

Order

Establishing the Alhambra Domestic Wastewater Improvement District

WHEREAS, a petition requesting the establishment of the Alhambra Domestic Wastewater Improvement District was presented to the Clerk of the Gila County Board of Supervisors on Wednesday, March 14, 2012; and

WHEREAS, the said petition was signed by one hundred percent of the persons owning real property located within the boundaries of the Alhambra Domestic Wastewater Improvement District; and

WHEREAS, the petitioners provided a copy of a record search that shows the names of the owners of all the property located within the boundaries of the Alhambra Domestic Wastewater Improvement District, pursuant to the provisions of Arizona Revised Statutes §48-905(C); and

WHEREAS, the public convenience, necessity and welfare will be promoted by the establishment of the Alhambra Domestic Wastewater Improvement District; and

WHEREAS, the property included within the boundaries of the Alhambra Domestic Wastewater Improvement District, as described in the petition, will be benefited by the acquisition of certain improvements within the district.

NOW, THEREFORE, It is Ordered as follows:

1. The Board of Supervisors finds that:
 - a. The petition requesting the establishment of the Alhambra Domestic Wastewater Improvement District conforms with all legal requirements relating to the formation of a domestic wastewater improvement district and the definition and establishment of the boundaries of a domestic wastewater improvement district.
 - b. The petition is signed by one hundred percent of the persons owning real property located within the boundaries of the Alhambra Domestic Wastewater Improvement District, as provided by Arizona Revised Statutes §48-905(C) and as set forth in Exhibit A.
 - c. The public convenience, necessity and welfare will be promoted by the establishment of the district and the property included within the Alhambra Domestic Wastewater Improvement District will be benefited thereby.
2. The district shall be known in all proceedings as the Alhambra Domestic Wastewater Improvement District.

3. The boundaries and map of the Alhambra Domestic Wastewater Improvement District shall be those set forth in Exhibits B and C, attached hereto and incorporated herein by reference.
4. By virtue of the authority set forth in Arizona Revised Statutes §48-905 the Alhambra Domestic Wastewater Improvement District is hereby established and formed, and shall be a body corporate with the powers of a municipal corporation for the purposes of carrying out the provisions of Title 48, Chapter 6, Article 1 of the Arizona Revised Statutes.
5. In accordance with Arizona Revised Statutes §48-915, the Alhambra Domestic Wastewater Improvement District is authorized to incur debt or expenses for property, materials, and services that are reasonably necessary for District purposes.
6. In accordance with Arizona Revised Statutes §48-1012 initially the Alhambra Domestic Wastewater Improvement District shall be governed by an appointed three-member board of directors until such time as a first election shall be held on the first Tuesday after the first Monday in November, 2012, which will be November 6, 2012, with subsequent elections being held in even-numbered years on the first Tuesday after the first Monday in November. The initial governing board of directors is appointed as follows:
 1. William G. Sturges
 2. Leah LaPine
 3. Nancy Sturges
7. On or before November 1, 2012, a request will be made to the Property Valuation Division of the Arizona State Department of Revenue, that the established Alhambra Domestic Wastewater Improvement District be approved for assessment and tax levy authority for the tax year beginning 2013.

ADOPTED This 22nd day of May, 2012, at Globe, Gila County, Arizona.

GILA COUNTY BOARD OF SUPERVISORS

Tommie C. Martin, Chairman, Board of Supervisors

ATTEST:

Marian Sheppard, Chief Deputy Clerk of the Board

APPROVED AS TO FORM:

Bryan B. Chambers, Chief Deputy County Attorney
for Daisy Flores, County Attorney

EXHIBIT A

FILED
GILA COUNTY ELECTIONS
2012 MAR 14 AM 9:21

**PETITION REQUESTING THE ESTABLISHMENT OF THE ALHAMBRA DOMESTIC
WASTEWATER IMPROVEMENT DISTRICT OF GILA COUNTY, ARIZONA**

The undersigned real property owners (Petitioners), as set forth in Exhibit A, hereby petition the Board of Supervisors of Gila County, Arizona (County), to enter its final order (Resolution) forming a wastewater improvement district acting pursuant to the provisions of Title 48, Chapter 6, Arizona Revised Statutes (A.R.S.), as amended (Improvement District Act).

