

## EXHIBIT 1

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

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MID#

Autumn Valley

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 5.3077 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 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.

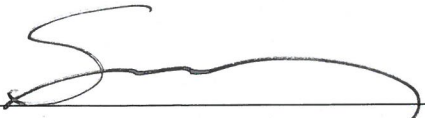
Further, the improvements described above are of more than local or ordinary public benefit, and not a general public benefit.

IN WITNESS WHEREOF, the parties have executed this Petition and Waiver Agreement as of JANUARY 8, 2020.

[SIGNATURES ON FOLLOWING PAGES]

**"Property Owner"**

Property Tax Parcel Numbers: 663-39-065

By: 

Name: Saul Albor Castillo

Company: Proxima Centauri Development, LLC

Title: Managing Member

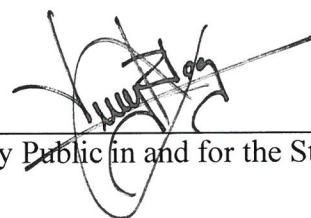
Address: 4386 W. 12<sup>th</sup> Ln., Yuma, AZ. 85364

Date: 01/08/2020

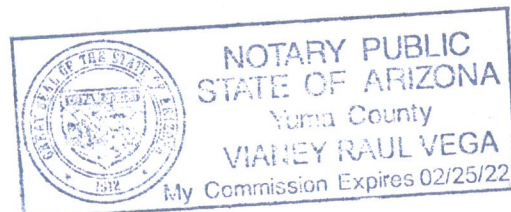
**(ACKNOWLEDGMENT)**

STATE OF ARIZONA )  
 ) ss.  
COUNTY OF YUMA )

This instrument was acknowledged before me on this the 8<sup>th</sup> day of January 2020, by Saul Albor Castillo, who acknowledged himself to be the managing member of Proxima Centauri Development, LLC, and as manager, executed the foregoing instrument for the purposes therein contained, by signing his name.

  
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 \_\_\_\_\_,  
201\_\_, 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

### PARCEL "B"

A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 08 SOUTH, RANGE 24 WEST, OF THE G.&S.R. B.&M., YUMA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF NW $\frac{1}{4}$  NE $\frac{1}{4}$  OF SECTION 36;

**THENCE S 0°33'26" W A DISTANCE OF 50.00' TO A POINT;**

**THENCE N 89°41'29" W A DISTANCE OF 393.20' TO THE TRUE POINT OF BEGINNING;**

**THENCE S 0°18'31" W A DISTANCE OF 220.00' TO A POINT;**

**THENCE S 89°41'29" E A DISTANCE OF 178.02' TO A POINT;**

**THENCE S 0°18'31" W A DISTANCE OF 394.84' TO A POINT;**

**THENCE N 89°41'07" W A DISTANCE OF 441.07' TO A POINT;**

**THENCE N 0°35'36" E A DISTANCE OF 589.80' TO A POINT;**

**THENCE N 45°27'04" E A DISTANCE OF 35.44' TO A POINT;**

**THENCE S 89°41'29" E A DISTANCE OF 235.00' TO THE TRUE POINT OF BEGINNING;**

SUBJECT TO ALL EASEMENTS OR RIGHT-OF-WAYS APPARENT OR RECORDED.

CONTAINING 231,202.9193 SF. (5.3077 ACRES) MORE OR LESS.