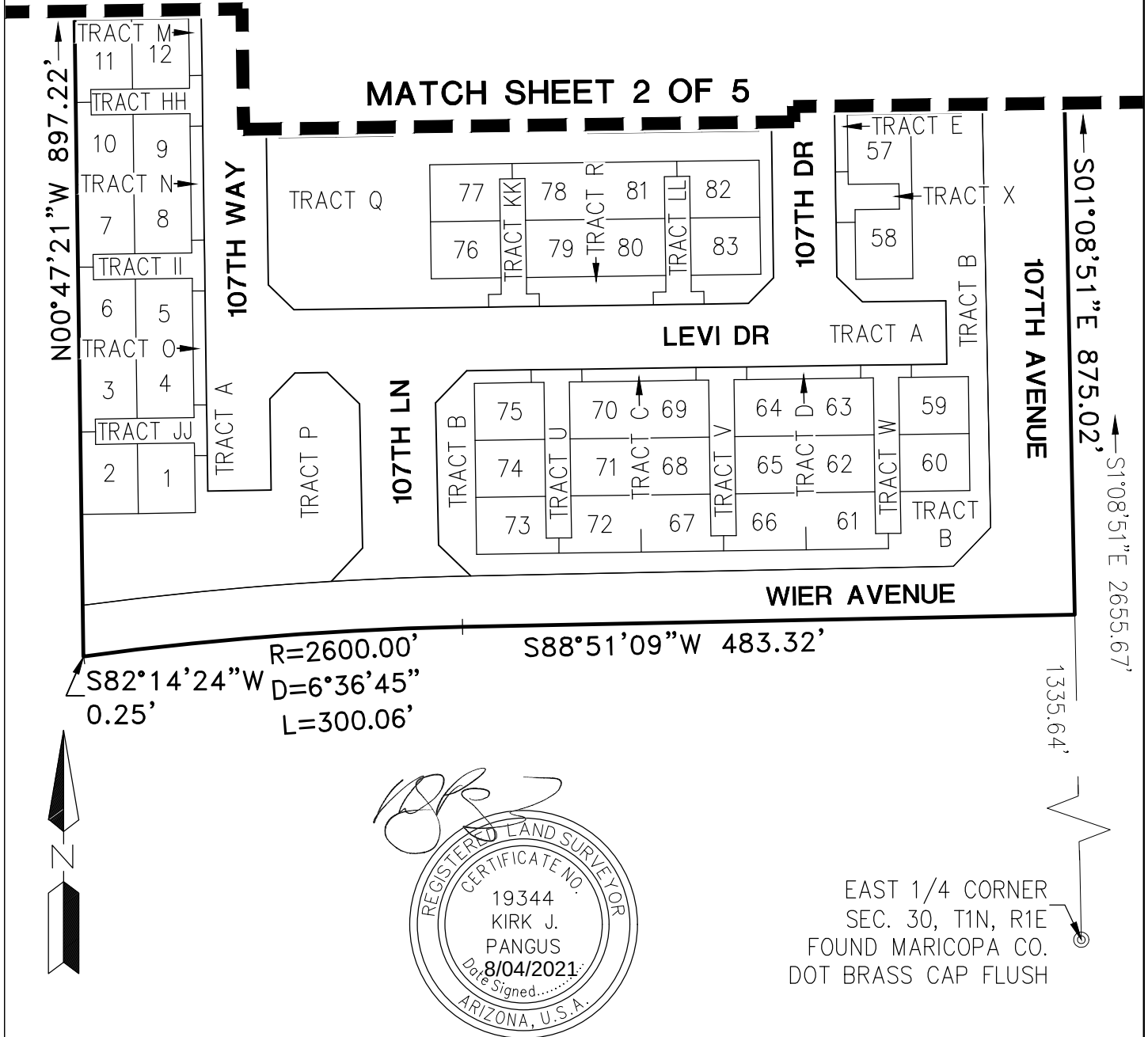
PROJ.NO.: 1377
 DATE: Jul 2021
 SCALE: N.T.S.
 DRAWN BY: JHVD
 CHECKED BY: KJP

VERDE TRAILS
 PARCEL 6
 MID DIAGRAM
 EXHIBIT

HILGARTWILSON
 2141 E. HIGHLAND AVE., STE. 250
 PHOENIX, AZ 85016
 P: 602.490.0535 / F: 602.368.2436

"MAINTENANCE IMPROVEMENT DISTRICT"
 "ASSESSMENT DIAGRAM"
 OF VERDE TRAILS PARCEL 6

NOTE: THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAY AND PARKWAYS WITHIN THE DISTRICT



SHEET 3 OF 5

PROJ.NO.:	1377
DATE:	Jul 2021
SCALE:	N.T.S.
DRAWN BY:	JHVD
CHECKED BY:	KJP

VERDE TRAILS
 PARCEL 6
 MID DIAGRAM
EXHIBIT

HILGARTWILSON
 2141 E. HIGHLAND AVE., STE. 250
 PHOENIX, AZ 85016
 P: 602.490.0535 / F: 602.368.2436

"MAINTENANCE IMPROVEMENT DISTRICT"
"ASSESSMENT DIAGRAM"
OF VERDE TRAILS PARCEL 6

NOTE: THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAY AND PARKWAYS WITHIN THE DISTRICT

LOT	SQ.FT.	ACRES
LOT : 1	2475.00	0.0568
LOT : 2	2595.00	0.0596
LOT : 3	2595.00	0.0596
LOT : 4	2475.00	0.0568
LOT : 5	2475.00	0.0568
LOT : 6	2595.00	0.0596
LOT : 7	2595.00	0.0596
LOT : 8	2475.00	0.0568
LOT : 9	2475.00	0.0568
LOT : 10	2595.00	0.0596
LOT : 11	2595.00	0.0596
LOT : 12	2475.00	0.0568
LOT : 13	2475.00	0.0568
LOT : 14	2595.00	0.0596
LOT : 15	2595.00	0.0596
LOT : 16	2475.00	0.0568
LOT : 17	2475.00	0.0568
LOT : 18	2595.00	0.0596
LOT : 19	2595.00	0.0596
LOT : 20	2475.00	0.0568
LOT : 21	2475.00	0.0568
LOT : 22	2595.00	0.0596
LOT : 23	2820.00	0.0647
LOT : 24	2700.00	0.0620
LOT : 25	2475.00	0.0568
LOT : 26	2475.00	0.0568
LOT : 27	2595.00	0.0596
LOT : 28	2595.00	0.0596
LOT : 29	2475.00	0.0568
LOT : 30	2475.00	0.0568
LOT : 31	2475.00	0.0568
LOT : 32	2475.00	0.0568
LOT : 33	2595.00	0.0596

LOT	SQ.FT.	ACRES
LOT : 34	2595.00	0.0596
LOT : 35	2475.00	0.0568
LOT : 36	2475.00	0.0568
LOT : 37	2475.00	0.0568
LOT : 38	2475.00	0.0568
LOT : 39	2595.00	0.0596
LOT : 40	2595.00	0.0596
LOT : 41	2475.00	0.0568
LOT : 42	2475.00	0.0568
LOT : 43	2475.00	0.0568
LOT : 44	2475.00	0.0568
LOT : 45	2595.00	0.0596
LOT : 46	2595.00	0.0596
LOT : 47	2475.00	0.0568
LOT : 48	2475.00	0.0568
LOT : 49	2475.00	0.0568
LOT : 50	2594.68	0.0596
LOT : 51	2595.00	0.0596
LOT : 52	2475.00	0.0568
LOT : 53	2475.00	0.0568
LOT : 54	2595.00	0.0596
LOT : 55	2595.00	0.0596
LOT : 56	2475.00	0.0568
LOT : 57	2855.50	0.0656
LOT : 58	2575.00	0.0591
LOT : 59	2475.00	0.0568
LOT : 60	2475.00	0.0568
LOT : 61	2595.00	0.0596
LOT : 62	2475.00	0.0568
LOT : 63	2475.00	0.0568
LOT : 64	2475.00	0.0568
LOT : 65	2475.00	0.0568
LOT : 66	2595.00	0.0596

LOT	SQ.FT.	ACRES
LOT : 67	2595.00	0.0596
LOT : 68	2475.00	0.0568
LOT : 69	2475.00	0.0568
LOT : 70	2475.00	0.0568
LOT : 71	2475.00	0.0568
LOT : 72	2595.00	0.0596
LOT : 73	2595.00	0.0596
LOT : 74	2475.00	0.0568
LOT : 75	2475.00	0.0568
LOT : 76	2475.00	0.0568
LOT : 77	2595.00	0.0596
LOT : 78	2595.00	0.0596
LOT : 79	2475.00	0.0568
LOT : 80	2475.00	0.0568
LOT : 81	2595.00	0.0596
LOT : 82	2595.00	0.0596
LOT : 83	2475.00	0.0568