1. Petitioners propose to organize a wastewater improvement district to be named "Alhambra Domestic Wastewater Improvement District" (District).
2. The proposed District boundaries within the County are delineated by legal description in Exhibit B and map in Exhibit C (Property).
3. The District is needed to construct, operate, and maintain a wastewater system and other local improvements within the Property. The formation of the District and the construction, operation, and maintenance of the improvements will promote public convenience, necessity and welfare. All of the Property will be benefited by these improvements, which are generally outlined in Exhibit D.
4. The District is not wholly or partially within: (1) the boundaries of an existing service territory of a public service corporation that provides domestic water or wastewater services as defined by a certificate of convenience and necessity issued by the Arizona Corporation Commission (Commission); or (2) the boundaries of a proposed service territory of public service corporation that provides domestic water or wastewater services as defined by an application for a certificate of convenience and necessity that is pending before the Commission or that has been considered by the Commission within one year before the date this petition is filed.
5. The District shall be a special purpose district and a municipal corporation for all applicable purposes. These purposes consist of, but are not limited to, the purposes prescribed in § 48-909(A)(6) as well as the related powers prescribed in A.R.S. § 48-909(B), and A.R.S. § 48-910.
6. Petitioners acknowledge that the formation of the District may result in the levy of ad valorem taxes, assessments, and other charges to pay the costs of improvements constructed or acquired by the District and for their operation and maintenance, and that the Property and its owners will be subject to the ordinances, resolutions, and other laws of the District. Petitioners also understand and consent that taxes may be levied on a square footage basis pursuant to A.R.S. § 48-955.
7. This Petition is signed by each and every owner of Property within the proposed District boundaries and a copy of a recent title search showing land ownership is attached hereto as Exhibit E.
8. Petitioners request that the Board of Supervisors determine that the District be governed by a board of directors composed of three members and that the following qualified electors of the District be appointed as the initial board of directors: (1) William G. Sturges; (2) Leah LaPine; and (3) Nancy Sturges.
9. Election dates shall be the county wide general election date of each even numbered year, beginning November 2012, and terms of the applicable class shall expire on December 31 following the election.
10. The Petitioners represent and understand that this Petition: (1) constitutes a binding obligation; (2) has been validly authorized and executed as verified in Exhibit F; (3) requests that the Board of Supervisors establish the District boundaries in accordance with Exhibit B; and (4) is signed by each and every landowner to be in the District, and such owners hereby waive any requirements of posting, publication, mailing, notice, and hearing otherwise required by the Improvement District Act in connection with the adoption of the Resolution; and therefore, the County may, on receipt of this Petition, declare and order the District formed and the directors designated without being required to comply with any such provisions for posting, publication, mailing, notice or hearing.

PLEASE INCLUDE YOUR NAME, ADDRESS AND PROPERTY INFORMATION. INDICATE THAT YOU ARE A PROPERTY OWNER AND SIGN ON THE SIGNATURE LINE.

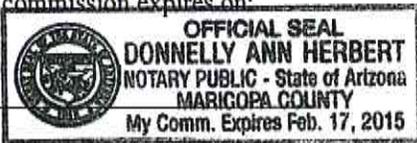
Name of Petitioning Landowner: Alhambra Mobile Home Park and Storage LLC
Land Owned by Petitioning Landowner: Land legally described in Exhibit B.
Percentage of Land Owned: 100%
Signature of Landowners' Authorized Representative:

William G Sturges
Owner of Alhambra Mobile Home Park and Storage, LLC
By William G. Sturges, Manager

Date: 2/10/12

Acknowledged before me this 10th day of February, 2012, by William G. Sturges, Managing Member of Alhambra Mobile Home Park and Storage LLC.

Donnelly Ann Herbert
Notary Public
My commission expires on:



PLEASE INCLUDE YOUR NAME, ADDRESS AND PROPERTY INFORMATION. INDICATE THAT YOU ARE A PROPERTY OWNER AND SIGN ON THE SIGNATURE LINE.

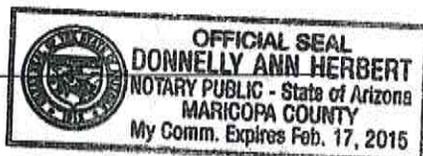
Name of Petitioning Landowner: Alhambra Mobile Home Park and Storage LLC
Land Owned by Petitioning Landowner: Land legally described in Exhibit B.
Percentage of Land Owned: 100%
Signature of Landowners' Authorized Representative:

Nancy H Sturges
Owner of Alhambra Mobile Home Park and Storage, LLC
By Nancy H. Sturges, Manager

Date: 2/10/12

Acknowledged before me this 10th day of February, 2012, by Nancy H. Sturges, Managing Member of Alhambra Mobile Home Park and Storage LLC.

Donnelly Ann Herbert
Notary Public
My commission expires on:



PLEASE INCLUDE YOUR NAME, ADDRESS AND PROPERTY INFORMATION. INDICATE THAT YOU ARE A PROPERTY OWNER AND SIGN ON THE SIGNATURE LINE.

Name of Petitioning Landowner: Alhambra Mobile Home Park and Storage LLC

Land Owned by Petitioning Landowner: Land legally described in Exhibit B.

Percentage of Land Owned: 100%

Signature of Landowners' Authorized Representative:



Date: 2/10/12

Owner of Alhambra Mobile Home Park and Storage, LLC
By Leah A. LaPine, Manager

Acknowledged before me this 10th day of February, 2012, by Leah A. LaPine, Managing Member of Alhambra Mobile Home Park and Storage LLC.



