RESOLUTION 26-2016

A RESOLUTION OF THE MAYOR AND COUNCIL FOR THE CITY OF BENSON, ARIZONA, CONSENTING TO THE EXPANSION OF THE SAN PEDRO DOMESTIC WATER IMPROVEMENT DISTRICT.

WHEREAS, the San Pedro Domestic Water Improvement District ("District") is an Arizona political subdivision, formed to provide domestic water to landowners within its boundaries; and

WHEREAS, the District's current boundaries is set forth in Attachment 1 hereto; and

WHEREAS, the District wants to expand its boundaries to include 5 non-contiguous lands – commonly referred to as Benson Farm, Los Ranchitos, Benson Frontage, Fenner Estates, and Skov Estates – located on Attachment 2 hereto; and

WHEREAS, the District's proposed expanded boundaries – discussed directly above – are located within 6 miles of the City of Benson; and

WHEREAS, A.R.S. §48-902(G) requires the City of Benson to consent to the District's above-discussed proposed extended boundaries; and

WHEREAS, the Mayor and Council of the City of Benson do not object to the District expanding its boundaries to include 5 other non-contiguous lands – commonly referred to as Benson Farm, Los Ranchitos, Benson Frontage, Fenner Estates, and Skov Estates – as those 5 non-contiguous lands are located on Exhibit 2 to this Resolution.

NOW THEREFORE, BE IT RESOLVED by the City of Benson Mayor and Council that the City of Benson hereby consents to the District expanding its boundaries to include 5 other non-contiguous lands – commonly referred to as Benson Farm, Los Ranchitos, Benson Frontage, Fenner Estates, and Skov Estates – as those non-contiguous lands are located on Exhibit 2 to this Resolution.

BE IT FURTHER RESOLVED that the City's officers and staff are authorized to take all steps necessary and proper to implement this Resolution and carry out its intents and purposes.

PASSED AND ADOPTED by the Mayor and Council of the City of Benson, Arizona, this 11th day of July, 2016.

Toney King, Sr., Mayor

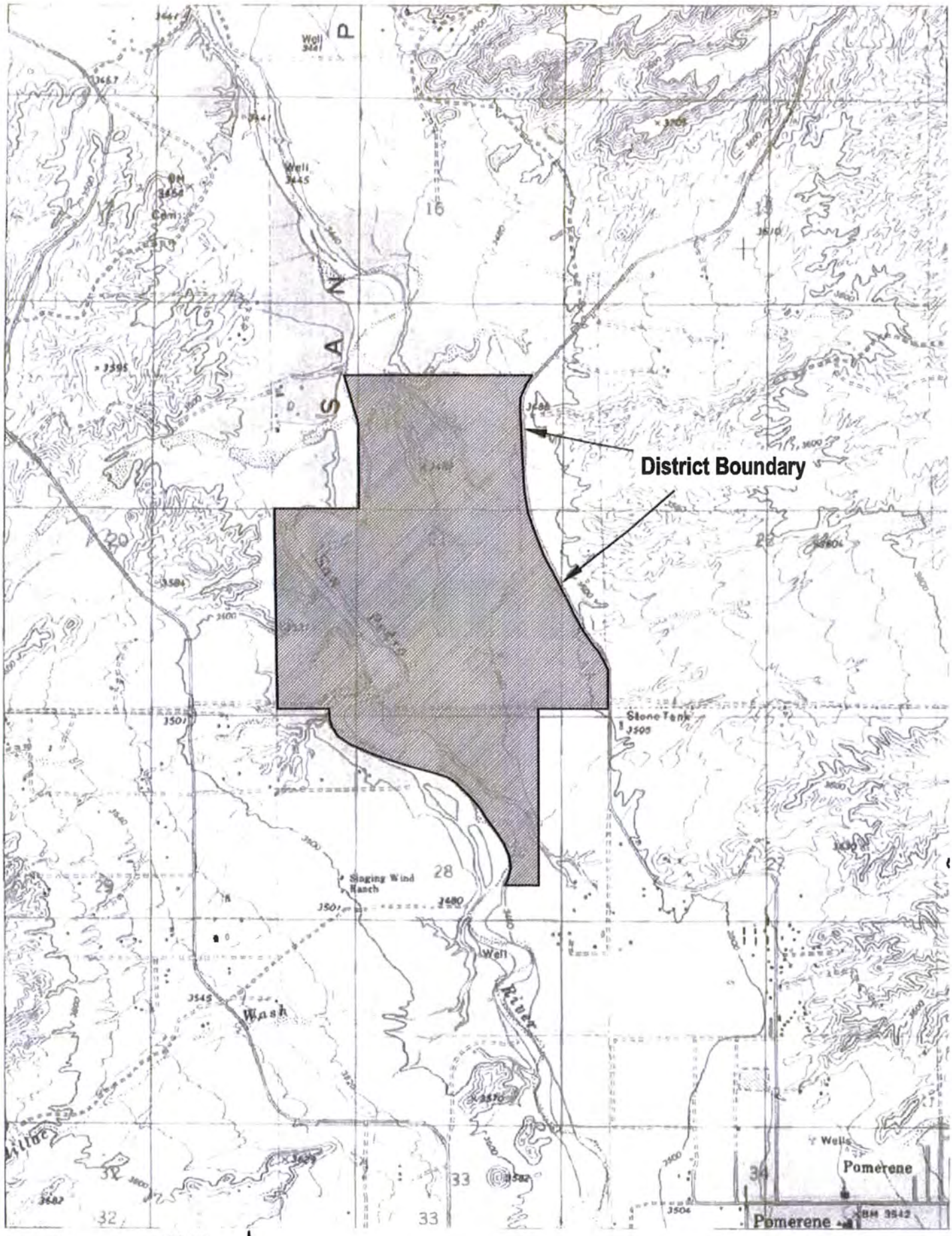
ATTEST:

Vicki L. Vivian, CMC, City Clerk

APPROVED AS TO FORM:

Mesch Clark Rothschild
City Attorneys, by Gary J. Cohen

Attachment 1



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Scale - Feet

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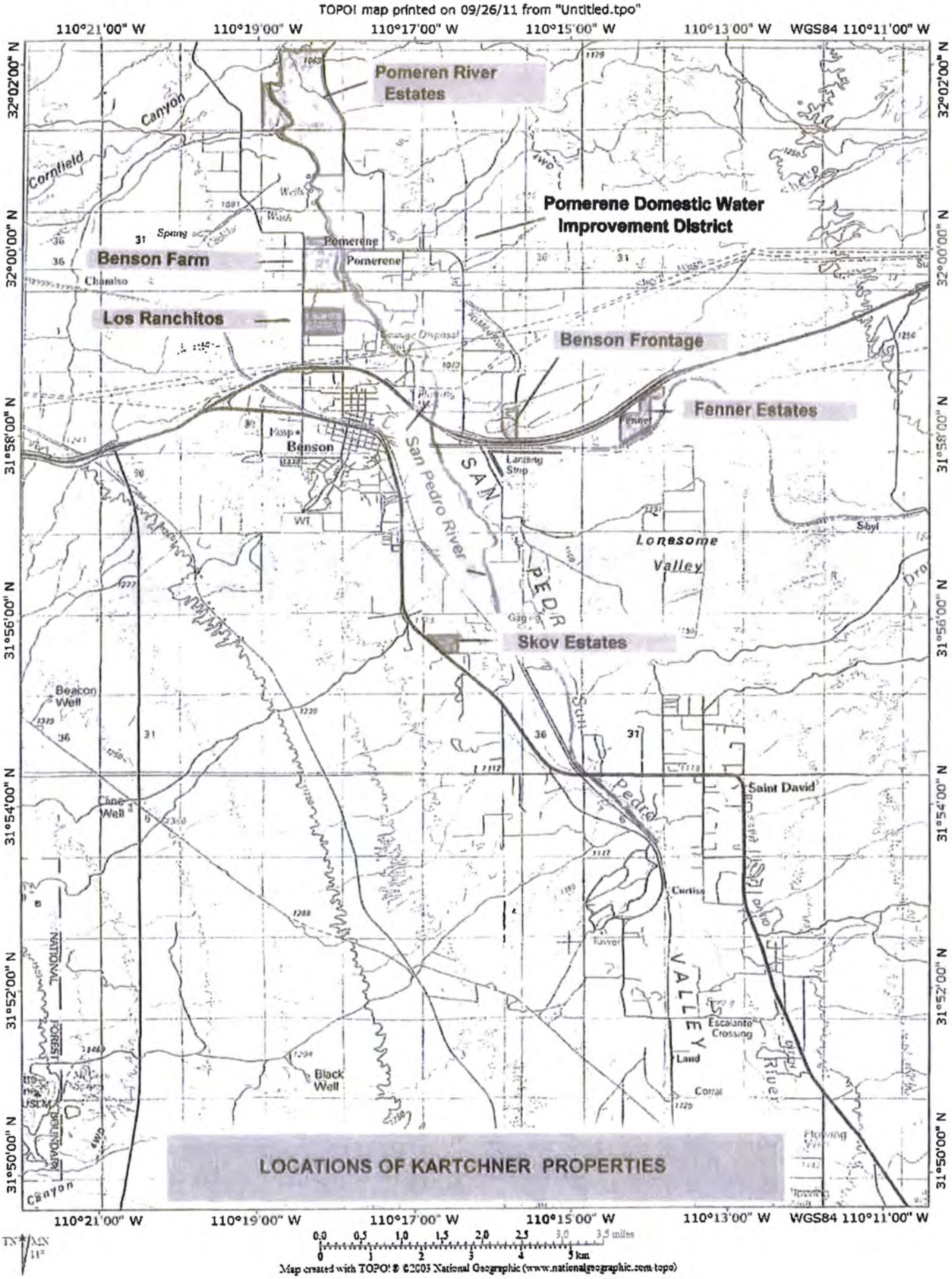
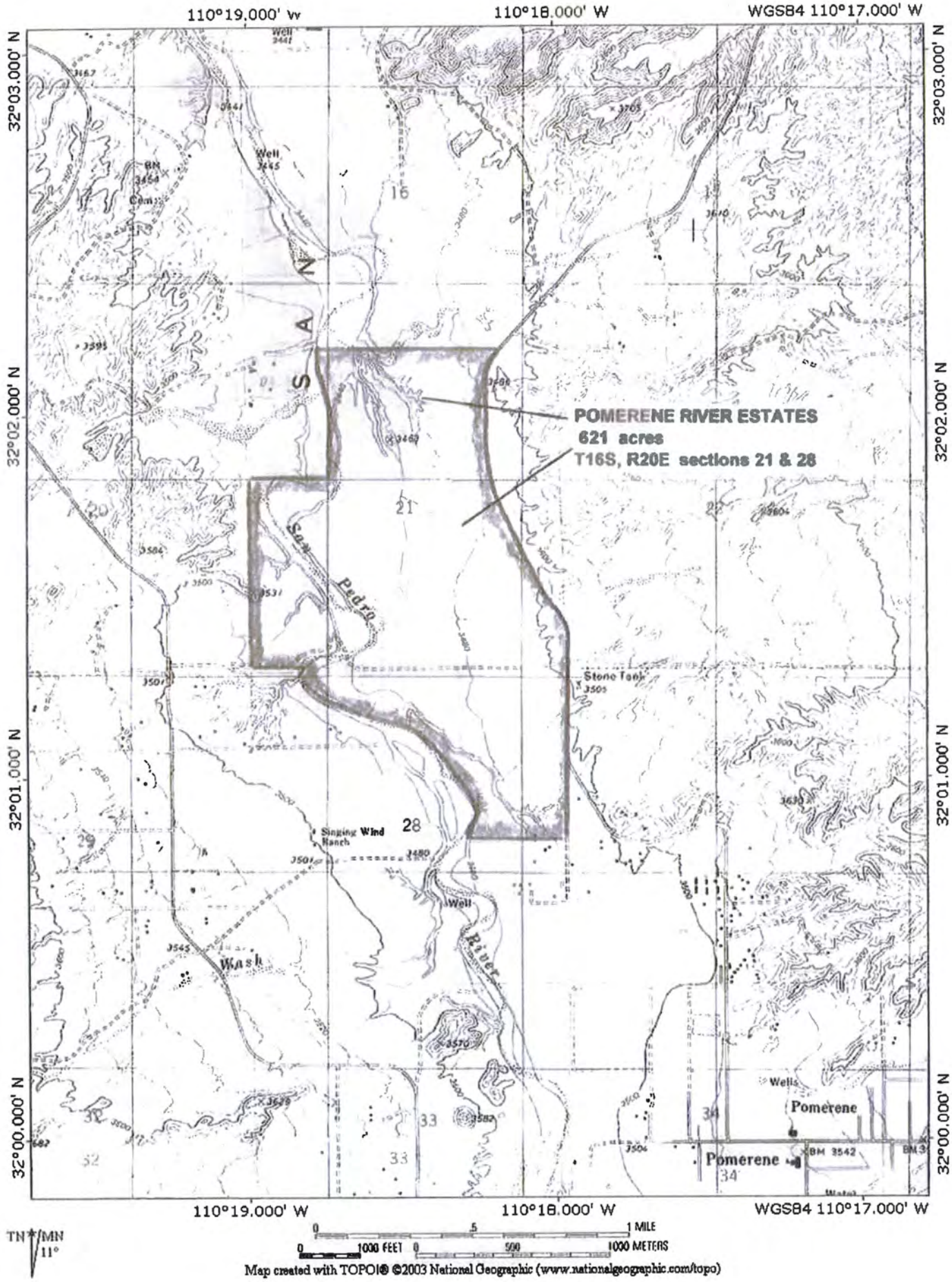
San Pedro Domestic Water Improvement District