SHEET 4 OF 5

PROJ.NO.: 1377	VERDE TRAILS PARCEL 6 MID DIAGRAM	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / E: 602.368.2436
DATE: Jul 2021		
SCALE: N.T.S.		
DRAWN BY: JHVD	EXHIBIT	
CHECKED BY: KJP		

"MAINTENANCE IMPROVEMENT DISTRICT"
"ASSESSMENT DIAGRAM"
OF VERDE TRAILS PARCEL 6

NOTE: THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAY AND PARKWAYS WITHIN THE DISTRICT

LOT	SQ.FT.	ACRES
LOT : 84	2475.00	0.0568
LOT : 85	2475.00	0.0568
LOT : 86	2595.00	0.0596
LOT : 87	2595.00	0.0596
LOT : 88	2475.00	0.0568
LOT : 89	2475.00	0.0568
LOT : 90	2700.00	0.0620
LOT : 91	2820.00	0.0647
LOT : 92	2595.00	0.0596
LOT : 93	2475.00	0.0568
LOT : 94	2475.00	0.0568
LOT : 95	2475.00	0.0568
LOT : 96	2595.00	0.0596
LOT : 97	2595.00	0.0596
LOT : 98	2475.00	0.0568
LOT : 99	2475.00	0.0568
LOT : 100	2475.00	0.0568
LOT : 101	2475.00	0.0568
LOT : 102	2595.00	0.0596
LOT : 103	2595.00	0.0596
LOT : 104	2475.00	0.0568
LOT : 105	2475.00	0.0568
LOT : 106	2475.00	0.0568
LOT : 107	2475.00	0.0568
LOT : 108	2595.00	0.0596
LOT : 109	2475.00	0.0568
LOT : 110	2475.00	0.0568

TRACT	SQ.FT.	ACRES
TRACT A	124714.69	2.8631
TRACT AA	2860.00	0.0657
TRACT B	39569.66	0.9084
TRACT BB	2860.00	0.0657
TRACT C	900.00	0.0207
TRACT CC	2860.00	0.0657
TRACT D	900.00	0.0207
TRACT DD	2860.00	0.0657
TRACT E	900.00	0.0207
TRACT EE	1960.00	0.0450
TRACT F	900.00	0.0207
TRACT FF	1960.00	0.0450
TRACT G	900.00	0.0207
TRACT GG	1960.00	0.0450
TRACT H	900.00	0.0207
TRACT HH	1960.00	0.0450
TRACT I	900.00	0.0207
TRACT II	1960.00	0.0450
TRACT J	5185.00	0.1190
TRACT JJ	1960.00	0.0450
TRACT K	900.00	0.0207
TRACT KK	2220.00	0.0510
TRACT L	900.00	0.0207
TRACT LL	2220.00	0.0510
TRACT M	900.00	0.0207
TRACT MM	2860.00	0.0657

TRACT	SQ.FT.	ACRES
TRACT N	900.00	0.0207
TRACT NN	2274.86	0.0522
TRACT O	900.00	0.0207
TRACT OO	2860.00	0.0657
TRACT P	21884.05	0.5024
TRACT PP	2860.00	0.0657
TRACT Q	58275.34	1.3378
TRACT QQ	2860.00	0.0657
TRACT R	2330.00	0.0535
TRACT S	2723.30	0.0625
TRACT T	900.00	0.0207
TRACT U	2860.00	0.0657
TRACT V	2860.00	0.0657
TRACT W	2860.00	0.0657
TRACT X	1253.00	0.0288
TRACT Y	1960.00	0.0450
TRACT Z	1960.00	0.0450



SHEET 5 OF 5

PROJ.NO.: 1377	VERDE TRAILS PARCEL 6 MID DIAGRAM	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602 490 0535 / F: 602 368 2436
DATE: Jul 2021		
SCALE: N.T.S.		
DRAWN BY: JHVD	EXHIBIT	
CHECKED BY: KJP		

CITY OF AVONDALE
MAINTENANCE IMPROVEMENT DISTRICT NO. 27
"VERDE TRAILS - PARCEL 6" TRACTS A THROUGH QQ

ENGINEERS ESTIMATE

In compliance with the provisions of A.R.S. Title 48, Chapter 4, Article 2, Section §48-574, and all amendments and supplements thereto, we hereby estimate the costs and expenses of said improvements to be as follows:

AREA

Right-of-way: 0.21 AC
Tract Area: 1.46 AC

ANNUAL MAINTENANCE FEE

Right-of-way:	0.21	x	\$2,000 AC	=	\$414.40
Tract Area:	1.46	x	\$10,500 AC	=	\$15,354.15
					<u>\$15,768.55</u>

ANNUAL ADMINISTRATIVE FEE

\$15,768.55	x	5%	=	\$788.43
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TOTAL ANNUAL COST

\$15,768.55	+	\$788.43	=	\$16,556.98
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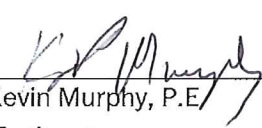
TOTAL COST PER MONTH

\$16,556.98	/ 12 MONTHS	=	\$1,379.75
-------------	-------------	---	------------

DATED



CITY OF AVONDALE
DEVELOPMENT & ENGINEERING SERVICES
ENGINEERING DIVISION


By: Kevin Murphy, P.E.
City Engineer

RESOLUTION NO. 1085-1021

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO OPERATE, MAINTAIN AND REPAIR LANDSCAPING, IRRIGATION, DRAINAGE AND RETENTION FACILITIES AND HARDSCAPE ADJACENT TO DESIGNATED PUBLIC ROADWAYS WITHIN THE PROPOSED DISTRICT AND RELATED FACILITIES AS SHOWN ON THE PLANS, FOR MAINTENANCE WITHIN AN AREA IN THE CITY OF AVONDALE AS DESCRIBED HEREIN; ADOPTING PLANS FOR CITY OF AVONDALE MAINTENANCE IMPROVEMENT DISTRICT NO. 27 – VERDE TRAILS PARCEL 6, 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; 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 City of Avondale (the “City”) has been presented with a Petition for Formation of a Maintenance Improvement District purporting to be signed by all of the real property owners within the proposed district and, according to ARIZ. REV. STAT. § 48-574(C), the City finds that such ownership has been verified; and

WHEREAS, the Council of the City of Avondale (the “City Council”) desires to declare its intent to form the City of Avondale Maintenance Improvement District No. 27 – Verde Trails Parcel 6 (the “Assessment District”) over the area described and depicted on Exhibit A, attached hereto and incorporated herein by reference and including those lots, pieces or parcels of land lying within the Assessment District as shown in more detail on the duplicate diagrams made by or at the direction of the City Engineer showing each separate lot numbered consecutively, the area in square feet of each lot, the area of any building or buildings located on each lot, and the location of the lot in relation to the work proposed to be done (the “Assessment Diagram”) attached hereto as a part of Exhibit A and incorporated herein by reference; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities in the Assessment District to be of more than local or ordinary public benefit, and further that the cost of said activities shall be assessed on the Assessment District; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities in the Assessment District are incidental to the maintenance and preservation of the public roadways and parkway and related facilities, has aesthetic value, and maintains and increases the value of property within the Assessment District; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities preserves and promotes the health, safety, and welfare of those citizens of the City living within the Assessment 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 Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district tend to preserve the structural integrity of the public streets and parkway and mitigate flooding of adjacent areas by draining water to and from the public streets and parkway in furtherance of the health, safety and welfare of those citizens of the City living within the Assessment District.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The public interest or convenience requires, and it is the intention of the Mayor and Council of the City of Avondale, Arizona, to order the following work (hereinafter the “Work”) to be performed: The operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district shown on the Assessment Diagram.

SECTION 3. The City Council designates as parkways those streets and rights-of-way areas set forth on the Assessment Diagram in accordance with Title 48, Chapter 4, Article 2, Arizona Revised Statutes, and specifically including those portions of pedestrian facilities, retention, detention and storm water management facilities included within or adjacent to the Assessment District. 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 showing the engineer’s estimate for the City of Avondale Maintenance Improvement District No. 27 – Verde Trails Parcel 6, filed with the City Clerk prior to the adoption of this Resolution (the “Plans and Specifications”), which are hereby approved and adopted by the City Council and which shall remain on file in the Office of the City Engineer; 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 (the City Engineer) and the City Clerk are hereby approved and adopted by the City Council. 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 Avondale Maintenance Improvement District No. 27 – Verde Trails Parcel 6.

SECTION 4. 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 5. The City Engineer is hereby authorized and directed to prepare duplicate Assessment Diagrams of the property contained within the Assessment District.

SECTION 6. 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 7. In no event will the City or any officer thereof be liable for any portion of the cost of said Assessment District or for any delinquency of persons or property assessed.

