

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

128

MID#

Desert Sands Units 4-6

Subdivision Name

To: Honorable Mayor and
Honorable Councilmembers
City of Yuma, Arizona

Pursuant to Arizona Revised Statutes ("A.R.S.") §48-574, the undersigned property owner respectfully petitions the Mayor and City Council of the City of Yuma, Arizona (the "City Council") to order the formation of a Municipal Improvement District (the "District") under A.R.S., Title 48, Chapter 4, Article 2. In support of this petition, the undersigned agrees to waive certain rights under Arizona 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" that is attached hereto and incorporated herein by reference.
2. Ownership. The undersigned (is) (are) the sole owner(s) of the real property within the proposed District (the "Petitioner(s)") including any required public dedications of property.
3. Purpose. The District is proposed to be formed for the purpose of the operation, maintenance, repair and improvements of landscape, irrigation, and hardscape in retention basins, parkways and parkings 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, and hardscape in retention basins, parkways and parkings within the proposed District by the levying of special assessments in the proposed District.
5. Waiver and Consent. The Petitioners, with full knowledge of their rights being waived hereunder, hereby expressly waive all of the following:
 - (a) Any and all irregularities, illegalities or deficiencies which may exist in the acts or proceedings resulting in the adoption of the Resolution of Intention and the Resolution Ordering the Work relating to the District.
 - (b) Any necessity for publication and posting of the Resolution of Intention and the Notice of Proposed Improvements pursuant to A.R.S. §48-578.
 - (c) All rights to petition to dissolve the district pursuant to A.R.S. §48-574(N).
 - (d) All protest rights whatsoever under A.R.S. §48-579(A) and (B), as amended.

(e) All objections to the filing of and legislative adoption by the City Council of the plans and specifications, the Engineer's estimate and the Assessment Diagram, all of which provide for the completion of the District.

(f) It is the intent of the undersigned Petitioners that items (a) through (e) above shall be binding on all successors and assigns and shall run with the land.

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

IN WITNESS WHEREOF, the parties have executed this Petition and Waiver Agreement as of _____, 20_____.

[SIGNATURES ON FOLLOWING PAGES]

"Property Owner"

Property Tax Parcel Numbers: 197-15-013

By: [Signature]

Name: Brian Hall

Title: CEO

Address: 3064 S Ave B Yuma AZ

Date: 3/21/2025

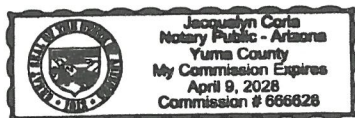
(ACKNOWLEDGMENT)

STATE OF Arizona)
) ss.
COUNTY OF Yuma)

This instrument was acknowledged before me on March 21, 2025
by Brian Hall, as Manager of _____, a(n) _____,
_____ on behalf of the _____.

Jackie C.
Notary Public in and for the State of AZ


(affix notary seal here)



[SIGNATURES CONTINUE ON FOLLOWING PAGES]

"Property Owner"

Property Tax Parcel Numbers: 197-15-009

By: 

Name: Brian Hall

Title: CEO

Address: 3064 S Ave B Yuma

Date: 3/21/2025

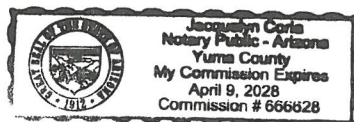
(ACKNOWLEDGMENT)

STATE OF Arizona)
) ss.
COUNTY OF Yuma)

This instrument was acknowledged before me on March 21, 2025
by Brian Hall, as Manager of Brian L Health, a(n) 12-1-2005,
on behalf of the 12-1-2005.

Jackie C.
Notary Public in and for the State of AZ

(affix notary seal here)



[SIGNATURES CONTINUE ON FOLLOWING PAGES]

ACCEPTED AND APPROVED BY:

“City”

CITY OF YUMA,
an Arizona municipal corporation

Douglas J. Nicholls, Mayor

ATTEST:

Lynda Bushong, City Clerk

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF YUMA)

This instrument was acknowledged before me on _____, 20__,
by Douglas J. Nicholls, the Mayor of the CITY OF YUMA, an Arizona municipal corporation, on
behalf of the City of Yuma.