Attachment 2

TOPO! map printed on 09/26/11 from "Untitled.tpo"



Map created with TOPO! © ©2003 National Geographic (www.nationalgeographic.com/topo)



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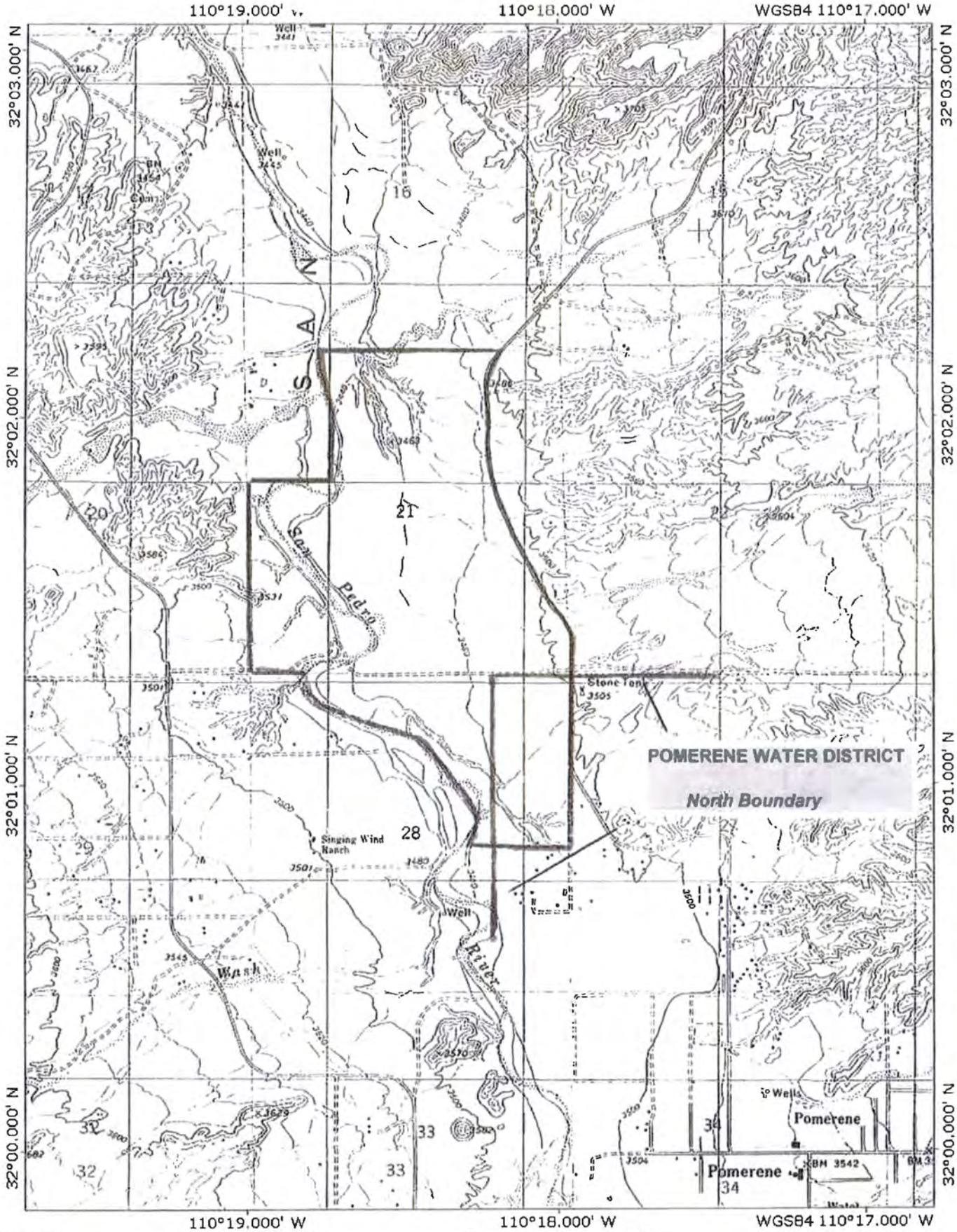