SECTION 8. The City Council shall make annual statements and estimates of the expenses of the Assessment 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 Assessment District as provided in ARIZ. REV. STAT. § 48-574 and amendments thereto.

SECTION 9. The Work and all proceedings pertaining thereto shall be performed under the provisions of ARIZ. REV. STAT. § 48-574, and all amendments thereto and pursuant to Article I, Section 3 and Article XII, Section 8 of the Avondale City Charter.

SECTION 10. The City Engineer is hereby authorized to fill in any blanks and to make any minor corrections necessary to complete the Plans and Specifications.

SECTION 11. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute and submit all documents and any other necessary or desirable instruments and to take all steps necessary to carry out the purpose and intent of this Resolution.

SECTION 12. 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 City Council as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 4, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1085-1021

[Legal Description of Assessment District and Assessment Diagram]

See following pages.

EXHIBIT "A"
VERDE TRAILS
MAINTENANCE IMPROVEMENT DISTRICT – PARCEL 6
LEGAL DESCRIPTION

A portion of land being situated within Northeast Quarter of Section 30, Township 1 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found Brass cap in Hand Hole accepted as the Northeast corner of said Section 30 from which a found Brass cap flush accepted as the East Quarter corner thereof bears South 01°08'51" East, 2655.67 feet;

Thence South 01°08'51" East, 445.01 feet along the east line of the Northeast Quarter of said Section 30 being the **POINT OF BEGINNING**;

Thence continuing South 01°08'51" East, 875.02 feet along said east line;

Thence leaving said east line, South 88°51'09" West, 483.32 feet to the beginning of a tangent curve concave southeasterly, having a radius of 2600.00 feet;

Thence southwesterly along said curve, through a central angle of 06°36'45", an arc length of 300.06 feet to a tangent line;

Thence South 82°14'24" West, 0.25 feet;

Thence North 00°47'21" West, 897.22 feet to the south line of the north 445.00 feet of said Northeast Quarter;

Thence North 89°12'39" East, 777.38 feet along said south line to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 686,239 sq. ft. (15.7539 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1377
Date: July 2021



"MAINTENANCE IMPROVEMENT DISTRICT"
 "ASSESSMENT DIAGRAM"
 OF VERDE TRAILS PARCEL 6

NOTE: THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAY AND PARKWAYS WITHIN THE DISTRICT



NE CORNER SEC. 30, T1N, R1E
 FOUND MARICOPA CO.
 ENGINEER DEPT. BRASS CAP
 IN HAND HOLE
 POINT OF COMMENCEMENT

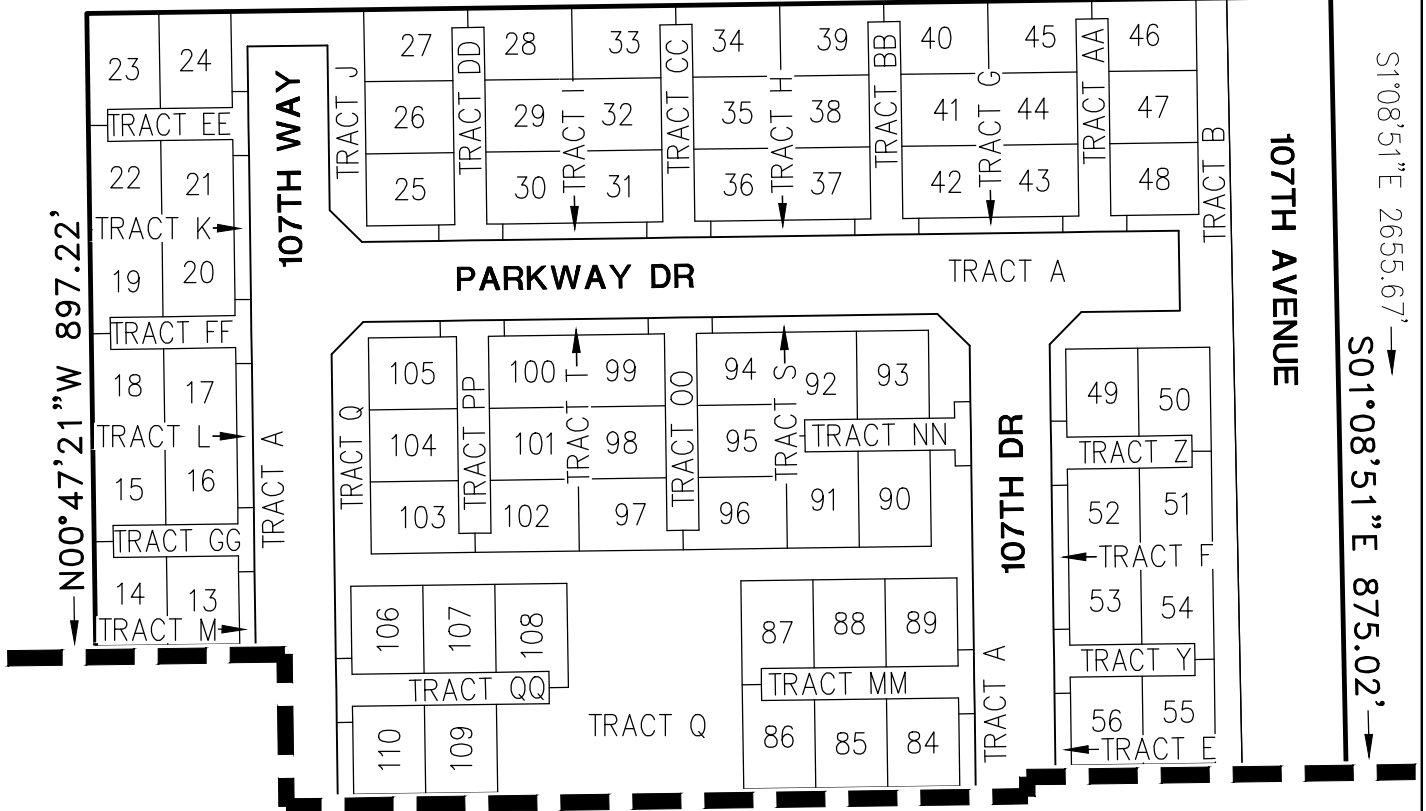
445.01'

N89°12'39"E 777.38'

POINT OF BEGINNING

S1°08'51"E 2655.67'

S01°08'51"E 875.02'



SHEET 2 OF 5

MATCH SHEET 3 OF 5

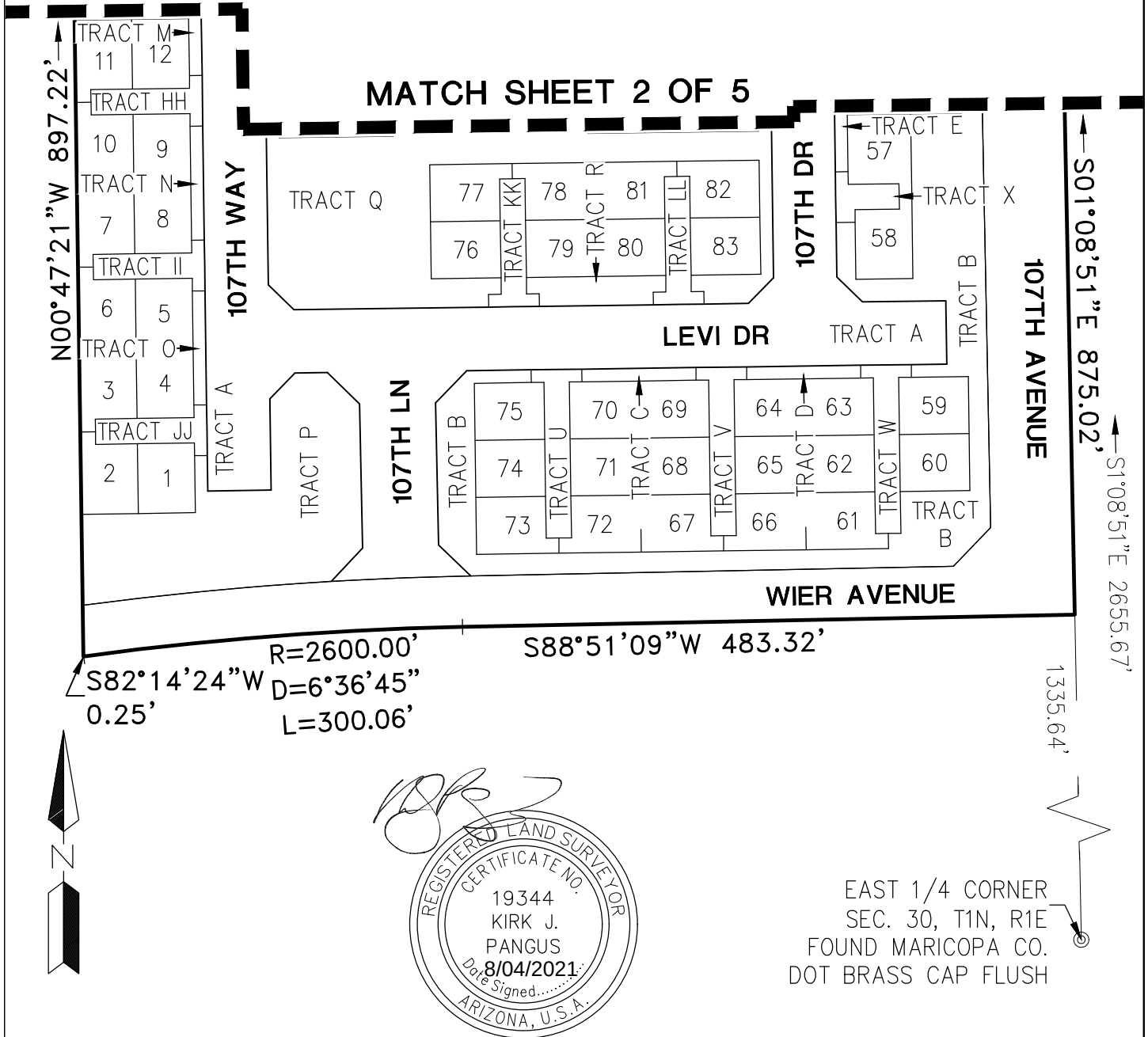
PROJ.NO.:	1377
DATE:	Jul 2021
SCALE:	N.T.S.
DRAWN BY:	JHVD
CHECKED BY:	KJP

