

Exhibit 1

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

109

MID#

Livingston Ranch Unit No. 2

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 4.4 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 _____, 20_____.

[SIGNATURES ON FOLLOWING PAGES]

"Property Owner"

Property Tax Parcel Numbers: _____

By: _____

Name: Toburn C Jones

Title: Managing Member

Address: PO BOX 5910 Yuma, AZ 85366

Date: 5/9/19

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF YUMA)

This instrument was acknowledged before me on MAY 5,
2019, by TOBURN JONES as MANAGING MEMBER of HACIENDA HOMES, a(n) AZ LLC,
on behalf of the LIVINGSTON RANCH UNIT No. 2

Notary Public in and for the State of AZ

(affix notary seal here)



DAVID A. BICKEL
Notary Public - Arizona
Yuma County
Expires 12/15/2020

[SIGNATURES CONTINUE ON FOLLOWING PAGES]

"Property Owner"

Property Tax Parcel Numbers: _____

By: [Signature]

Name: Toburn E Jones

Title: Managing Member

Address: PO BOX 5910 Yuma, AZ 85366

Date: 5/9/19

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF YUMA)

This instrument was acknowledged before me on MAY 5,
2019, by TOBURN JONES, as MANAGING MEMBER of HACIENDA HOMES, a(n) AZ LLC,
on behalf of the LIVINGSTON RANCH UNIT No. 2

[Signature]

Notary Public in and for the State of AZ

(affix notary seal here)



DAVID A. BICKEL
Notary Public - Arizona
Yuma County
Expires 12/15/2020

[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

LEGAL DESCRIPTION

Municipal Improvement District Area - 40th Street, 38th Street and Avenue B-1/2

That portion of the Southwest quarter of Section 7, Township 9 South, Range 23 West, Gila and Salt River Base and Meridian, Yuma County, Arizona more particularly described as follows:

BEGINNING at the South quarter corner of said Section 7;

Thence North 89°59'45" West along the South line of the Southwest quarter of said Section 7 a distance of 1,087.49 feet;

Thence North 00°13'24" East a distance of 40.00;

Thence South 89°59'45" East parallel with and 40.00 feet northerly of the South line of the Southwest quarter of said Section 7 a distance of 977.57 feet;

Thence North 45°10'31" East a distance of 56.74 feet;

Thence North 00°20'47" East parallel with and 70.00 feet westerly of the East line of the Southwest quarter of said Section 7 a distance of 170.00 feet;

Thence South 89°39'13" East a distance of 12.00 feet;

Thence North 00°20'47" East parallel with and 58.00 feet westerly of the East line of the Southwest quarter of said Section 7 a distance of 200.16 feet;

Thence North 44°42'55" West a distance of 35.32 feet;

Thence North 00°20'47" East a distance of 58.00 feet;

Thence North 45°17'05" East a distance of 35.39 feet;

Thence North 00°20'47" East parallel with and 58.00 feet westerly of the East line of the Southwest quarter of said Section 7 a distance of 679.50 feet;

Thence North 44°42'55" West a distance of 35.32 feet;

Thence North 89°46'36" West a distance of 177.00 feet;

Thence North 00°13'24" East a distance of 1.50 feet;

Thence North 89°46'36" West a distance of 271.19 feet;

Thence South 45°13'24" West a distance of 35.36;

Thence North 89°46'36" West a distance of 58.00 feet;

Thence North 44°46'36" West a distance of 35.36 feet;

Thence North 89°46'36" West a distance of 481.00 feet;

Thence North 00°13'24" East a distance of 62.50 feet;

Thence South 89°46'36" East a distance of 1,120.33 feet;

Thence South 00°20'47" West along the East line of the Southwest quarter of said Section 7 a distance of 1,326.37 feet to the point of BEGINNING;

Containing 4.4413 acres, more or less

Municipal Improvement District Area - Tract

Tract "A" of Livingston Ranch Unit No. 2 as recorded in Book ____ of Plats, Page ____, Yuma County Records.

MUNICIPAL IMPROVEMENT DISTRICT - ASSESSMENT DIAGRAM

LIVINGSTON RANCH UNIT No. 2