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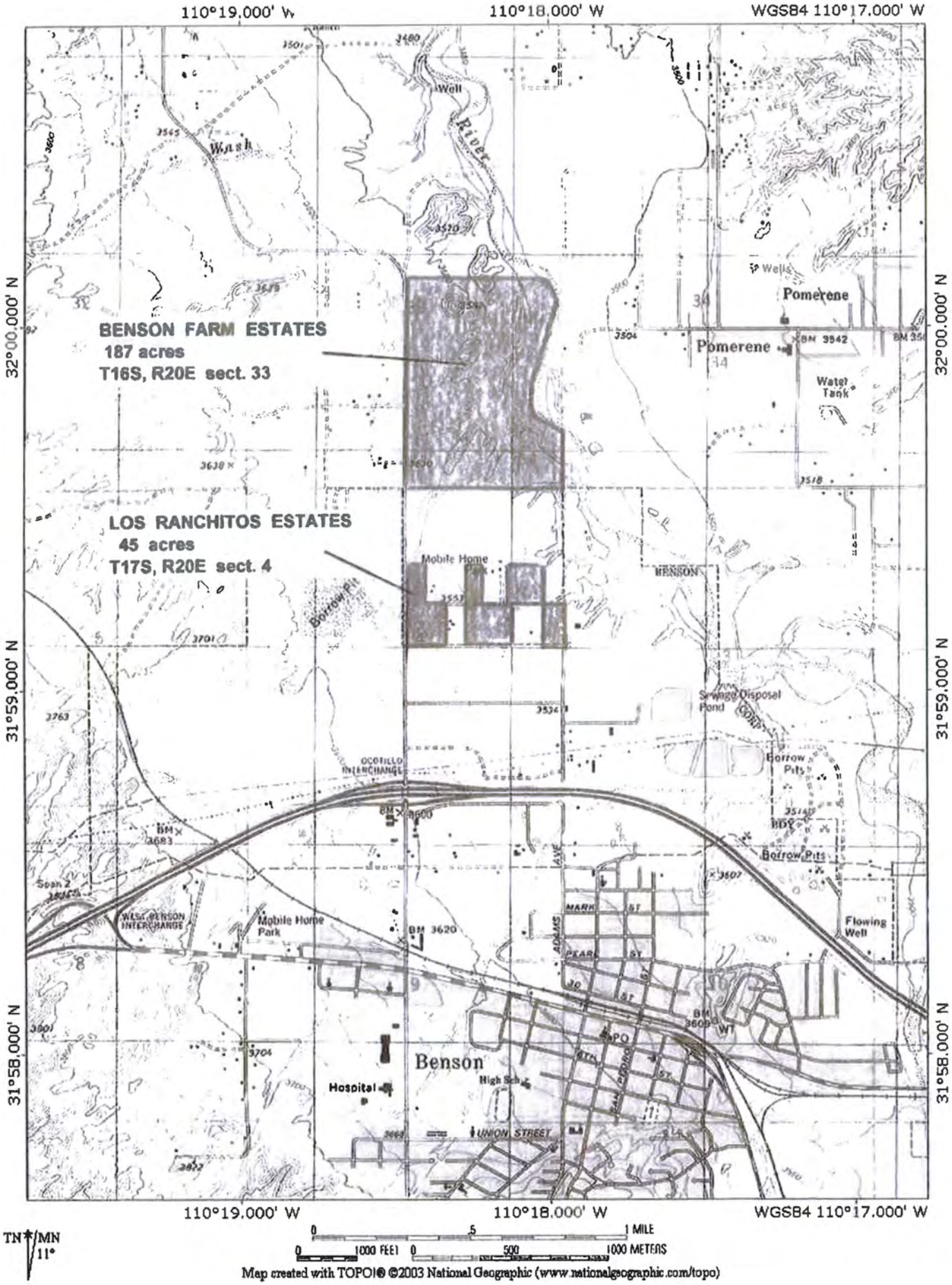

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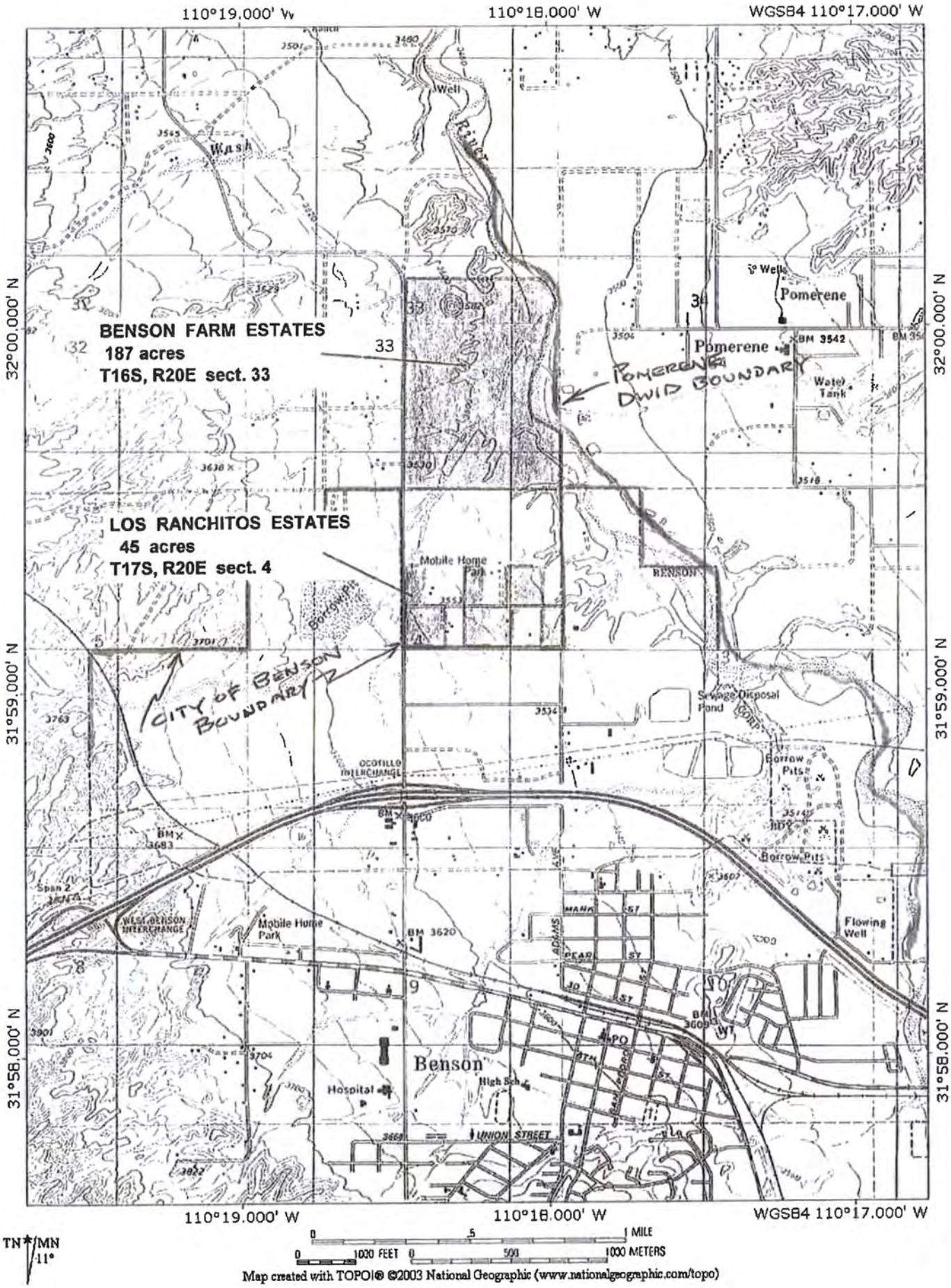