VERDE TRAILS PARCEL 6 MID DIAGRAM
EXHIBIT

HILGARTWILSON
 2141 E. HIGHLAND AVE., STE. 250
 PHOENIX, AZ 85016
 P: 602.490.0535 / F: 602.368.2436

"MAINTENANCE IMPROVEMENT DISTRICT"
 "ASSESSMENT DIAGRAM"
 OF VERDE TRAILS PARCEL 6

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SHEET 3 OF 5

PROJ.NO.: 1377	VERDE TRAILS PARCEL 6 MID DIAGRAM	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602 490 0535 / F: 602 368 2436
DATE: Jul 2021		
SCALE: N.T.S.		
DRAWN BY: JHVD	EXHIBIT	
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"MAINTENANCE IMPROVEMENT DISTRICT"
"ASSESSMENT DIAGRAM"
OF VERDE TRAILS PARCEL 6

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PARKWAYS WITHIN THE DISTRICT

LOT	SQ.FT.	ACRES	LOT	SQ.FT.	ACRES	LOT	SQ.FT.	ACRES
LOT : 1	2475.00	0.0568	LOT : 34	2595.00	0.0596	LOT : 67	2595.00	0.0596
LOT : 2	2595.00	0.0596	LOT : 35	2475.00	0.0568	LOT : 68	2475.00	0.0568
LOT : 3	2595.00	0.0596	LOT : 36	2475.00	0.0568	LOT : 69	2475.00	0.0568
LOT : 4	2475.00	0.0568	LOT : 37	2475.00	0.0568	LOT : 70	2475.00	0.0568
LOT : 5	2475.00	0.0568	LOT : 38	2475.00	0.0568	LOT : 71	2475.00	0.0568
LOT : 6	2595.00	0.0596	LOT : 39	2595.00	0.0596	LOT : 72	2595.00	0.0596
LOT : 7	2595.00	0.0596	LOT : 40	2595.00	0.0596	LOT : 73	2595.00	0.0596
LOT : 8	2475.00	0.0568	LOT : 41	2475.00	0.0568	LOT : 74	2475.00	0.0568
LOT : 9	2475.00	0.0568	LOT : 42	2475.00	0.0568	LOT : 75	2475.00	0.0568
LOT : 10	2595.00	0.0596	LOT : 43	2475.00	0.0568	LOT : 76	2475.00	0.0568
LOT : 11	2595.00	0.0596	LOT : 44	2475.00	0.0568	LOT : 77	2595.00	0.0596
LOT : 12	2475.00	0.0568	LOT : 45	2595.00	0.0596	LOT : 78	2595.00	0.0596
LOT : 13	2475.00	0.0568	LOT : 46	2595.00	0.0596	LOT : 79	2475.00	0.0568
LOT : 14	2595.00	0.0596	LOT : 47	2475.00	0.0568	LOT : 80	2475.00	0.0568
LOT : 15	2595.00	0.0596	LOT : 48	2475.00	0.0568	LOT : 81	2595.00	0.0596
LOT : 16	2475.00	0.0568	LOT : 49	2475.00	0.0568	LOT : 82	2595.00	0.0596
LOT : 17	2475.00	0.0568	LOT : 50	2594.68	0.0596	LOT : 83	2475.00	0.0568
LOT : 18	2595.00	0.0596	LOT : 51	2595.00	0.0596			
LOT : 19	2595.00	0.0596	LOT : 52	2475.00	0.0568			
LOT : 20	2475.00	0.0568	LOT : 53	2475.00	0.0568			
LOT : 21	2475.00	0.0568	LOT : 54	2595.00	0.0596			
LOT : 22	2595.00	0.0596	LOT : 55	2595.00	0.0596			
LOT : 23	2820.00	0.0647	LOT : 56	2475.00	0.0568			
LOT : 24	2700.00	0.0620	LOT : 57	2855.50	0.0656			
LOT : 25	2475.00	0.0568	LOT : 58	2575.00	0.0591			
LOT : 26	2475.00	0.0568	LOT : 59	2475.00	0.0568			
LOT : 27	2595.00	0.0596	LOT : 60	2475.00	0.0568			
LOT : 28	2595.00	0.0596	LOT : 61	2595.00	0.0596			
LOT : 29	2475.00	0.0568	LOT : 62	2475.00	0.0568			
LOT : 30	2475.00	0.0568	LOT : 63	2475.00	0.0568			
LOT : 31	2475.00	0.0568	LOT : 64	2475.00	0.0568			
LOT : 32	2475.00	0.0568	LOT : 65	2475.00	0.0568			
LOT : 33	2595.00	0.0596	LOT : 66	2595.00	0.0596			



SHEET 4 OF 5

PROJ.NO.: 1377	VERDE TRAILS PARCEL 6 MID DIAGRAM	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602 490 0535 / F: 602 368 2436
DATE: Jul 2021		
SCALE: N.T.S.		
DRAWN BY: JHVD	EXHIBIT	
CHECKED BY: KJP		

"MAINTENANCE IMPROVEMENT DISTRICT"
"ASSESSMENT DIAGRAM"
OF VERDE TRAILS PARCEL 6

NOTE: THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAY AND PARKWAYS WITHIN THE DISTRICT

LOT	SQ.FT.	ACRES
LOT : 84	2475.00	0.0568
LOT : 85	2475.00	0.0568
LOT : 86	2595.00	0.0596
LOT : 87	2595.00	0.0596
LOT : 88	2475.00	0.0568
LOT : 89	2475.00	0.0568
LOT : 90	2700.00	0.0620
LOT : 91	2820.00	0.0647
LOT : 92	2595.00	0.0596
LOT : 93	2475.00	0.0568
LOT : 94	2475.00	0.0568
LOT : 95	2475.00	0.0568
LOT : 96	2595.00	0.0596
LOT : 97	2595.00	0.0596
LOT : 98	2475.00	0.0568
LOT : 99	2475.00	0.0568
LOT : 100	2475.00	0.0568
LOT : 101	2475.00	0.0568
LOT : 102	2595.00	0.0596
LOT : 103	2595.00	0.0596
LOT : 104	2475.00	0.0568
LOT : 105	2475.00	0.0568
LOT : 106	2475.00	0.0568
LOT : 107	2475.00	0.0568
LOT : 108	2595.00	0.0596
LOT : 109	2475.00	0.0568
LOT : 110	2475.00	0.0568

TRACT	SQ.FT.	ACRES
TRACT A	124714.69	2.8631
TRACT AA	2860.00	0.0657
TRACT B	39569.66	0.9084
TRACT BB	2860.00	0.0657
TRACT C	900.00	0.0207
TRACT CC	2860.00	0.0657
TRACT D	900.00	0.0207
TRACT DD	2860.00	0.0657
TRACT E	900.00	0.0207
TRACT EE	1960.00	0.0450
TRACT F	900.00	0.0207
TRACT FF	1960.00	0.0450
TRACT G	900.00	0.0207
TRACT GG	1960.00	0.0450
TRACT H	900.00	0.0207
TRACT HH	1960.00	0.0450
TRACT I	900.00	0.0207
TRACT II	1960.00	0.0450
TRACT J	5185.00	0.1190
TRACT JJ	1960.00	0.0450
TRACT K	900.00	0.0207
TRACT KK	2220.00	0.0510
TRACT L	900.00	0.0207
TRACT LL	2220.00	0.0510
TRACT M	900.00	0.0207
TRACT MM	2860.00	0.0657

