

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

133

MID#

Kahuna Estates

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.

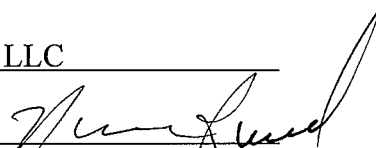
IN WITNESS WHEREOF, the parties have executed this Petition and Waiver Agreement as of March 18, 2025.

[SIGNATURES ON FOLLOWING PAGES]

"Property Owner"

Property Tax Parcel Numbers: 694-02-091

By: R&V Developers, LLC

Name: Nieves Riedel 

Title: Manager

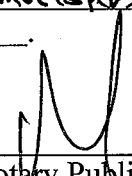
Address: P.O. Box 1649

Date: 03/19/25

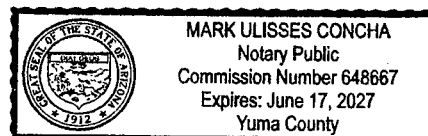
(ACKNOWLEDGMENT)

STATE OF Arizona)
) ss.
COUNTY OF Yuma)

This instrument was acknowledged before me on March 18, 2025,
by Nieves Riedel, as Manager of R&V Developers LLC, a(n) LLC,
on behalf of the Company.


Notary Public in and for the State of Arizona

(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"
Kahuna Estates
Legal Description

PARCEL NO.1:

That part of Government Lot 3 of Section 6, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, as found in that certain Record of Survey document recorded in Book 6 of Surveys, pages 67 thru 68, records of Yuma County, Arizona, being more particularly described as follows:

COMMENCING at the North quarter corner of said Section 6, being also the Northeast corner of said Government Lot 3;

Thence North 89°49'33" West a distance of 400.00 feet to a point;

Thence South 00°33'41" East a distance of 80.00 feet to a point and the TRUE POINT OF BEGINNING;

Thence South 89°49'33" East a distance of 163.40 feet to a point;

Thence South 00°33'41" East a distance of 283.00 feet to a point;

Thence North 89°49'33" West a distance of 163.40 feet to a point;

Thence North 00°33'41" West a distance of 283.00 feet and the TRUE POINT OF BEGINNING;

PARCEL NO.2:

That part of Government Lot 3 of Section 6, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, as found in that certain Record of Survey recorded in Book 6 of Surveys, pages 67 thru 68, records of Yuma County, Arizona, being more particularly described as follows:

COMMENCING at the North quarter corner of said Section 6, being also the Northeast corner of said Government Lot 3;

Thence North 89°49'33" West a distance of 400.00 feet to a point;

Thence South 00°33'41" East a distance of 80.00 to a point;

Thence South 89°49'33" East a distance of 163.40 feet to a point, being the TRUE POINT OF BEGINNING;

Thence continuing South 89°49'33" East a distance of 14.60 feet to a point;

Thence South 45°11'37" East a distance of 106.74 feet to a point;

Thence South 00°33'41" East a distance of 208.00 feet to a point;

Thence North 89°49'33" West a distance of 89.60 feet to a point;

Thence North 00°33'41" West 283.00 feet to the TRUE POINT OF BEGINNING.

PARCEL NO.3:

A portion of property located at the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 6, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, also described in record of Survey Parkway Place, recorded in Book 6 of Surveys, pages 67 and 68, record of Yuma County, Arizona, more particularly described as follows:

COMMENCING at the North quarter corner of said Section 6 as described in said Record of Survey Parkway Place;

Thence North 89°49'33" West (record) along the Northline of said Northeast quarter of the Northeast quarter of the Northwest quarter a distance of 400.00 feet (record) to a point;

Thence South $00^{\circ}33'41''$ East (record) a distance of 80.00 feet (record) to a point lying on the Northwest corner of the parcel described in the said Record of Survey, also being the Northwest corner of real property described in Quitclaim Deed, recorded as Fee No. 2008-35474, YCR, point being the True Point of Beginning;

Thence South $89^{\circ}49'33''$ East (record) along a line that is parallel with and 80.00 feet South of the Northline of the said Northeast quarter of the Northeast quarter of the Northwest quarter, also being the North line of the real property described in the said Record of Survey and said Quitclaim Deed, a distance of 178.00 feet (record) to a point;

Thence South $45^{\circ}11'37''$ East (record) along the corner triangle a distance of 106.74 feet (record) to a point;

Thence North $00^{\circ}33'41''$ West (calculated) along a Northerly projection of the East line of said real property described in the said Record of Survey and Parcel 2 of the said Quitclaim Deed, a distance of 47.00 feet (calculated), more or less to a point;

Thence North $45^{\circ}11'37''$ West (calculated), a distance of 56.93 feet (calculated), more or less to a point lying 68.00 feet, more or less South of the North line of said Northeast quarter of the Northeast quarter of the Northwest quarter;

Thence North $89^{\circ}49'33''$ West (calculated) along a line that is parallel to and 68.00 feet South of the North line of said Northeast quarter of the Northeast quarter of the Northwest quarter, a distance of 212.76 feet (calculated), more or less to a point;

Thence South $00^{\circ}33'41''$ West (calculated), a distance of 12.00 feet (calculated), more or less to the True Point of Beginning.

EXHIBIT "A"

KAHUNA ESTATES SUBDIVISION
A PORTION OF THE NE 1/4 OF THE NE 1/4 OF THE NW 1/4 OF SECTION 6,
TOWNSHIP 09 SOUTH, RANGE 23 WEST, G.&S.R.B.&M., YUMA COUNTY, AZ
MARCH 2025 ACREAGE: 1.69 AC
FINAL PLAT



OWNER OF RECORD:

DEDICATION

ACKNOWLEDGMENT

KEYNOTES

LOT AREAS

TABLE F

TABLE G

TABLE H

TABLE I

TABLE J

TABLE K

TABLE L

TABLE M

TABLE N

TABLE O

TABLE P

TABLE Q

TABLE R

TABLE S

TABLE T

TABLE U

TABLE V

TABLE W

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TABLE Y

TABLE Z

TABLE AA

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APPROVALS

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VEGA & VEGA

LAND SURVEYORS

CERTIFICATE

STATE OF ARIZONA

YUMA COUNTY

SECTION 6

TOWNSHIP 9S

RANGE 23W

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