Notary Public in and for the State of Arizona

(affix notary seal here)

EXHIBIT “A”

Desert Sands Unit Nos. 4, 5 & 6
LEGAL DESCRIPTION

That portion of Section 15, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, more particularly described as follows:

Beginning at the East quarter corner of said Section 15;

Thence South $00^{\circ}13'51''$ East along the East line of the Southeast quarter of said Section 15 a distance of 1746.00 feet to the TRUE POINT OF BEGINNING;

Thence continuing South $00^{\circ}13'51''$ East along the East line of the Southeast quarter of said Section 15 a distance of 919.67 feet to the Southeast corner of the Southeast quarter of said Section 15;

Thence North $89^{\circ}52'34''$ West along the South line of the Southeast quarter of said Section 15 a distance of 2651.55 feet to the Southwest corner of the Southeast quarter of said Section 15;

Thence North $00^{\circ}13'04''$ West along the West line of the Southeast quarter of said Section 15 a distance of 1272.27 feet;

Thence North $89^{\circ}46'56''$ East a distance of 58.00 feet;

Thence North $44^{\circ}46'33''$ East a distance of 35.36 feet;

Thence North $89^{\circ}46'09''$ East a distance of 62.31 feet;

Thence South $45^{\circ}13'51''$ East a distance of 21.21 feet;

Thence North $89^{\circ}46'09''$ East a distance of 58.00 feet;

Thence North $44^{\circ}46'09''$ East a distance of 21.21 feet;

Thence North $00^{\circ}13'51''$ West a distance of 58.00 feet;

Thence North $45^{\circ}13'51''$ West a distance of 21.21 feet;

Thence North $00^{\circ}13'51''$ West a distance of 200.00 feet;

Thence North $44^{\circ}46'09''$ East a distance of 21.21 feet;

Thence North $00^{\circ}13'51''$ West a distance of 58.00 feet;

Thence North $45^{\circ}13'51''$ West a distance of 21.21 feet;

Thence North $00^{\circ}13'51''$ West a distance of 97.00 feet;

Thence North $89^{\circ}46'09''$ East a distance of 858.09 feet;

Thence North $00^{\circ}13'51''$ West a distance of 97.00 feet;

Thence North $89^{\circ}46'09''$ East a distance of 58.00 feet;

Thence North $44^{\circ}46'09''$ East a distance of 21.21 feet;

Thence North $89^{\circ}46'09''$ East a distance of 95.00 feet;

Thence South $00^{\circ}13'51''$ East a distance of 255.00 feet;

Thence North $89^{\circ}46'09''$ East a distance of 107.48 feet to beginning of a curve concave Northeasterly having a radial bearing of North $62^{\circ}38'51''$ East;

Thence, along said curve, concave Northeasterly, of radius 68.00 feet through a central angle of $73^{\circ}07'25''$ an arc distance of 86.78 feet;

Thence North $79^{\circ}31'26''$ East a distance of 50.13 feet;

Thence North $89^{\circ}46'09''$ East a distance of 343.58 feet;

Thence South $45^{\circ}13'51''$ East a distance of 21.21 feet;

Thence South $00^{\circ}13'51''$ East a distance of 200.00 feet;

Thence South $44^{\circ}46'09''$ West a distance of 21.21 feet;

Thence South $89^{\circ}46'09''$ West a distance of 343.58 feet;

Thence North $79^{\circ}59'08''$ West a distance of 50.13 feet to the beginning of a curve concave Southeasterly having a radial bearing of South $10^{\circ}00'52''$ West;

Thence along said curve, concave Southeasterly, of radius 68.00 feet through a central angle of $85^{\circ}46'04''$ an arc distance of 101.79 feet;

Thence South $89^{\circ}46'09''$ West a distance of 102.16 feet;

Thence South $00^{\circ}13'51''$ East a distance of 500.00 feet;

Thence North $89^{\circ}46'09''$ East a distance of 110.00 feet;

Thence South $00^{\circ}13'51''$ East a distance of 27.00 feet;

Thence North $89^{\circ}46'09''$ East a distance of 278.00 feet;

Thence North $85^{\circ}49'26''$ East a distance of 58.14 feet;

Thence North $00^{\circ}13'51''$ West a distance of 112.00 feet;

Thence North $89^{\circ}46'09''$ East a distance of 960.80 feet to the TRUE POINT OF BEGINNING;

Aforementioned parcel contains approximately 79.9551 acres.

DESERT SANDS UNIT Nos. 4, 5 & 6 MUNICIPAL IMPROVEMENT DISTRICT DIAGRAM