TRACT	SQ.FT.	ACRES
TRACT N	900.00	0.0207
TRACT NN	2274.86	0.0522
TRACT O	900.00	0.0207
TRACT OO	2860.00	0.0657
TRACT P	21884.05	0.5024
TRACT PP	2860.00	0.0657
TRACT Q	58275.34	1.3378
TRACT QQ	2860.00	0.0657
TRACT R	2330.00	0.0535
TRACT S	2723.30	0.0625
TRACT T	900.00	0.0207
TRACT U	2860.00	0.0657
TRACT V	2860.00	0.0657
TRACT W	2860.00	0.0657
TRACT X	1253.00	0.0288
TRACT Y	1960.00	0.0450
TRACT Z	1960.00	0.0450



SHEET 5 OF 5

PROJ.NO.:	1377
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VERDE TRAILS
PARCEL 6
MID DIAGRAM

EXHIBIT


HILGARTWILSON
2141 E. HIGHLAND AVE., STE. 250
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436

RESOLUTION NO. 1086-1021

RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, 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 AVONDALE MAINTENANCE IMPROVEMENT DISTRICT NO. 27 – VERDE TRAILS PARCEL 6; 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.

WHEREAS, the Council of the City of Avondale (the “City Council”) has adopted Resolution 1085-1021 declaring its intent to form the City of Avondale Maintenance Improvement District No. 27 – Verde Trails Parcel 6; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 48-574(C), as amended, the City Council has immediate jurisdiction to adopt a resolution ordering the improvements pursuant to ARIZ. REV. STAT. § 48-581, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE, as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The public interest or convenience require and it is the intention of the City Council to order the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and that the cost of such activities, together with appurtenant structures, be assessed upon a certain improvement district to be known as Avondale Maintenance Improvement District No. 27 – Verde Trails Parcel 6 (the “District”) as described and depicted on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 3. The estimate of the cost and expenses for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and on file with the

Superintendent of Streets (City Engineer) and the City Clerk is approved and adopted by the City Council.

SECTION 4. The City Council determines that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, 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 City Council makes and orders the cost and expense for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and related facilities together with appurtenant structures be chargeable upon the District, the area of which is described and depicted as set forth on Exhibit A, and declare that the District benefited by the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and related facilities together with appurtenant structures to be assessed, shall pay the costs and expenses thereof in proportion to the benefits derived therefrom.

SECTION 5. The City shall not assess the costs and expenses for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, 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 District 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 District only that portion of such costs and expenses which benefits the lots, pieces and parcels of land located within the boundaries of the District.

SECTION 6. The costs and expense for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district shall be made and all proceedings therein taken; that the Superintendent of Streets of the City (the City Engineer) 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 District 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 7. 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 City Council as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 4, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1086-1021

[Legal Description and Map of Assessment District]

See following pages.

EXHIBIT "A"
VERDE TRAILS
MAINTENANCE IMPROVEMENT DISTRICT – PARCEL 6
LEGAL DESCRIPTION

A portion of land being situated within Northeast Quarter of Section 30, Township 1 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found Brass cap in Hand Hole accepted as the Northeast corner of said Section 30 from which a found Brass cap flush accepted as the East Quarter corner thereof bears South 01°08'51" East, 2655.67 feet;

Thence South 01°08'51" East, 445.01 feet along the east line of the Northeast Quarter of said Section 30 being the **POINT OF BEGINNING**;

Thence continuing South 01°08'51" East, 875.02 feet along said east line;

Thence leaving said east line, South 88°51'09" West, 483.32 feet to the beginning of a tangent curve concave southeasterly, having a radius of 2600.00 feet;

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Thence North 89°12'39" East, 777.38 feet along said south line to the **POINT OF BEGINNING**.

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Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1377
Date: July 2021



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NE CORNER SEC. 30, T1N, R1E
 FOUND MARICOPA CO.
 ENGINEER DEPT. BRASS CAP
 IN HAND HOLE
 POINT OF COMMENCEMENT

445.01'

N89°12'39"E 777.38'

POINT OF BEGINNING



SHEET 2 OF 5

MATCH SHEET 3 OF 5

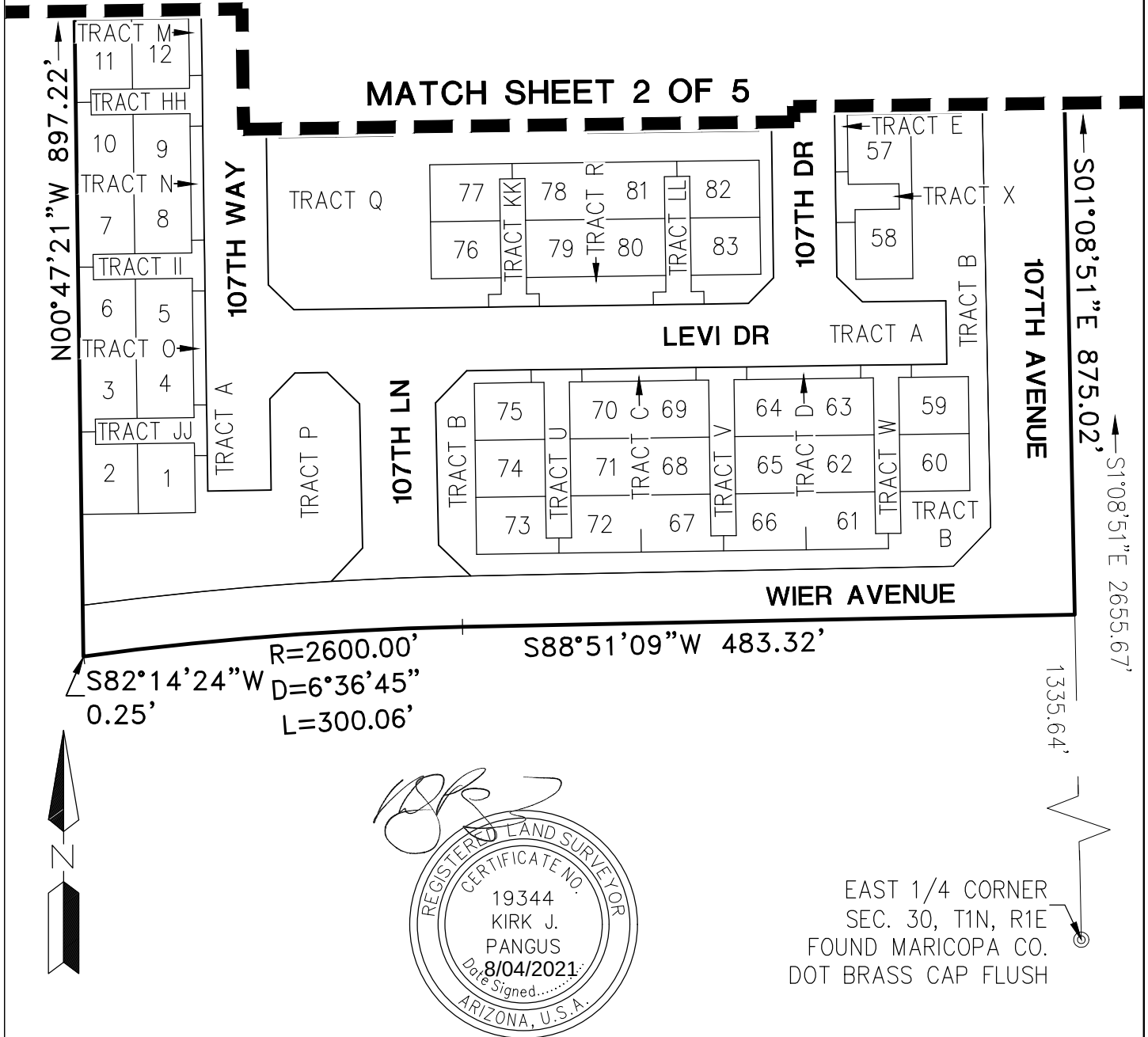
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VERDE TRAILS
 PARCEL 6
 MID DIAGRAM
EXHIBIT

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SHEET 3 OF 5

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VERDE TRAILS
 PARCEL 6
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LOT : 30	2475.00	0.0568	LOT : 63	2475.00	0.0568			
LOT : 31	2475.00	0.0568	LOT : 64	2475.00	0.0568			
LOT : 32	2475.00	0.0568	LOT : 65	2475.00	0.0568			
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SHEET 4 OF 5

