3-19 cc assessor

RESOLUTION NO. 21-86

BOARD OF SUPERVISORS
NAVAJO COUNTY

RESOLUTION ACCEPTING THE PETITIONS FOR THE ANNEXATION OF PROPERTY TO THE PINETOP-LAKESIDE SANITARY DISTRICT, APPROVING BOND, AND SETTING A HEARING ON THE QUESTION OF BENEFIT TO ALL PROPERTY INCLUDED IN THE PROPOSED ANNEXATION TO THE PINETOP-LAKESIDE SANITARY DISTRICT AND CALLING AN ELECTION THEREON

WHEREAS, a certain Petition bearing the signatures of at least twenty-five taxpayers within the proposed area to be annexed to the Pinetop-Lakeside Sanitary District has been filed with the Board of Supervisors of Navajo County pursuant to Arizona Revised Statutes, Chapter 14, Title 48, requesting that the Board of Supervisors fix a time for a hearing pursuant to Arizona Revised Statutes Section 48-2003 on the question of the benefit conferred upon the property annexed; and

WHEREAS, accompanying said Petition is a Bond in the amount of FIVE HUNDRED DOLLARS ($500.00) conditioned upon the payment to the County of all expenses incurred by this Board in the proceedings, involved up to the time of the Board ordering the election, and

WHEREAS, said Petition further requests that the Board of Supervisors call an election of the qualified voters within the territory proposed to be added to the Pinetop-Lakeside Sanitary District (the "District") pursuant to Arizona Revised Statutes Section 48-2003, to vote upon the question of whether the territory should be added to the District, and

WHEREAS, the Board of Supervisors of Navajo County having determined that the Petition meets all legal requirements and is signed by the requisite number of taxpayers; and

NOW, THEREFORE, it is resolved, determined and ordered as this:

1. That the Petition is signed by twenty-five (25) or more taxpayers within the proposed addition to the District.

2. The Bond is approved as good and sufficient.

3. Tuesday, the 22nd day of April, 1986, at the hour of 11:00 A.M., said day being not fewer than thirty (30) days from the date the Petition was filed in the Supervisors Chambers, Navajo County, Holbrook, Arizona, is hereby fixed as the time and place when and where this Board will hear all matters relating to the annexation of territory to the Pinetop-Lakeside Sanitary District and when and where all interested property owners may appear and be heard, and any person or persons may appear and show cause, if any there may be, why the prayer of the Petitioners' should not be granted, or why any territory should be excluded from said proposed annexation to the Pinetop-Lakeside Sanitary District, or other territory included therein. All written objections to the annexation shall have been filed with the Clerk of this Board before the date set for hearing.

4. The Clerk shall cause a notice, signed by her, attached hereto as Exhibit A, announcing the hearing and setting forth the boundaries of the proposed District to be published twice, one week apart, in a newspaper of general circulation published in Navajo County, Arizona, the first of which shall be not less than ten (10) days prior to the date of the hearing , and to be posted pursuant to Arizona Revised Statutes Sec. 48-2005 in three public places within the area to be annexed not less than ten (10) days prior to the date of the hearing and to be mailed, by first-class mail to the Arizona Department of Health Services.

5. The Board of Supervisors shall, upon conclusion of said hearing, determine if any territory should be deleted from or added to the boundaries of the proposed area to be annexed to the District and shall confirm the boundaries of the territory to be annexed for purposes of the election hereafter called, said election to be held in the manner and at the place and time set forth hereafter.

6. The petition requesting the call for the election is good and lawful.

7. The public health, comfort, convenience, necessity or welfare will be promoted by the annexation.

8. The area proposed to be annexed is described in Exhibit B, attached hereto and incorporated herein by reference, subject to any alterations at the hearing described in paragraph 3 above.

9. That an election be held on Tuesday, June 3, 1986, on the question of adding territory to the Pinetop-Lakeside Sanitary District, as shown on the attached legal description and map.