Notary Public

My commission expires on:

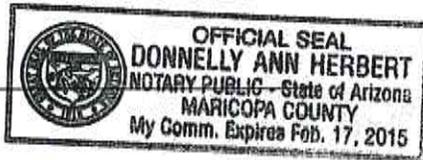


EXHIBIT B

PARCEL NO. 1

Lots 3 and 14, ALHAMBRA SUBDIVISION, according to Map No. 437, records of Gila County, Arizona.

PARCEL NO. 2

Tract B, ALHAMBRA SUBDIVISION, according to Map No. 437, records of Gila County, Arizona, including the area lying within the portion depicted on said map as lying South of Basham Road and South and East of East Monterey and North of the Southern Pacific Railway right of way.

EXCEPT for Lots 14, 15, 16 and 17 lying South of Basham Road.

PARCEL NO. 3

A well site being a portion of the Northwest quarter of Section 6, Township 1 South, Range 16 East of the Gila and Salt River Base and Meridian, Gila County, Arizona, more particularly described as follows:

BEGINNING at the Southwest corner of this parcel of land which bears South 73°57'30" East, a distance of 1228.13 feet from the Southwest corner of Section 35, Township 1 North, Range 15 ½ East;

THENCE North 07°05' West, a distance of 72.04 feet to the Northwest corner;

THENCE North 68°35' East, a distance of 71.83 feet to the Northeast corner;

THENCE South 27°25' East, a distance of 40.00 feet;

THENCE South 44°56'40" East, a distance of 21.83 feet;

THENCE South 07°05' East, a distance of 10.32 feet to the Southeast corner;

THENCE South 68°35' West, a distance of 100.00 feet to the Southwest corner, the Point of Beginning.

PARCEL NO. 4

A roadway to said well site described above being a portion of the Northwest quarter of Section 6, Township 1 South, Range 16 East of the Gila and Salt River Base and Meridian, Gila County, Arizona, more particularly described as follows:

BEGINNING at the Northwest corner of this parcel of land which bears South 77°33'40" East, a distance of 1286.93 feet from the Southwest corner of Section 35, Township 1 North, Range 15 ½ East;

THENCE North 68°35' East, a distance of 77.79 feet to the Northeast corner;

THENCE South 21°25' East, a distance of 20.00 feet to the Southeast corner;

THENCE South 68°35' West, a distance of 69.08 feet to the Southwest corner;

THENCE North 44°56'40" West, a distance of 21.83 feet to the Northwest corner, the Point of Beginning.

PARCEL NO. 5

All that certain piece or parcel of land situate and being a portion of the Northwest quarter of Section 6, Township 1 South, Range 16 East of the Gila and Salt River Base and Meridian, Gila County, Arizona, more particularly described as follows:

BEGINNING at the Southwest corner of this parcel which bears South 77°13'17" East, a distance of 1199.82 feet from the Southwest corner of Section 35, Township 1 North, Range 15 ½ East;

THENCE North 27°25' West, a distance of 60.00 feet to the Northwest corner;

THENCE North 68°35' East, a distance of 71.83 feet to the Northeast corner;

THENCE South 27°25' East, a distance of 60.00 feet to the Southeast corner;

THENCE South 68°35' West, a distance of 71.83 feet to the Southwest corner, the Point of Beginning.

PARCEL NO. 6

All that certain piece or parcel of land situate and being a portion of the Northwest quarter of Section 6, Township 1 South, Range 16 East of the Gila and Salt River Base and Meridian, Gila County, Arizona, more particularly described as follows:

BEGINNING at the Northwest corner of this parcel of land which bears South 51°09'30" East, a distance of 1106.20 feet from the Southwest corner of Section 35, Township 1 North, Range 15 ½ East;

THENCE North 86°49'19" East, a distance of 258.64 feet to the Northeast corner being a point on a 24°44'09" simple curve to the Southwest, concave Southeasterly, whose radius is 231.63 feet;

THENCE Southwesterly through a central angle of 28°55'51" , a distance of 116.96 feet to the P.T.;

THENCE South 04°03' East, a distance of 30.24 feet to the Southeast corner being a point on the Northerly right of way line of the Arizona Eastern Railroad;

THENCE South $86^{\circ}49'19''$ West, along said right of way line, a distance of 373.84 feet to the Southwest corner;

THENCE North $41^{\circ}39'31''$ East, a distance of 201.28 feet to the Northwest corner, the Point of Beginning.

EXHIBIT C



Scale: 1" = 100'
 0 50 100 150 200 250

APN	ACREAGE
205-27-084A	0.89
205-27-084A	9.33
205-27-085A	0.51
205-27-085B	0.13
205-27-088K	1.05
TOTAL: 11.91	