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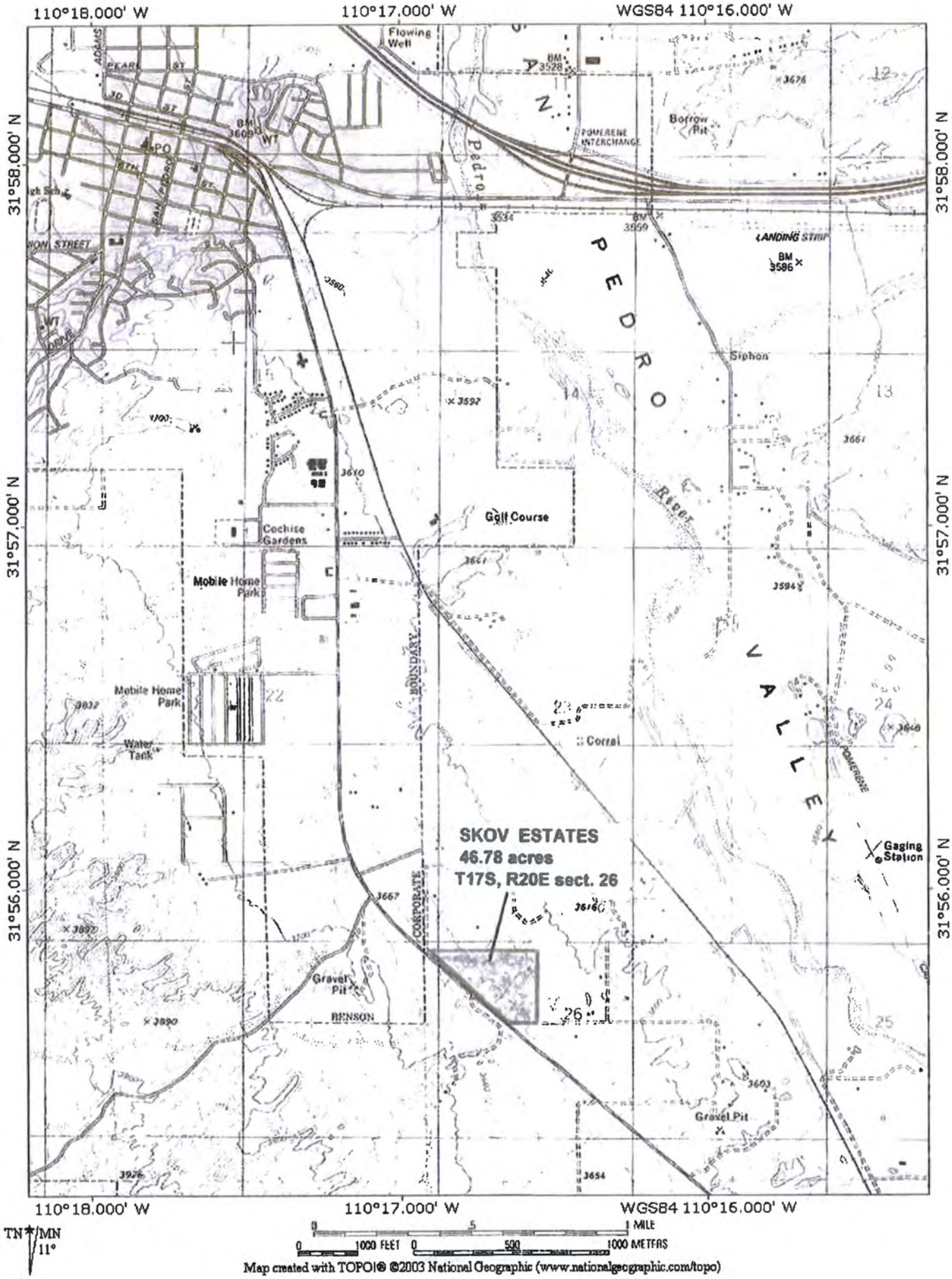

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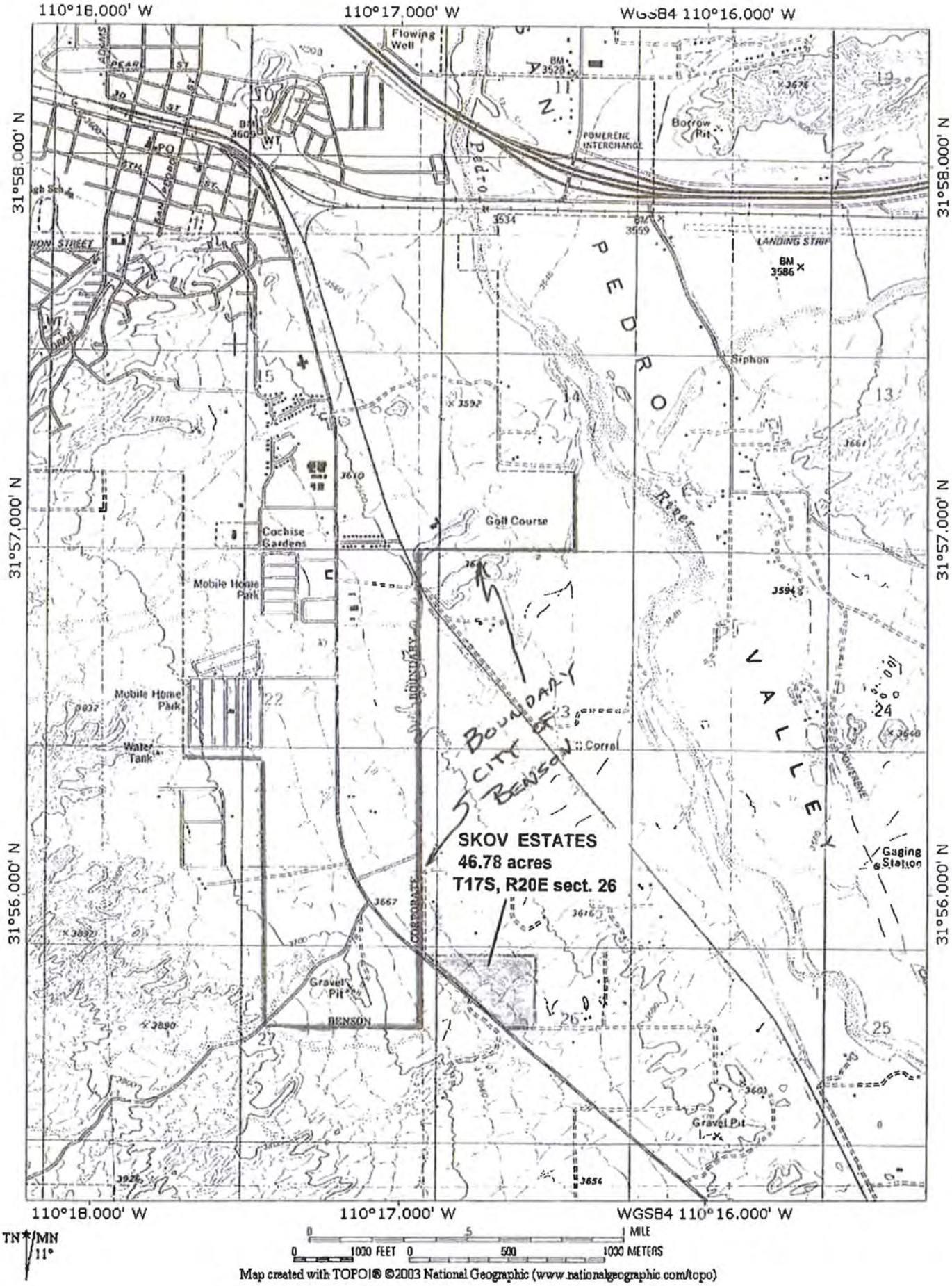