10. The poll shall be located at the Pinetop Lakes Recreation Center, Pinetop Lakes, Arizona.

11. The poll shall be open from 6:00 p.m. to 7:00 p.m.

12. The Election Board for Coconino County will consist of the following persons:

INSPECTOR: Ben Ferguson
JUDGE: Pete Matz
CLERK: Craig Stephenson

13. The form of the ballot shall be substantially the same as that shown on Exhibit C, attached hereto and incorporated herein by reference.

14. That the special annexation election shall be held, conducted and canvassed in conformity with the provisions of the general election laws of the State of Arizona, except as otherwise provided by law, and only persons who are qualified electors of the area to be annexed to the Pinetop-Lakeside Sanitary District shall be permitted to vote at the special bond election. A qualified elector is one who is a resident within the area to be annexed, and whose name appears on the general register of voters for the last preceding general State and County election and who has not been cancelled out for failure to vote, or a person who voted in the last preceding general election for presidential electors only and has subsequently met the residency requirements for voting in all elections, or a person who has registered on or before the day of the special election, shall, if otherwise qualified, be entitled to vote in this special annexation election.

15. The Clerk of the Board of Supervisors shall execute the Notice of Election, attached hereto as Exhibit D.

16. The Notice shall be published three times in a newspaper published in Navajo County and of general circulation within the area to be annexed to the District. The publications shall be one week apart and the first publicaiton shall be not less than ten (10) days prior to the date of the election. In addition, the Notice shall be posted in three public places within the area to be annexed and at the front door of the the County Courthouse, at least ten days before the election. The Notice shall be printed in English and Spanish.

17. The results of the election will be canvassed by the Board of Supervisors of Navajo County pursuant to Arizona Revised Statutes Section 48-2003. The canvass by the Board of Supervisors will be conducted on Tuesday, June 10, 1986 at the hour of _____ __.m. at the office of the the Board of Supervisors, Holbrook, Arizona.

18. The Pinetop-Lakeside Sanitary District is authorized, at its expense, to prepare the documentation necessary to conduct the election, and to administer the conduct of said election.

19. The County Attorney is authorized and requested to execute the letter to the U.S. Department of Justice requesting a preclearance for this election pursuant to Section 5 of the United States Voting Rights Act of 1965, as amended.

20. For the purposes of this election the entire proposed area to be annexed to the Pinetop-Lakeside Sanitary District shall constitute the election precinct.

Adopted this 18th day of March, 1986.

BOARD OF SUPERVISORS OF NAVAJO COUNTY

ATTEST:

BY: _____

DZ6/ResAcc

CERTIFICATION

I, Sharon R. Keene, the duly qualified Clerk of the Board of Supervisors of Navajo County, Arizona do hereby certify that the foregoing is a full, true, and correct copy of the Resolution duly passed and adopted by said Board on the 18 day of March, 1986, as the same appears in the files and records of this office of the Board of Supervisors of Navajo County, Arizona.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Board this 18 day of March, 1986.

Sharon R. Keene
Clerk of the Board of Supervisors
Navajo County, Arizona

DZ6/Certif
3/18/86

BOND

Bond given by R Craig Stephenson on the 18th day of March, 1986.

WHEREAS, pursuant to Arizona Revised Statutes 48-2001, et seq., a Petition has been filed before the Board of Supervisors, Navajo County, State of Arizona for the annexation of Territory to a Sanitary District; and

WHEREAS, Arizona Revised Statutes Sec. 48-2004 requires the Petitioners to post a bond.

The undersigned, on behalf of the Petitioners, is bound to Navajo county, Arizona in the Sum of Five Hundred Dollars ($500.00) for the payment of which he firmly binds himself.

The condition of this obligation is that upon final order of the Board of Supervisors denying the annexation of territory to the Pinetop-Lakeside Sanitary District, the Bond shall be forfeited or returned as directed by the Board of Supervisors pursuant to Arizona Revised Statutes Section 48-2004. No claims shall be levied against the Bond prior to the entry of the Order by the Board.