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"MAINTENANCE IMPROVEMENT DISTRICT"
"ASSESSMENT DIAGRAM"
OF VERDE TRAILS PARCEL 6

NOTE: THIS IMPROVEMENT DISTRICT IS FORMED FOR THE EXPRESS PURPOSE OF PROVIDING THE MAINTENANCE AND OPERATION OF THE SIDEWALKS, LANDSCAPING, LANDSCAPED DRAINAGE FACILITIES, AND RELATED IMPROVEMENTS ADJACENT TO AND ALONG THE PUBLIC ROADWAY AND PARKWAYS WITHIN THE DISTRICT

LOT	SQ.FT.	ACRES
LOT : 84	2475.00	0.0568
LOT : 85	2475.00	0.0568
LOT : 86	2595.00	0.0596
LOT : 87	2595.00	0.0596
LOT : 88	2475.00	0.0568
LOT : 89	2475.00	0.0568
LOT : 90	2700.00	0.0620
LOT : 91	2820.00	0.0647
LOT : 92	2595.00	0.0596
LOT : 93	2475.00	0.0568
LOT : 94	2475.00	0.0568
LOT : 95	2475.00	0.0568
LOT : 96	2595.00	0.0596
LOT : 97	2595.00	0.0596
LOT : 98	2475.00	0.0568
LOT : 99	2475.00	0.0568
LOT : 100	2475.00	0.0568
LOT : 101	2475.00	0.0568
LOT : 102	2595.00	0.0596
LOT : 103	2595.00	0.0596
LOT : 104	2475.00	0.0568
LOT : 105	2475.00	0.0568
LOT : 106	2475.00	0.0568
LOT : 107	2475.00	0.0568
LOT : 108	2595.00	0.0596
LOT : 109	2475.00	0.0568
LOT : 110	2475.00	0.0568

TRACT	SQ.FT.	ACRES
TRACT A	124714.69	2.8631
TRACT AA	2860.00	0.0657
TRACT B	39569.66	0.9084
TRACT BB	2860.00	0.0657
TRACT C	900.00	0.0207
TRACT CC	2860.00	0.0657
TRACT D	900.00	0.0207
TRACT DD	2860.00	0.0657
TRACT E	900.00	0.0207
TRACT EE	1960.00	0.0450
TRACT F	900.00	0.0207
TRACT FF	1960.00	0.0450
TRACT G	900.00	0.0207
TRACT GG	1960.00	0.0450
TRACT H	900.00	0.0207
TRACT HH	1960.00	0.0450
TRACT I	900.00	0.0207
TRACT II	1960.00	0.0450
TRACT J	5185.00	0.1190
TRACT JJ	1960.00	0.0450
TRACT K	900.00	0.0207
TRACT KK	2220.00	0.0510
TRACT L	900.00	0.0207
TRACT LL	2220.00	0.0510
TRACT M	900.00	0.0207
TRACT MM	2860.00	0.0657

TRACT	SQ.FT.	ACRES
TRACT N	900.00	0.0207
TRACT NN	2274.86	0.0522
TRACT O	900.00	0.0207
TRACT OO	2860.00	0.0657
TRACT P	21884.05	0.5024
TRACT PP	2860.00	0.0657
TRACT Q	58275.34	1.3378
TRACT QQ	2860.00	0.0657
TRACT R	2330.00	0.0535
TRACT S	2723.30	0.0625
TRACT T	900.00	0.0207
TRACT U	2860.00	0.0657
TRACT V	2860.00	0.0657
TRACT W	2860.00	0.0657
TRACT X	1253.00	0.0288
TRACT Y	1960.00	0.0450
TRACT Z	1960.00	0.0450



SHEET 5 OF 5

PROJ.NO.: 1377	VERDE TRAILS PARCEL 6 MID DIAGRAM	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602 490 0535 / F: 602 368 2436
DATE: Jul 2021		
SCALE: N.T.S.		
DRAWN BY: JHVD	EXHIBIT	
CHECKED BY: KJP		

CITY COUNCIL REPORT

SUBJECT: Resolution 1087-1021 - Adopting the State of Arizona Nomination Filing Dates, Ballot Preparation dates, and State Election Procedures Manual for the August 2, 2022 Municipal Election

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Marcella Carrillo, City Clerk, (623) 333-1214

THROUGH: Tracy Stevens, Deputy City Manager, (623) 333-1014

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Connected Community - Avondale will work directly and closely with our communities to develop programs and infrastructure that connect residents to the city's resources, the region, and each other. Local elections is one avenue to help connect residents with local government.
-

PURPOSE:

City Council will consider a request to adopt Resolution 1087-1021, adopting the State of Arizona nomination petition filing dates and ballot preparation date for the August 2, 2022 election, adopting the Arizona Secretary of State Election Procedures Manual, and declaring an emergency; and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

On March 3, 1997, the City of Avondale entered into an intergovernmental agreement with Maricopa County to provide for the county to manage the municipal election as part of the statewide primary election.

Pursuant to Article IX - Section 4 of the Avondale City Charter, nomination petition signatures are due not less than seventy-five (75) days and nor more than one hundred five (105) days before the primary election. Following such dates would place the City at risk of violating the Uniformed and Overseas Citizens Absentee Voting Acts which requires ballots to be mailed to uniformed and overseas citizens. For the city to meet the legal requirements of a consolidated election performed by Maricopa County, the state statute deadlines must be used. Pursuant to Arizona Revised Statutes Section 16-311, nomination petition signatures are due not less than one hundred twenty (120) days and no more than one hundred fifty (150) days before the primary election.

DISCUSSION:

Article IX, Section 2 of the Charter of the City of Avondale places the conduct of all City Elections in the control of the City Council. The Charter also states that provisions of State law governing elections, where not in conflict with the provisions of the Charter, shall govern City elections in matters for which no provision is made in the Charter or by ordinance.

The legislature of the State of Arizona amended Arizona Revised Statutes Section 16-311 governing the deadlines for the filing of nomination petitions in order to comply with the requirements of federal law regarding the distribution of ballots to members of the United States Armed Forces detailed to active duty in locations outside the United States and its political subdivisions which the county and city are mandated to comply. Following the deadlines contained in the Charter of the City of Avondale would place the city and county at risk of violating such requirements of federal law. For the city to meet the legal requirements of a consolidated election performed by Maricopa County, the state statute deadlines must be used. Maricopa County is authorized to conduct the municipal election of the City of Avondale to be held on August 2, 2022, in accordance with the provisions of State of Arizona and United States Statutes as applicable, notwithstanding any provisions of the Charter of the City of Avondale.

The candidate filing deadlines in Section 16-311 (March 5 through April 4, 2022) and such other deadlines as Maricopa County determines to be necessary to comply with state and federal law shall apply to the municipal election to be held on August 2, 2022 and being conducted by Maricopa County, notwithstanding any other provisions of the City of Avondale codes or charter.

BUDGET IMPACT:

This item does not have a budget impact.

RECOMMENDATION:

Staff recommends approval of a Resolution adopting the State of Arizona nomination petition filing dates and ballot preparation date for the August 2, 2022 election, adopting the Arizona Secretary of State Election Procedures Manual.

RESOLUTION NO. 1087-1021

A RESOLUTION ADOPTING THE STATE OF ARIZONA NOMINATION PETITION FILING DATES AND BALLOT PREPARATION DATES FOR THE MUNICIPAL ELECTION TO BE HELD ON AUGUST 2, 2022 AND IF NECESSARY A MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2022 AND ADOPTING THE ARIZONA SECRETARY OF STATE ELECTION PROCEDURES MANUAL AS THE PROCEDURES FOR HOLDING THE MUNICIPAL ELECTION TO BE HELD ON AUGUST 2, 2022 AND IF NECESSARY A MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2022, AS TO ALL PROCEDURES IN ORDER TO PROVIDE CONSISTENCY IN MANAGING THE ELECTION FOR MARICOPA COUNTY, NOTWITHSTANDING ANY PROVISIONS OF THE CHARTER OF THE CITY OF AVONDALE OR THE ORDINANCES RELATING TO SUCH ELECTION HERETOFORE ADOPTED, OR THE PROVISIONS OF STATE LAW GOVERNING ELECTIONS; AND DECLARING AN EMERGENCY.