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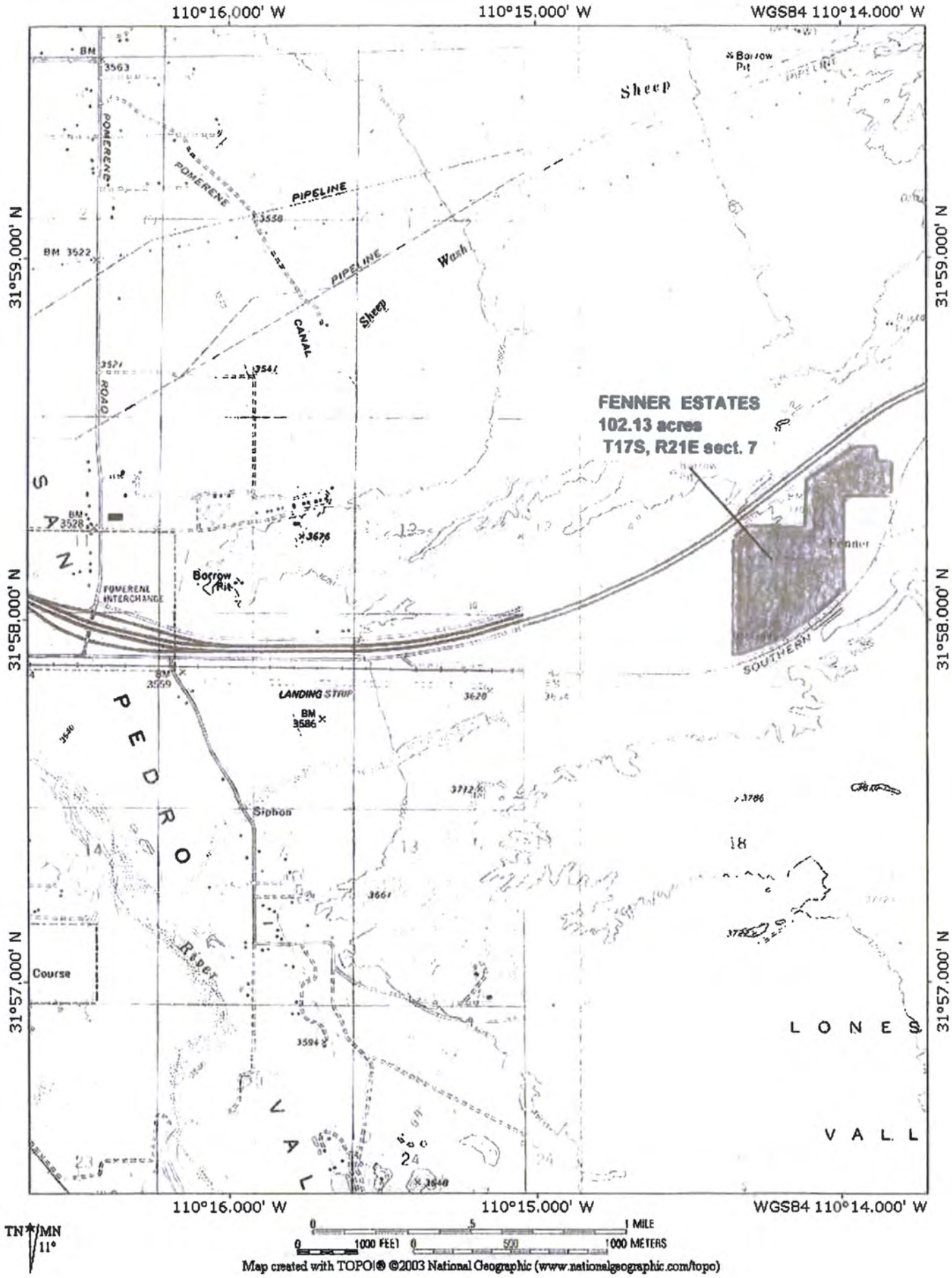