IN WITNESS WHEREOF the undersigned has executed this Bond.

DATED this 18th day of March, 1986.

R Craig Stephenson

STATE OF ARIZONA)
) SS.
County of Navajo)

SUBSCRIBED AND SWORN TO before me this 18 day of March, 1986.

John [illegible]
Notary Public

My Commission Expires:
January 20, 1989

DZ6/Bond
3/18/86

NOTICE OF HEARING

NOTICE OF HEARING ON THE QUESTION OF BENEFIT TO ALL PROPERTY WITHIN THE PROPOSED ADDITION TO THE PINETOP-LAKESIDE SANITRY DISTRICT

NOTICE IS HEREBY GIVEN that a Petition has been filed with the Board of Supervisors of Navajo County, Arizona requesting the addition of territory to the Pinetop-Lakeside Sanitary District pursuant to the provisions of Article I, Chapter 14, Title 48 Arizona Revised Statutes as shown in Exhibit "A" attached hereto and incorporated herein by reference.

Please take notice that the Board of Supervisors of Navajo County will hold a public hearing on said Petition at the office of the Board of Supervisors in Holbrook, Arizona on the 22nd day of April, 1986 at the hour of 11 o'clock A.M. All interested persons and property owners may appear and be heard on any matter relating to the proposed addition to the District or the deletion of property from the proposed addition to the District if the Board finds that their property will not be benefited by the addition to the District. Any person wishing to object to the addition to the District may, before the date set for the hearing, file objections with the Clerk of the Board of Supervisors, Navajo County, Arizona, at the office of the Board of Supervisors of Navajo County, Holbrook, Arizona.

DATED this 18th day of March, 1986, at Holbrook, Arizona.

BOARD OF SUPERVISORS
NAVAJO COUNTY

Sharon R. Keene
Clerk

DZ6/NotHearing

EXHIBIT "A"

LEGAL DESCRIPTION

That portion of Sections 1, 2, 3, 4, 9, 10 and 11, Township 8N, Range 23E of the Gila and Salt River Base and Meridian, Navajo County, Arizona known as the Pinetop Lakes Sanitary District, Pinetop, Arizona described as follows:

Pinetop Lakes Unit One Subdivision as recorded in Book 10 of Maps and Plats Page 47, including Tract "A" shown thereon, Navajo County Recorder's Office

Pinetop Lakes Unit Two Subdivision as recorded in Book 10 of Maps and Plats Page 46, including Tracts "B" and "C" shown thereon, Navajo County Recorder's Office.

Pinetop Lakes Unit Three Subdivision as recorded in Book 11 of Maps and Plats Pages 34 and 35, including Tract "C" shown thereon, Navajo County Recorder's Office.

Pinetop Lakes Mountain Homes Unit Two Subdivision as recorded in Book 11 of Maps and Plats Page 36, Navajo County Recorder's Office.

Pinetop Lakes Mountain Homes Unit Four Lots 437 thru 508 inclusive as recorded in Book 11 of Maps and Plats, Page 36, Navajo County Recorder's Office.

Pinetop Lakes Equestrian Unit One Subdivision Lot 14 and Lots 56 thru 62 inclusive recorded in Book 11 of Maps and Plats Page 16, Navajo County Recorder's Office.

Pinetop Country Club Unit Two Subdivision Lot 193 only as recorded in Book 8 of Maps and Plats Pages 50 and 51, Navajo County Recorder's Office.

The abandoned Subdivision known as Pinetop Lakes Country Club Unit Five Subdivision recorded in Book 12 of Maps and Plats Page 19, Navajo County Recorder's Office and as shown in Exhibit "C" herein.

The abandoned Subdivision known as Pinetop Lakes Equestrian Unit Two Subdivision recorded in Book 11 of Maps and Plats Page 27, Navajo County Recorder's Office and as shown in Exhibit "D" herein.

Pinetop Lakes Country Club Unit Three Subdivision Tract "B" only, Book 11 of Maps and Plats Page 25, Navajo County Recorder's Office.

