

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

125

MID#

Saguaro Unit Nos. 5 & 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: ~~100~~ 197-15-002

By: [Signature]

Name: Brian Hall

Title: Manager

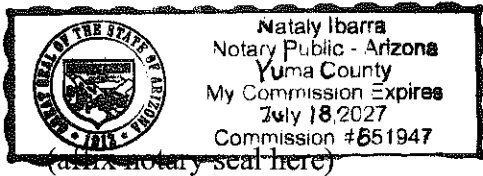
Address: 306-1 S. Ac B Yuma AZ 8536-1

Date: 4/26/24

(ACKNOWLEDGMENT)

STATE OF Arizona)
) ss.
COUNTY OF Yuma)

This instrument was acknowledged before me on April 26, 2024
by Brian Hall, as Manager of SD Development a(n) Yuma LLC
on behalf of the Yuma LLC.



[Signature]
Notary Public in and for the State of AZ

[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"

Saguaro Unit No. 5
LEGAL DESCRIPTION

That portion of the Southwest quarter 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 Southeast corner of the Southwest quarter of said Section 15;

Thence North $00^{\circ}12'54''$ West along the East line of the Southwest quarter of said Section 15 a distance of 1535.03 feet to the TRUE POINT OF BEGINNING;

Thence North $89^{\circ}52'43''$ West parallel with and 1535.00 feet northerly of the South line of the Southwest quarter of said Section 15 a distance of 793.35 feet;

Thence South $00^{\circ}07'17''$ West a distance of 156.00 feet;

Thence North $89^{\circ}52'43''$ West parallel with and 1379.00 feet northerly of the South line of the Southwest quarter of said Section 15 a distance of 431.00 feet;

Thence North $00^{\circ}07'17''$ East a distance of 156.00 feet;

Thence North $89^{\circ}52'43''$ West parallel with and 1535.00 feet northerly of the South line of the Southwest quarter of said Section 15 a distance of 134.00 feet;

Thence North $00^{\circ}07'17''$ East a distance of 1114.71 feet to a point on the North line of the Southwest quarter of said Section 15;

Thence North $89^{\circ}53'51''$ East along the North line of the Southwest quarter of said Section 15 a distance of 1351.79 feet to the Northeast corner of the Southwest quarter of said Section 15;

Thence South $00^{\circ}12'54''$ East along the East line of the Southwest quarter of said Section 15 a distance of 1120.01 feet to the TRUE POINT OF BEGINNING.

Aforementioned parcel contains approximately 36.3022 acres.

EXHIBIT "A"

Saguaro Unit No. 6
LEGAL DESCRIPTION

That portion of the Southwest quarter 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 Northwest corner of the Southwest quarter of said Section 15;

Thence North $89^{\circ}53'51''$ East along the North line of the Southwest quarter of said Section 15 a distance of 1299.59 feet;

Thence South $00^{\circ}07'17''$ West a distance of 1114.71 feet;

Thence North $89^{\circ}52'43''$ West parallel with and 1535.00 feet northerly of the South line of the Southwest quarter of said Section 15 a distance of 1293.59 feet to a point on the West line of the Southwest quarter of said Section 15;

Thence North $00^{\circ}11'16''$ West along the West line of the Southwest quarter of said Section 15 a distance of 1109.65 feet to the point of BEGINNING.

Aforementioned parcel contains approximately 33.1043 acres.