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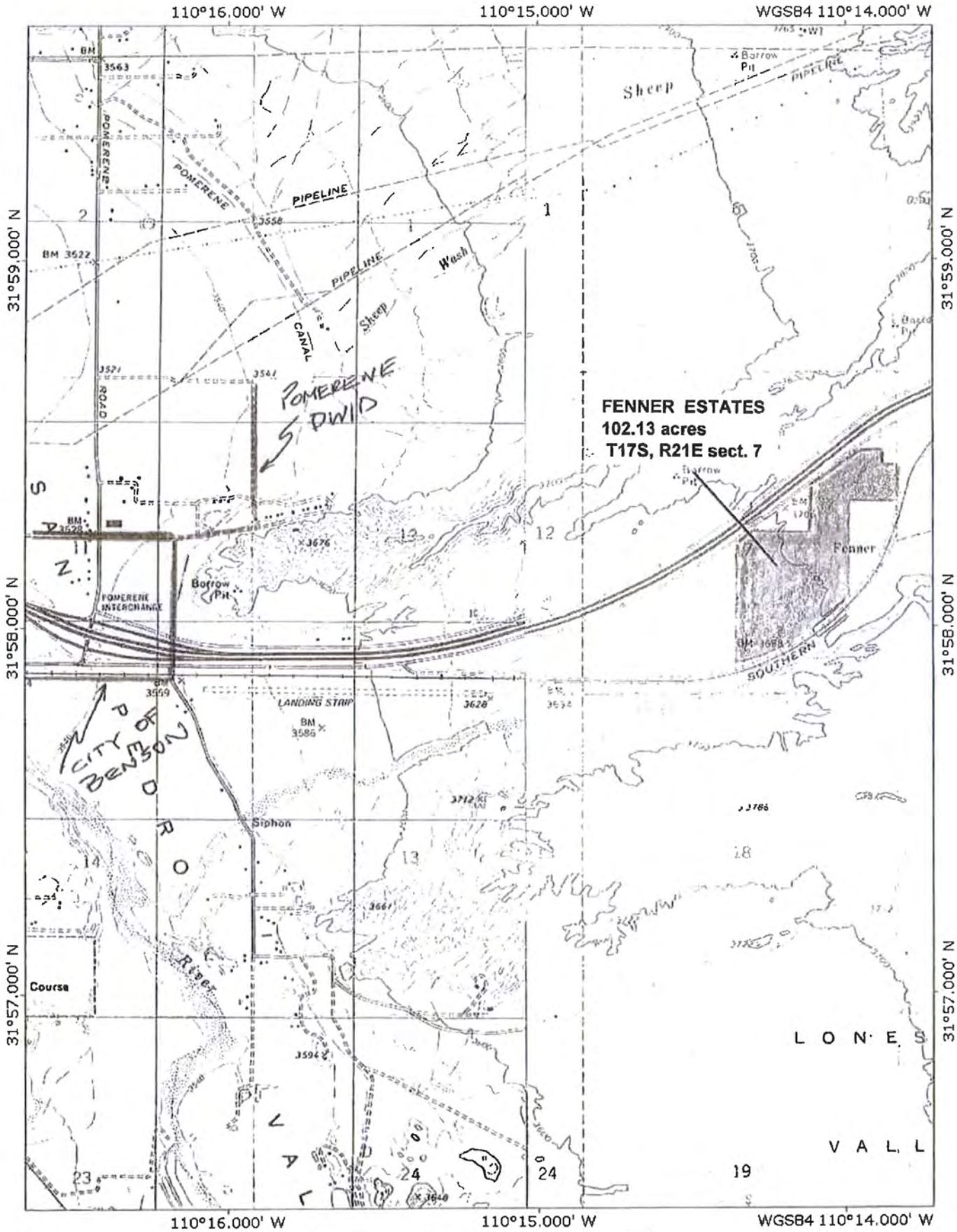

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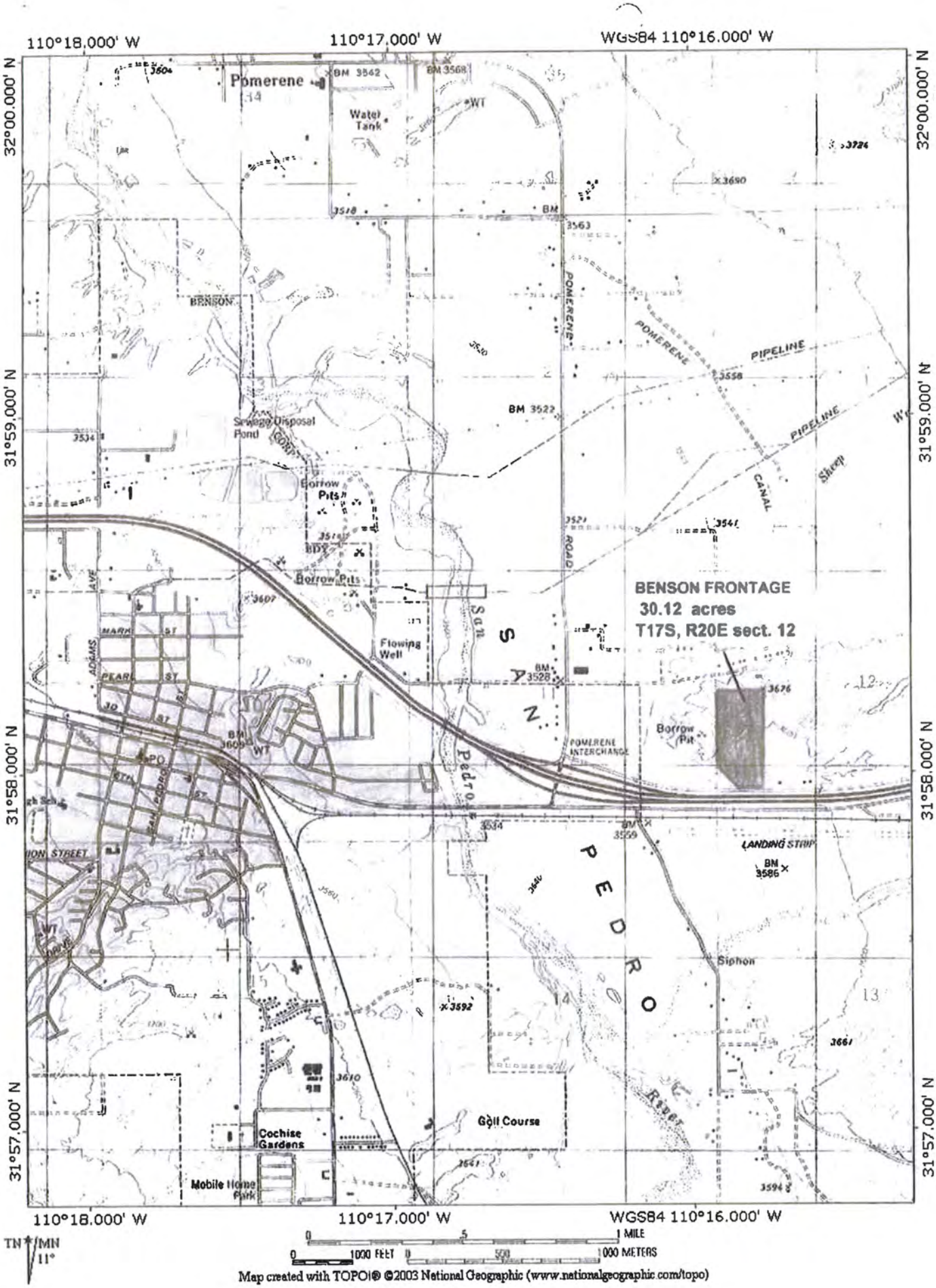