The abandoned Subdivision known as Pinetop Lakes Mountain Homes Unit Three Subdivision as recorded in Book 12 of Maps and Plats Page 20, Navajo County Recorder's Office and as shown in Exhibit "E" herein.

Pinetop Lakes Country Club Sports Village Unit One Subdivision as recorded in Book 11 of Maps and Plats Page 25, Navajo County Recorder's Office.

Pinetop Lakes Country Club Sports Village Unit One Subdivision amended as recorded in Book 13 of Maps and Plats Page 1, Navajo County Recorder's Office.

Pinetop Lakes Country Club Sports Village Unit Two Subdivision as recorded in Book 13 of Maps and Plats Pages 6 and 7, Navajo County Recorder's Office.

Pinetop Lakes Sports Village Unit Three Subdivision as recorded in Book 13 of Maps and Plats Pages 11 and 12, Navajo County Recorder's Office.

All of those parcels of land: South of the mid section lines of Sections 2, 3 and 4; East of the East right-of-way of Arizona State Highway 260 (173); North of the Northerly boundaries of the following Subdivisions: Pinetop Lakes Country Club Unit Two recorded in Book 11 of Maps and Plats Page 18; Pinetop Lakes Country Club Unit One recorded in Book 11 Pages 14 and 15; Pinetop Lakes Mountain Homes Unit Three (Exhibit "E"); Pinetop Lakes Equestrian Unit One; Pinetop Lakes Equestrian Unit 2 (Exhibit "C"); and Pinetop Lakes Mountain Homes Unit Two; Pinetop Lakes Mobile Homes Unit Two Subdivision recorded in Book 10 of Maps and Plats Page 17, Navajo County Recorder's Office; West of the West right-of-way of the Apache Railroad as shown on the following Plats and Maps: Book 11 of Maps and Plats Page 36, Book 11 of Maps and Plats Pages 34 and 35, and Book 10 of Maps and Plats Page 47, Navajo County Recorder's Office.

