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RESOLUTION NO. 25-90

MOUNTAIN HOMES UNIT II COUNTY ROAD IMPROVEMENT DISTRICT

**RESOLUTION ORDERING IMPROVEMENT
AND APPROVING ASSESSMENT DIAGRAM**

WHEREAS, on March 5, 1990, the Board of Directors (the "Board") of the Mountain Homes Unit II County Road Improvement District (the "District") passed and adopted Resolution No. 18-90 declaring its intention to grade, fill and pave roads within the District, all as shown on the Plans, Specifications and Estimate; determining that Improvements Bonds shall be issued to represent the costs and expenses thereof; declaring the work or improvement to be of more than local or ordinary public benefit, and that the costs and expenses thereof shall be assessed upon a certain district; providing that the proposed work or improvement shall be performed under the provisions of Title 48, Chapter 6, Article 1, Arizona Revised Statutes, and all amendments thereto. The said work or improvement, the district to be assessed and the Improvement Bonds to be issued are more fully described in Resolution No. 18-90 to which reference is hereby made for such description; and

WHEREAS, Notice of the Adoption of the Resolution of Intention to Order Improvements was posted according to A.R.S. Section 48-916(B); and

WHEREAS, said Resolution was published as required by A.R.S. Section 48-916(A); and

WHEREAS, Notice of the Passage of said Resolution was mailed to all property owners; and

WHEREAS, Notice of a Hearing to hear all protests has been published and mailed as required by A.R.S. Section 48-917 and 48-918; and

WHEREAS, more than fifteen (15) days have elapsed since the date of the last publication of said Resolution of Intention, and since the completion of the posting of said notices of the proposed improvement; and

WHEREAS, either there were no protests or no protests were found to be sufficient against the proposed work to be constructed and all objections have been denied; and

WHEREAS, the Board hereby finds and determines that it has jurisdiction to order the improvement as described in Resolution of Intention No. 18-90; and

WHEREAS, the District intends to pay for the costs of the construction of the improvements and all incidental costs as depicted on the estimate through the levy and collection of assessments upon all of the property to be benefited thereby; with bonds being issued to represent assessments not paid in full during the cash collection period following the recording of the Assessments; and

WHEREAS, there has been prepared a diagram as required by A.R.S. Section 48-927, which said diagram shows each separate lot, numbered consecutively, the approximate area in square feet of each lot, and the location of the lot in relation to the work proposed to be done; and

WHEREAS, the Board having thereby acquired jurisdiction to order the work.

NOW THEREFORE BE IT RESOLVED THAT:

The Board of Directors of the Mountain Homes Unit II County Road Improvement District hereby orders:

1. That the streets described in Resolution No. 18-90, the Resolution of Intention to Order the Improvement, and more particularly described in the Plans and Specifications filed pursuant to A.R.S. Section 48-914 be paved.
2. That the Superintendent of Streets shall execute and publish a notice of the passage of this Resolution and inviting

sealed bids for the construction of the improvements ordered therein, two times in the Falcon and post the notice for five days on or near the door of the Navajo County Governmental Complex, South Highway 77, P.O. Box 668, Holbrook, Arizona 86025, Navajo County, Arizona.

3. That all proposals to construct the improvements shall be received before 10:30 a.m. MST on the 14th day of May, 1990, at the office of the Clerk of the Board of Supervisors of Navajo County, ex officio Clerk of the Board of Directors of the Mountain Homes Unit II County Road Improvement District, Navajo County, Holbrook, Arizona.
4. That all such proposals shall be accompanied by those bonds as are necessary as set forth in A.R.S. Section 48-922 and 34-201.
5. That the construction of the improvements shall be done in conformance with the Plans and Specifications filed pursuant to A.R.S. Section 48-914.
6. That the diagram is hereby approved and that the Clerk shall certify that fact and a copy of the diagram shall be delivered to the Superintendent of Streets.

ADOPTED this 9th day of April, 1990.

BOARD OF DIRECTORS
MOUNTAIN HOMES UNIT II COUNTY
ROAD IMPROVEMENT DISTRICT

BY: *William J. Gillespie*
Chairman

ATTEST:

Clerk

APPROVED AS TO FORM:

ORDIMP.RES/MTHOMES