

RESOLUTION NO. 10370

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, APPROVING THE ASSESSMENTS FOR THE ELLIOT ROAD IMPROVEMENTS, LOCATED ON ELLIOT ROAD FROM SIGNAL BUTTE ROAD AND CONTINUING WEST APPROXIMATELY 1,600 FEET; STREET ASSESSMENT PROJECT NO. C10601 (10-601-002).

WHEREAS, in Resolution No. 10014, the City Council ordered that portions of Elliot Road (Elliot Road from Signal Butte Road and continuing west approximately 1,600 feet) be improved with street improvements including pavement, curb, gutter, sidewalks, and storm drainage improvements (collectively, the "Elliot Road Improvements"), and authorized the assessment of cost for the Elliot Road Improvements to the adjacent properties at the time the properties develop as permitted in A.R.S. § 9-243(B); and

WHEREAS, the City has now completed the Elliot Road Improvements and the Superintendent of Streets of the City of Mesa, Maricopa County, State of Arizona, pursuant to the provisions of Resolution No. 10014, has prepared, for Council approval, the final assessments for all properties described in Resolution No. 10014; and

WHEREAS, the 9<sup>th</sup> day of December, 2013, was fixed for the hearing on said assessment by Resolution of the City Council of the City of Mesa; and

WHEREAS, notice thereof has been given as required by law and by Resolution No. 10014; and

WHEREAS, the City Council hereby orders that the total costs and expenses of the Elliot Road Improvements are to be assessed upon each of the several pieces, parcels, lots, portions of lots and parcels of land included within the assessment district as is set forth in the Assessment Warrant attached herein as "Exhibit A"; and the City Council finds that this assessment is in proportion to the benefits received by each of the pieces, parcels, lots, portions of lots and parcels of land and that

none of the respective pieces, parcels, lots, portions of lots and parcels of land will be assessed in excess of the benefits to be derived from the improvements by such respective pieces, parcels, lots, portion of lots and parcels of land; and

WHEREAS, the assessment in all respect complies with the laws providing for such assessments and under which the improvement was ordered.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, as follows:

Section 1: That the assessment as set forth in the Assessment Warrant shall be assessed upon Maricopa County Assessor's Parcel Number: 304-01-006F by the Superintendent of Streets, and the assessment is hereby confirmed and approved in the amounts shown on the Assessment Warrant attached herein as "Exhibit A".

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 9<sup>th</sup> day of December, 2013.

APPROVED:



\_\_\_\_\_  
Mayor

ATTEST:



City Clerk



**EXHIBIT A**

**ASSESSMENT WARRANT  
FOR  
ELLIOT ROAD  
ASSESSMENT PROJECT NO. C10601 (10-601-002)**

In the matter of street improvements along ELLIOT ROAD, FROM SIGNAL BUTTE ROAD TO THE WEST 1,600 FEET; the following costs were incurred:

**SUMMARY OF COST:**

Achen Gardner Construction, LLC. (Final Contract Amount)	\$4,484,541.72
Total Project Costs	<u>\$4,484,541.72</u>
Less:	
City Share of Project Costs	\$4,355,328.33
Total Cost Assessed	<b>\$129,213.39</b>

**The following parcels have been assessed as follows:**

**Assessment No. 1 / Assessment Amount: \$129,213.39**

**Maricopa County Assessor's Parcel Number: 304-01-006F**

The South 250 feet of the North half of Section 11, Township 1 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, except the West 55.00 feet and except the east 40.00 feet thereof;

Together with the South half of the Southeast quarter of Section 11, Township 1 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, except that portion conveyed in document 1996-0853735 (304-01-009Y); and except the east 40.00 feet and the south 40.00 feet thereof; and except that portion conveyed in document 2010-0913856.

Together with the Southwest quarter of Section 11, Township 1 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, except that portion conveyed in document 1999-0604317 (304-01-006D); and except the west 55.00 feet thereof.

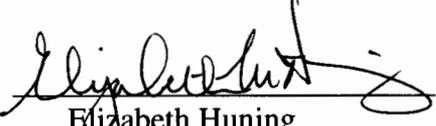
"By virtue hereof, I, ELIZABETH HUNING, Superintendent of Streets of the City of Mesa, Maricopa County, Arizona, by authority vested in me pursuant to the provisions of A.R.S. Section 9-243, and by Resolution No. 10014 of the City of Mesa do hereby assess upon the property described in the foregoing assessment the amounts designated therein, and do declare that the total amount assessed for these improvements as described in this Resolution is not greater than the actual expense incurred by the City of Mesa and complies with the limitations in A.R.S. 9-243(B)(1) and (2)."

I, also hereby certify that the assessments and assessment diagram have been filed in the office of the Superintendent of Streets, and a duplicate original of the assessment shall be recorded in the office of the Maricopa County Recorder after the Mesa City Council approves this Assessment Warrant, and when so recorded, the several amounts assessed shall be a lien upon the lots assessed for ten (10) years from the date of recording this Assessment Warrant with the Maricopa County Recorder's Office and such recording shall be notice to all person(s) interested in such lots.

Date: December 9, 2013

Countersigned by: \_\_\_\_\_

  
Scott Smith  
Mayor

  
Elizabeth Huning  
City Engineer  
Superintendent of Streets