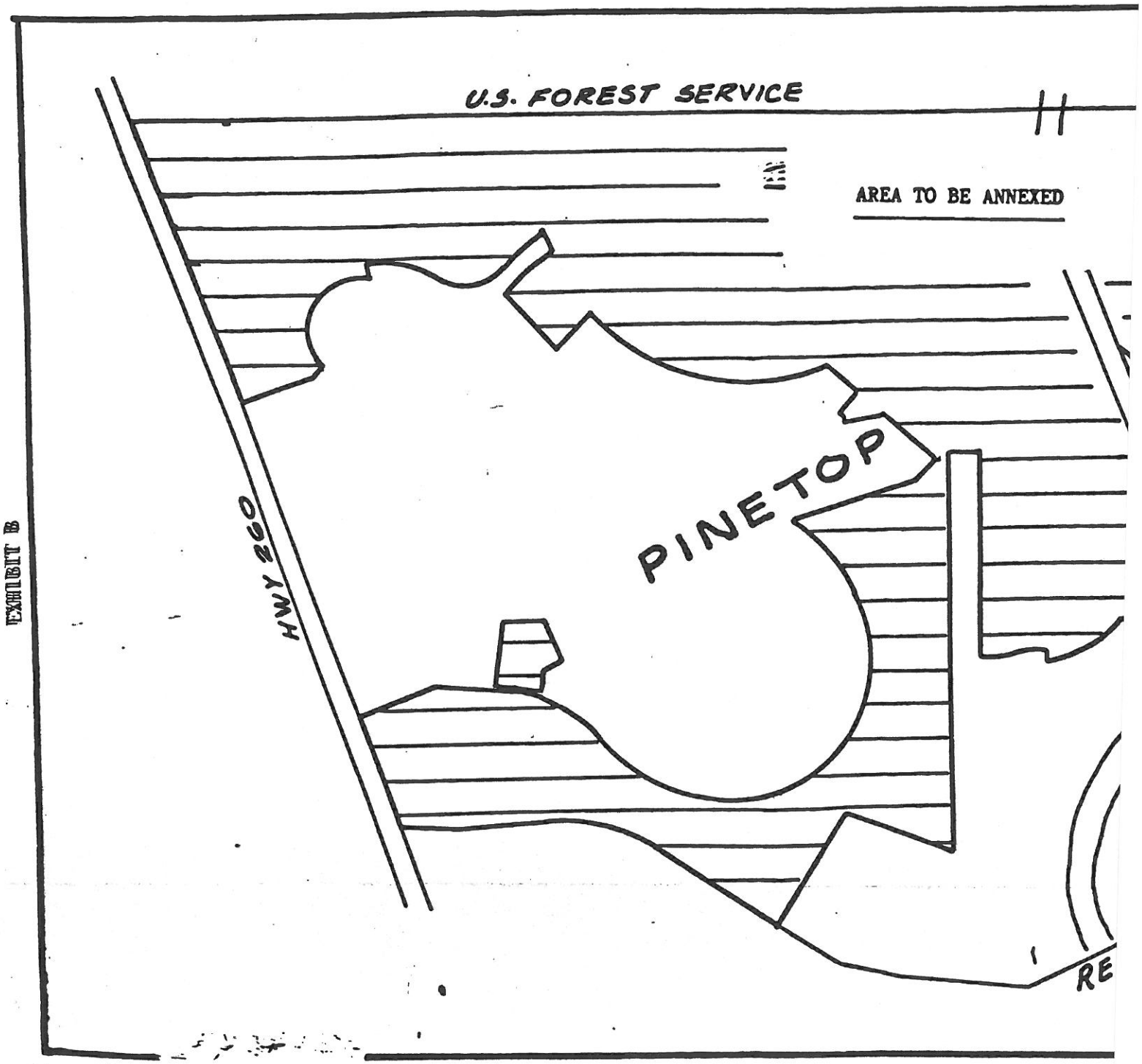
A parcel described as follows: Beginning at the easterly lot corner of Lot 1 of Pinetop Lakes Country Club Unit One recorded in Book 11 Pages 14 and 15, Navajo County Recorder's Office; Thence S 13° 48' 00" E 225.00 feet to the True Point of Beginning; Thence S 13° 48' 00" E 215.00 feet; Thence N 76° 29' 00" E 218.00 feet; Thence N 45° 32' 40" E 475.00 feet to a point on a curve concave to the Northeast; Thence along said curve with radial lines to said point on curve of bearing N 43° 32' 40" E, radius 1,790 feet and delta angle 7° 00' 00" a distance of 218.69 feet; Thence S 48° 30' 00" W 357.00 feet along the southwest boundard of Pinetop Lakes Country Club Sports Village Unit One to a point on a curve concave to the Southeast; Thence along said curve with radial lines to said point of bearing S 16° 11' 34" W, radium 70.00 feet and delta angle 1150 25' 06" a distance of 141.03 feet; Thence S 76° 12' 00" W 106.00 feet to the True Point of Beginning.

That part of Sections 2 and 11, Township 8 North, Range 23 East of the Gila and Salt River base and Meridian, Navajo County, Arizona, described as follows:

From the Northwest corner of said Section 11, run North 89° 53' 30" East along the North line of said Section 11, 2325.00 feet; and thence North 0° 50' 46" East 35.91 feet to the True Point of Beginning of the parcel herein described, said true point of beginning being the Southwest corner of Lot 175, PINETOP LAKES UNIT THREE, according to Book 11 of Maps, page 34; thence North 0° 50' 46" East 875.98 feet, along a Westerly line of said subdivision to the Northwest corner of Lot 191; thence South 85° 12' 07" West 926.05 feet, along a Southerly line of said subdivision to the most Westerly corner of Lot 305; thence South 19° 40' 18" East 244.06 feet to the Easterly Right of Way line of Buck Springs Road; thence following the Easterly Right of Way line of Buck Springs Road South 46° 14' 12" East 93.91 feet to a point of curve; thence 207.04 feet along the curve to the right, concave to the Southwest having a central angle of 21° 32' 58" and a radius of 550.48 feet; thence South 24° 41' 14" East 369.57 feet to a point of curve; thence 196.63 feet along the curve to the left, concave to the Northeast having a central angle of 7° 08' 27" and a radius of 1577.66 feet; thence South 31° 49' 41" East 123.41 feet to a point of curve; thence 205.18 feet along a curve to the right, concave to the Southwest having a central angle of 14° 14' 28" and a radius of 825.51 feet; thence South 17° 35' 13" East 169.18 feet to a point of curve; thence 80.65 feet along the curve to the left, concave to the Northeast and having a central angle of 2° 58' 18" and a radius of 1554.99 feet to the Northerly Right of Way line of Buck Springs Road; thence along said Right of Way line South 82° 26' 03" East 226.03 feet; thence continuing along said Right of Way line South 77° 17' 53" East 50 feet to the Southwest corner of Lot 216, PINETOP COUNTRY CLUB UNIT TWO, according to Book 8 of

Maps, pages 50 and 51; thence, following a Westerly line of said subdivision, North 12° 42' 07" East 150 feet; thence North 77° 17' 53" West 50 feet; thence North 9° 25' 53" East 135.29 feet; thence Northwesterly 96.45 feet along a curve to the right, concave to the East having a central angle of 138° 09' 26" and a radius of 40.00 feet (cord North 11° 29' 09" West 74.73 feet); thence North 32° 24' 36" West 192.69 feet; thence North 84° 45' 16" East 35.00 feet; thence North 12° 42' 07" East 200.00 feet to the Northerly Right of Way line of Sunset Trail, as shown on the plat of said PINETOP COUNTRY CLUB UNIT TWO; thence North 77° 17' 53" West 76.75 feet to the True Point of Beginning. CONTAINING 20.00 acres.

EXHIBIT B



OFFICIAL BALLOT

ELECTION JUNE 3, 1986
THE PINETOP-LAKESIDE SANITRY DISTRICT
NAVAJO COUNTY, ARIZONA

Should the proposed territory shown on the map on the reverse side of this ballot and more particularly described in the Resolutions of the Board of Supervisors of Navajo County ordering this election, be annexed (added) to the Pinetop-Lakeside Sanitary District?

ANNEXATION, YES ☐

ANNEXATION, NO ☐

NOTICE TO VOTERS:

The voter shall mark an "X" on the line opposite the words "Annexation, Yes" or "Annexation, NO", whichever words express the voter's choice. Only qualified electors of the area proposed to be annexed to the Pinetop-Lakeside Sanitary District are eligible to vote at this election.

DZ6/Ballot

NOTICE OF ELECTION

TO THE QUALIFIED ELECTORS of the proposed area to be annexed to the Pinetop-Lakeside Sanitary District as described on the attached Exhibits A and B:

Pursuant to Arizona Revised Statutes Section 48-2003, an election will be held on June 3, 1986 from 6:00 a.m. to 7:00 p.m. The polling place will be the Pinetop-Lakeside Recreation Center.

Inspector: Ben Ferguson
Judge: Pete Matz
Clerk: Craig Stephenson

The purpose of the election is to vote on the question of whether or not the territory described in Exhibits A and B should be annexed (added) to the Pinetop-Lakeside Sanitary District. The question on the ballot is: Should the territory shown on the map on the reverse side of the ballot, and more particularly described in the Resolutions of the Board of Supervisors of Navajo County ordering this election, to be annexed to the Pinetop-Lakeside Sanitary District? YES __ NO ___.

Absentee ballots are available from the Pinetop-Lakeside Sanitary District, Alisa Lane, Lakeside, Arizona, (368-5370).

DATED this 18th day of March, 1986.

Suzanne R. Keene
Clerk of the Board of Supervisors
Navajo County, Arizona

DZ6/NoticeElec