WHEREAS, Article IX, Section 2 of the Charter of the City of Avondale (the “City Charter”), places control of the conduct of all City of Avondale (the “City”) elections in the City Council; and

WHEREAS, said City Charter provision provides that provisions of state law governing elections, where not in conflict with the provisions of the City Charter, shall govern City elections in matters for which no provision is made in the City Charter or by ordinance; and

WHEREAS, ARIZ. REV. STAT. § 16-452 prescribes an Official Instructions and Procedures Manual of Electronic Voting Systems and Procedures, in electronic voting systems security and field check and review of electronic voting systems and which Maricopa County, Arizona (the “County”) is mandated to use in performing consolidated elections for political subdivisions within the County; and

WHEREAS, the City has entered into one or more intergovernmental agreements with the County to provide for the County to manage the municipal election as part of the statewide primary election; and

WHEREAS, the legislature of the state of Arizona (the “State Legislature”) has enacted ARIZ. REV. STAT. § 16-204.01 preempting the authority of a charter city, such as Avondale to establish its own election dates; and

WHEREAS, the State Legislature has amended ARIZ. REV. STAT. § 16-311 governing the deadlines for the filing of nomination petitions in order to comply with the requirements of

federal law regarding the distribution of ballots to members of the United States Armed Forces detailed to active duty in locations outside the United States and its political subdivisions, which the County and the City are mandated to comply. Further, the deadlines contained in the City Charter would place the City at risk of violating such requirements of federal law; and

WHEREAS, for the City to meet the legal requirements of a consolidated election performed by the County, the deadlines from the state statute must be used.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. Maricopa County is authorized to conduct the municipal election of the City of Avondale to be held on August 2, 2022 and if necessary, a municipal election to be held on November 8, 2022, in accordance with the provisions of State of Arizona and United States statutes as applicable, notwithstanding any provisions of the City Charter.

SECTION 3. Maricopa County is authorized to use the State of Arizona Electronic Voting System Instructions and Procedures Manual for the municipal election to be held on August 2, 2022, and if necessary, a municipal election to be held on November 8, 2022, as to all procedures not specifically provided for in provisions of the City Charter, the ordinances relating to such election heretofore adopted, or the provisions of State law governing elections.

SECTION 4. The filing deadlines in ARIZ. REV. STAT. § 16-311 and such other deadlines as Maricopa County determines to be necessary to comply with state and federal law shall apply to the municipal election to be held on August 2, 2022, and if necessary, a municipal election to be held on November 8, 2022, and being conducted by Maricopa County, notwithstanding any other provisions of the City Charter, and City codes or ordinances.

SECTION 5. The immediate operation of the provisions of this resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution having been passed by a $\frac{3}{4}$ vote of the entire City Council, shall be in full force and effect from and after its passage by the City Council as required by the City Charter and is hereby exempted from the referendum clause of the City Charter.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 4, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

CERTIFICATION

I hereby certify that the foregoing Resolution No. 1087-1021 was duly passed and adopted by the Mayor and Council of the City of Avondale, Arizona at a regular meeting held on October 4, 2021, and the vote was _____ ayes and _____ nays and that _____ members of the City Council were present thereat.

Marcella Carrillo, City Clerk

CITY COUNCIL REPORT

SUBJECT: Ordinance 2053-1021 - Acquisition of Real Property - 991 North Avondale Blvd for BLVD Marquee

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-2011

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Diverse Recreation and Entertainment Opportunities - Avondale provides residents with the ability to connect with amenities, businesses, and their community, enhancing the opportunity to live, work, and enjoy a healthy, active, and affordable lifestyle.

Acquisition of the SRP Abandoned wellsite will provide a site for The BLVD marquee to attract visitors and residents to the City of Avondale and The BLVD to enjoy city amenities, activities, and the lifestyle that Avondale has to offer.

PURPOSE:

City Council will consider a request to adopt Ordinance 2053-1021, authorizing the purchase of real property from Salt River Project for the property located at 991 North Avondale Blvd. and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The City of Avondale has recently re-branded The BLVD area as an economic engine in the City. In an effort to bring quality development to this area, the acquisition of this property would provide a site for The BLVD marquee to promote the area. The property is approximately 2,751 total SF for 2 parcels and is located on the southeast corner of Roosevelt Street and Avondale Boulevard. The property was formerly an SRP well site that has now been abandoned and all existing improvements have been removed except the abandoned well head and casing, and the power service to provide power to the marquee.

DISCUSSION:

Under the terms of the agreement, the City would purchase the approximate 2,187 SF of land located at 991 N Avondale Blvd. (APN#102-57-004Q) for \$4,374.00. The property was appraised for \$2.00 per SF by SRP's in-house appraiser. The other parcel (APN #102-57-004P) at this address at approximately 564 SF will be also quit-claimed to the City.

BUDGET IMPACT:

This land acquisition will cost approximately \$4,374.00 and will be funded from the project budget.

RECOMMENDATION:

Staff recommends adoption of the Ordinance, authorizing the purchase of real property located at 991 N Avondale Blvd. for \$4,374.00 for parcel APN#102-57-004Q, acceptance of quit-claim deed for parcel APN #102-57-004P, and authorize staff to process any necessary budget amendments.



ORDINANCE NO. 2053-1021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AUTHORIZING THE ACQUISITION OF APPROXIMATELY 2,751 SQUARE FEET OF REAL PROPERTY, GENERALLY LOCATED SOUTH OF ROOSEVELT STREET AND EAST OF AVONDALE BOULEVARD FOR PUBLIC USE.

WHEREAS, Article I, Section 3 of the Avondale City Charter authorizes the City of Avondale (the “City”) to acquire real property in fee simple or any lesser interest, inside or outside its corporate limits for any City purpose, when the public convenience requires it and in accordance with the provisions of State law; and

WHEREAS, the City Council desires to authorize the acquisition of approximately 2,751 square feet of real property generally located along the east side of Avondale Boulevard, south of Roosevelt Street, and assigned Assessor’s Parcel Numbers 102-57-004P and 102-57-004Q (the “Property”); and

WHEREAS, the current owner of the Property desires to sell and dedicate the Property to the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The acquisition by purchase, dedication or condemnation of real property totaling $\pm$ 2,751 square feet, generally located along east side of Avondale Boulevard, south of Roosevelt Street in Avondale, Arizona, assigned Assessor’s Parcel Numbers 102-57-004P and 102-57-004Q, as more particularly described and depicted on Exhibit A and Exhibit B attached hereto and incorporated herein by reference, is hereby authorized.

SECTION 3. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Ordinance.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 4, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 2053-1021

[Legal Description]

See following page.

EXHIBIT A

LEGAL DESCRIPTION OF THE REAL PROPERTY

That portion of land lying within the property described as recorded in Documents 93-0765540 and 96-0469356 being a portion of the South half of Section 6, Township 1 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona described as follows;

Commencing at the West quarter corner of said Section 6;

thence S0°02' 12"E along the West line of the South half of said Section 6, a distance of 70.01 feet;

thence N88°59'14"E, a distance of 58.51 feet to the Point of Beginning;

thence continuing N88°59'14"E, a distance of 24.50 feet;

thence N00°02'12"W, a distance of 23.00 feet;

thence N88°59'14"E, a distance of 25.50 feet;

thence S00°02'12"E, a distance of 55.01 feet;

thence S88°59'14"W, a distance of 50.01 feet;

thence N00°02'12"W, a distance of 32.00 feet to the Point of Beginning.

Containing 2, 187 square feet, more or less.

EXHIBIT B
TO
ORDINANCE NO. 2053-1021

[Legal Description]

See following page.

Attachment B

Quit Claim Deed

20021020227

Quit-Claim Deed

THIS INDENTURE, Made the 29th day of March
in the year of our Lord One Thousand Nine Hundred and Twenty-eight, between
WILLIAM CORPSTEIN AND EDITH CORPSTEIN, his wife
T.
C. G. COY AND BLANCHE COY, his wife
SALT RIVER VALLEY WATER USERS' ASSOCIATION
the parties of the first part, and ~~WILLIAM CORPSTEIN AND EDITH CORPSTEIN, his wife~~, the party of the second
part,

WITNESSETH: That the said part ies of the first part, for and in consideration of the sum
of One and No/100 DOLLARS,
and other valuable consideration to them in hand paid, in pursuance of the provisions of the Act of
June 17, 1902, (32 Stat. 388), and acts amendatory thereof or supplementary thereto, by the said party
of the second part, the receipt whereof is hereby confessed and acknowledged, ha...re remised, released
and quit-claimed, and by these presents do... convey, remise, release and quit-claim unto the said party
of the second part, and to its successors and assigns forever, all the right, title, interest, claim and de-
mand which the said part ies of the first part ha...re in and to the following described real estate
and property situated in the County of Maricopa, and State of Arizona, to-wit:

A tract of land for a well site situated in the Northwest Quarter of the
Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Six (6), Township One (1) North, Range
One (1) East, Gila and Salt River Base and Meridian, said tract being described
as follows, to-wit:

All excepting that portion now occupied by the County Road of the South
50.0 feet of the North 70.0 feet of the East 50.0 feet of the West 83.0 feet
of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Sect ~~Section Six~~

Provided that if at any time hereafter, the party of the second part shall
permanently abandon the said well, the site herein conveyed, together with
the accompanying easements and rights of way shall revert automatically to the
party of the first part... heirs, executors or assigns, but
the party of the second part shall have the right to remove all property it
may have placed thereon.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and
privileges thereunto belonging, or in anywise appertaining, and all the estate, right, title, interest and
claim whatsoever, or the said part ies of the first part, either in law or equity, in possession or ex-
pectancy, to the only proper use, benefit and behoof of the said party of the second part, its successors
and assigns forever.