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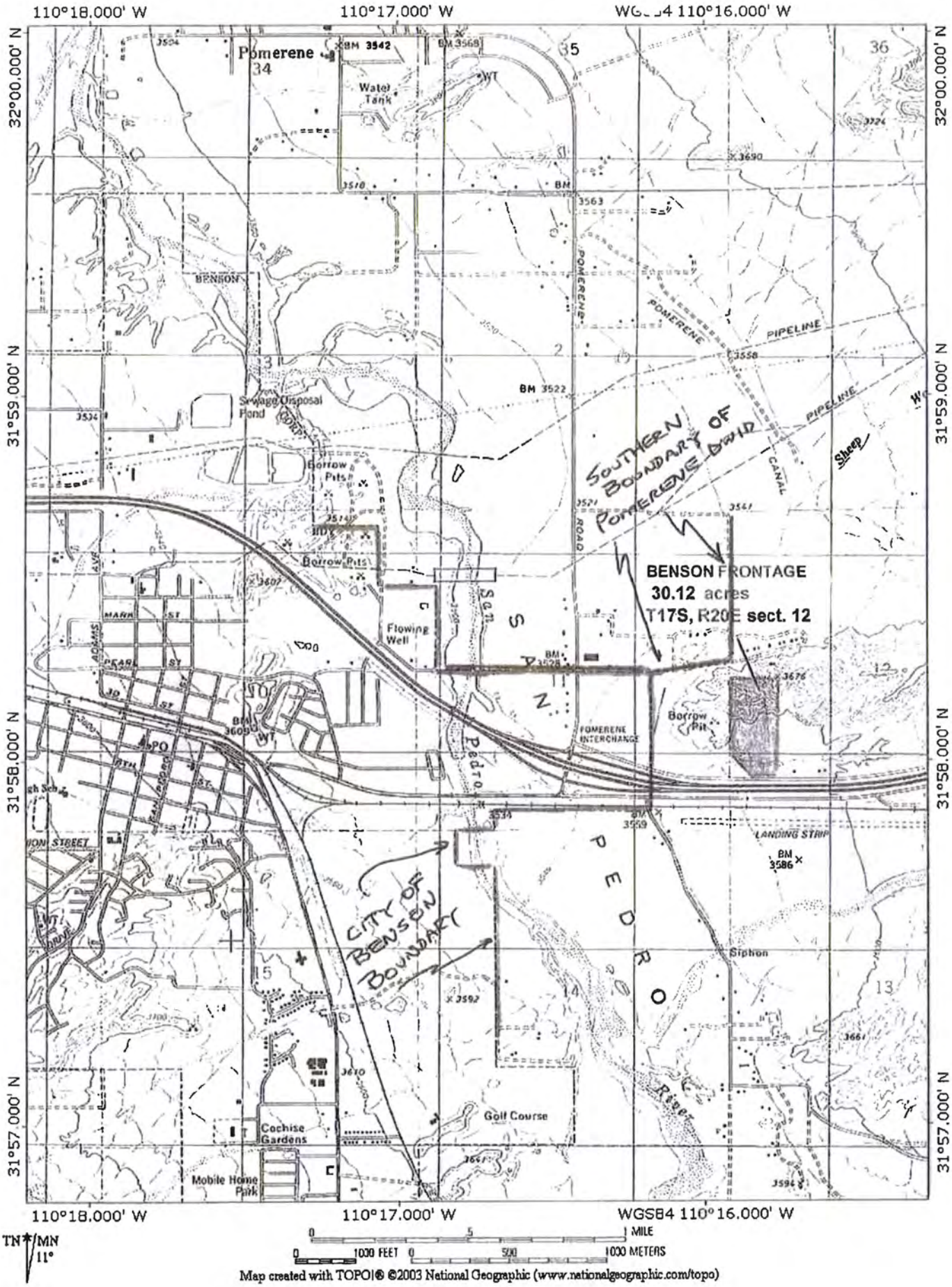

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Moyes Sellers & Hendricks

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1850 N. Central Avenue, Suite1100 • Phoenix, AZ 85004 • fax 602.274.9135

June 10, 2016

VIA ELECTRONIC MAIL

Vicki Vivian, City Clerk
City of Benson
120 W. 6th Street
PO Box 2223
Benson, AZ 85602

Re: Request for Agenda Item

Dear Ms. Vivian:

The purpose of this letter is to request that the City Council of Benson ("Council") consent to the expansion of the San Pedro Domestic Water Improvement District ("District"). The District requests this matter be set for Council consideration as soon as practical.

As you know, the District is a political subdivision of the State of Arizona formed to provide domestic water to landowners. A map of the District's current boundaries is set forth in Attachment 1. Recently, the Kartchner family has requested that certain other noncontiguous lands be included in the District. These areas are commonly referred to as Benson Farm, Los Ranchitos, Benson Frontage, Fenner Estates, and Skov Estates. Maps of these lands proposed for inclusion into the District are set forth in Attachment 2. A.R.S. § 48-902(G) states if the proposed boundaries of a noncontiguous district are located within six miles of an incorporated city or town, then the district needs to seek the consent of that city or town before expanding its boundaries. As shown on the attached maps, the proposed expansion areas are within six miles of the City's boundaries. Therefore, the District is requesting the City's consent to the proposed expansion.

The District is prepared to address any questions or concerns City staff or Council may raise. Please direct any communication to me at your convenience. Further, please let me know as soon as possible when the matter will be set for Council deliberation.

The District appreciates your consideration of this matter. If you have any questions or concerns, feel free to call me.

Respectfully,

Steve Wene

Steve Wene