

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

MID#

Cielo Verde Unit #3

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. The proposed District consists of 31.03 acres and is entirely within the corporate boundaries of the City of Yuma.
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 parkways and parkings adjacent to designated public roadways within the proposed District.
4. Public Convenience and Necessity. The necessity for the proposed District is for the operation, maintenance, repair and improvements of landscape, irrigation, and hardscape in parkways and parkings adjacent to designated public roadways within the proposed District by the levying of special assessments in the proposed District.
5. Waiver and Consent. The Petitioners, with full knowledge of their rights being waived hereunder, hereby expressly waive all of the following:
 - (a) Any and all irregularities, illegalities or deficiencies which may exist in the acts or proceedings resulting in the adoption of the Resolution of Intention and the Resolution Ordering the Work relating to the District.
 - (b) Any necessity for publication and posting of the Resolution of Intention and the Notice of Proposed Improvements pursuant to A.R.S §48-578.

- (c) All rights to petition to dissolve the district pursuant to A.R.S. §48-574(N).
- (d) All protest rights whatsoever under A.R.S. §48-579(A) and (B), as amended.
- (e) All objections to the filing of and legislative adoption by the City Council of the plans and specifications, the Engineer's estimate and the Assessment Diagram, all of which provide for the completion of the District.

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

IN WITNESS WHEREOF, the parties have executed this Petition and Waiver Agreement as of 11-13, 2017.

[SIGNATURES ON FOLLOWING PAGES]

"Property Owner"

Property Tax Parcel Numbers: See Legal Desc

By: N. Bruce Jacobson

Name: N. Bruce Jacobson

Title: Vice Pres

Address: 1334 S. 5th Ave
Yuma, AZ 85364

Date: 11-13-17

(ACKNOWLEDGMENT)

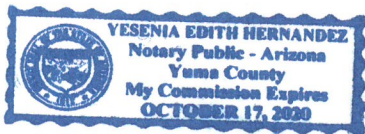
STATE OF Arizona)
) ss.

COUNTY OF Yuma)

This instrument was acknowledged before me on November 13, 2017,
by N. Bruce Jacobson, as Vice President of Jacobson Companies, a(n) Corporation,
on behalf of the owner.

Yesenia Edith Hernandez
Notary Public in and for the State of AZ

(affix notary seal here)



[SIGNATURES CONTINUE ON FOLLOWING PAGES]

“Property Owner”

Property Tax Parcel Numbers: _____

By: _____

Name: _____

Title: _____

Address: _____

Date: _____

(ACKNOWLEDGMENT)

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2017,
by _____, as _____ of _____, a(n) _____,
_____ on behalf of the _____.

Notary Public in and for the State of _____

(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 _____, 2017,
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)

Legal Description for Cielo Verde Unit 3 Improvement District

That portion of Parcel 11a Cielo Verde Retention Basin Lot Split / Lot Tie as recorded in Book 27 of Plats, Page 100 and a portion of Parcel 13, Cielo Verde as recorded on Book 18 of Plat, Pages 12-15 and portion of Parcel 14a Cielo Verde Lot Split / Lot Tie as recorded on Book 27 of Plats, Page 11 at the Yuma County Recorder's Office, said parcels are located in Section 11, Township 9 South, Range 22 West, G. & S.R.B. & M., Yuma County, Arizona more particularly described as follows:

Beginning at a brass cap marking the West quarter corner of Section 11, Township 9 South, Range 22 West from which a brass cap marking the Northwest corner of Section 11 bears North 00 degrees 08 minutes 02 seconds West and measures a distance of 2,645.22 feet;

Thence leaving said West quarter corner of Section 11 and along the center line of the 36th Street South 89 degrees 26 minutes 06 seconds East a distance of 264.22 feet to the beginning of a tangent curve to the right having a radius of 400.00 feet and a delta angle of 45 degrees 17 minutes 26 seconds;

Thence along said curve for an arc distance of 316.19 feet to a point on the boundary of Cielo Verde Unit 3 subdivision and **TRUE POINT OF BEGINNING**;

Thence leaving said centerline of 36th Street North 45 degrees 51 minutes 21 seconds East a distance of 40.00 feet;

Thence North 04 degrees 59 minutes 40 seconds West a distance of 59.68 feet;

Thence North 36 degrees 44 minutes 31 seconds East a distance of 21.96 feet to the beginning of a tangent curve to the left having a radius of 330 feet and a delta angle of 36 degrees 44 minutes 01 seconds;

Thence along said curve for an arc distance of 211.57 feet;

Thence North 00 degrees 00 minutes 30 seconds East a distance of 812.82 feet to the beginning of a tangent curve to the right having a radius of 320 feet and a delta angle of 91 degrees 32 minutes and 52 seconds;

Thence along said curve for an arc distance of 511.30 feet to the beginning of a tangent curve to the right having a radius of 1,470 feet and a delta angle of 00 degrees 06 minutes 49 seconds;

Thence along said curve for an arc distance of 2.92 feet to the beginning of a non-tangent curve to the right with a local tangent bearing of South 81 degrees 36 minutes 03 seconds East, a radius of 412.31 feet and a delta angle of 43 degrees 39 minutes 54 seconds;

Thence along said curve for an arc distance of 314.22 feet;

Thence South 44 degrees 09 minutes 03 seconds East for a distance of 31.18 feet;

Thence South 34 degrees 27 minutes 38 seconds East for a distance of 240.69 feet to the beginning of a tangent curve to the right having a radius of 339.00 feet and a delta angle of 34 degrees 28 minutes 08 seconds;

Thence along said curve for an arc distance of 203.94 feet;

Thence South 00 degrees 00 minutes 30 seconds West a distance of 801.30 feet to the beginning of a tangent curve to the right having a radius of 204.00 feet and a delta angle of 45 degrees 00 minutes 00 seconds;

Thence along said curve for an arc distance of 160.22 feet;

Thence South 45 degrees 00 minutes 30 seconds West for a distance of 347.10 feet;

Thence South 36 degrees 50 minutes 05 seconds West for a distance of 197.39 feet to the beginning of a non-tangent curve to the right with a local tangent bearing of North 77 degrees 37 minutes 49 seconds West, a radius of 485.00 feet and a delta angle of 32 degrees 06 minutes 54 seconds;

Thence along said curve for an arc distance of 271.85;

Thence South 62 degrees 30 minutes 43 seconds West a distance of 83.51 feet;

Thence North 84 degrees 44 minutes 48 seconds West a distance of 36.50 feet;

Thence North 37 degrees 18 minutes 00 seconds West a distance of 50.00 feet;

Thence North 09 degrees 27 minutes 47 seconds East a distance of 36.76 feet to the beginning of a non-tangent curve to the right having a local tangent bearing North 32 degrees 04 minutes 43 seconds West, a radius of 630.46 feet and a delta angle of 15 degrees 44 minutes 15 seconds;

Thence along said curve for an arc distance of 173.17 feet to the beginning of a non-tangent curve to the left having a local tangent bearing of North 20 degrees 02 minutes 36 seconds West, a radius of 360.00 feet and a delta angle of 24 degrees 06 minutes and 03 seconds;

Thence along said curve for an arc distance of 151.43 feet;

Thence North 45 degrees 51 minutes 21 seconds East a distance of 40.00 feet to the **TRUE POINT OF BEGINNING.**

Containing 31.0342 acres more or less.