IN WITNESS WHEREOF, the said part ies of the first part ha...re hereunto set their
hands, and seal... the day and year first above written.

(Seal) William Corpstein (Seal)
(Seal) Edith Corpstein (Seal)
(Seal) C. G. Coy (Seal)
(Seal) Blanche Coy (Seal)



CITY COUNCIL REPORT

SUBJECT: Ordinance 2054-1021 - Accepting Donation of Real Property for a Public Sewer Lift Station

MEETING DATE: 10/4/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director, (623) 333-4022

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Creative and Sustainable Community Development - Avondale is committed to creating a sense of place, a community of residents and local businesses unified by pride and common values.

Accepting the donation of this parcel will allow permanent ownership and maintenance by the City of a sewer lift station allowing Del Rio III to develop and build out Phases 2 through 5.

PURPOSE:

City Council will consider a request to adopt Ordinance 2054-1021 authorizing the acceptance of real property located on Rio Vista Lane and west of 125th Avenue for a public sewer lift station and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Staff approved a Minor Planned Area Development (PAD) Amendment for Del Rio Ranch III, located at 125th Avenue and Durango Street, on January 5, 2021. The construction of a public sewer lift station is necessary for the development of 484 homes in Phases 2 through 5.

DISCUSSION:

Under the terms of the donation agreement, the City of Avondale will accept the donation of 0.08 acres of real property located on West Rio Vista Lane approximately 400 feet west of South 125th Avenue. The developer of Del Rio Ranch III, DC One Holdings, Inc., will construct the lift station on this parcel and the City will operate and maintain it upon acceptance of the lift station by the City Engineer.

BUDGET IMPACT:

There is no impact to the budget for this action.

RECOMMENDATION:

Staff recommends the City Council adopt Ordinance, authorizing the acceptance of real property located on Rio Vista Lane and west of 125th Avenue for a public sewer lift station and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.



NOT TO SCALE

DONATION OF REAL PROPERTY FOR A PUBLIC SEWER LIFT STATION

ORDINANCE NO. 2054-1021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE,
ARIZONA, ACCEPTING THE DEDICATION OF REAL PROPERTY FOR
PUBLIC USE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The dedication of real property totaling $\pm$ 0.0804 acres, generally located along Rio Vista Lane, $\pm$ 400 feet west of 125th Avenue, as more particularly described and depicted on Exhibit A, attached hereto and incorporated herein by reference, is hereby accepted by the City of Avondale from DCOH Development, LLC, a Wyoming limited liability company.

SECTION 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
October 4, 2021.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 2054-1021

[Legal Description and Map]

See following pages.

EXHIBIT "A"
LIFT STATION BOUNDARY LEGAL DESCRIPTION

A PORTION OF LAND LOCATED IN SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 14, BEING MONUMENTED BY A BRASS CAP IN HANDHOLE, BEARS SOUTH 89 DEGREES 06 MINUTES 56 SECONDS EAST, 2595.86 FEET;

THENCE SOUTH 89 DEGREES 06 MINUTES 56 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 863.69 FEET;

THENCE DEPARTING SAID SOUTH LINE, NORTH 00 DEGREES 53 MINUTES 04 SECONDS EAST, 668.02 FEET TO THE NORTH RIGHT-OF-WAY LINE OF RIO VISTA LANE, AS SHOWN IN "RIO VISTA WEST", A FINAL PLAT, RECORDED IN BOOK 137, PAGE 21, MARICOPA COUNTY RECORDS, (M.C.R.) AND THE **POINT OF BEGINNING**;

THENCE NORTH 00 DEGREES 54 MINUTES 37 SECONDS EAST, 70.00 FEET;

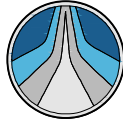
THENCE SOUTH 89 DEGREES 04 MINUTES 13 SECONDS EAST, 50.00 FEET;

THENCE SOUTH 00 DEGREES 54 MINUTES 07 SECONDS WEST, 70.00 FEET TO SAID NORTH RIGHT-OF-WAY LINE;

THENCE NORTH 89 DEGREES 04 MINUTES 13 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 50.01 FEET TO SAID **POINT OF BEGINNING**;

SAID PARCEL CONTAINS 3,500 SQUARE FEET OR 0.0804 ACRES, MORE OR LESS.

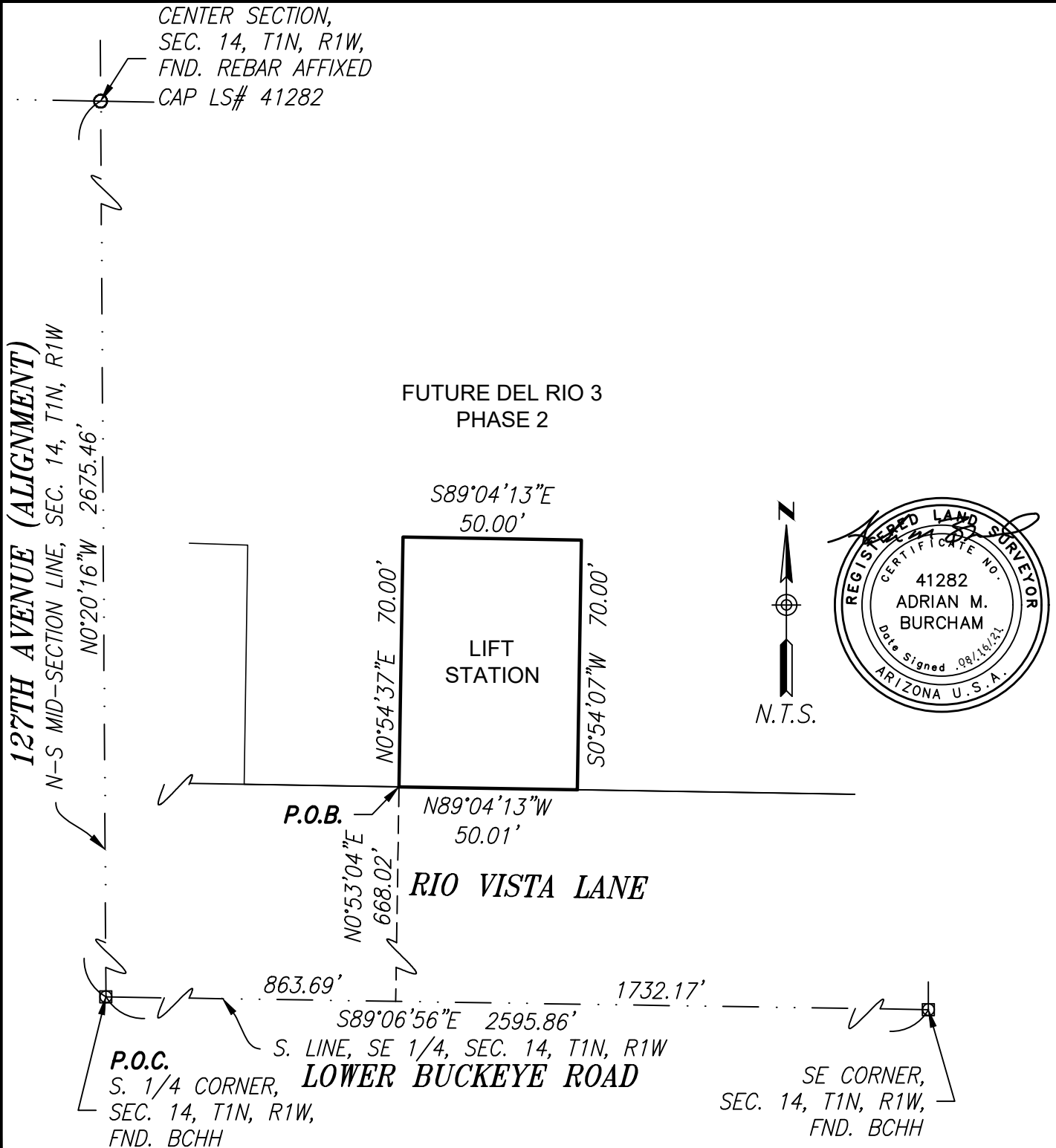




HUBBARD
ENGINEERING

www.hubbardengineering.com

1201 S. Alma School Rd.
Suite 12000
Mesa, AZ 85210
Ph: 480.892.3313



DEL RIO III
LIFT STATION BOUNDARY
EXHIBIT "A"

City of Avondale, Maricopa County, Arizona

Project No.
16178

Date
08/16/21

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 1 of 1