

n/c

RESOLUTION NO. 43-90

BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA

**A RESOLUTION AND ORDER ESTABLISHING AND ORGANIZING
PORTER CREEK DOMESTIC WATER IMPROVEMENT DISTRICT**

WHEREAS, the Clerk of the Board of Supervisors of Navajo County set June 4, 1990, at the hour of 10:30 as the time and place for the hearing on the formation of the Porter Creek Domestic Water Improvement District and any objections thereto; and

WHEREAS, notice was appropriately posted, published and mailed to the property owners pursuant to the provisions of A.R.S. Section 48-905; and

WHEREAS, it appears that the Petition is signed by the requisite number of owners of real property, and that the public convenience, necessity or welfare will be promoted by the establishment of the Porter Creek Domestic Water Improvement District; and

WHEREAS, the property included within the boundaries of the Porter Creek Domestic Water Improvement District, as those boundaries are described in the petition for the formation of the Porter Creek Domestic Water Improvement District, will be benefited by the acquisition and improvement of a domestic water facility within the Porter Creek Domestic Water Improvement District hereby formed.

NOW, THEREFORE, IT IS FOUND, RESOLVED, DETERMINED AND ORDERED AS FOLLOWS:

1. The Board of Supervisors finds that:
 - a. The Petition is signed by a majority of real property owners or by the owners of at least fifty-one percent (51%) of the real property proposed within the proposed District, which is the requisite number of owners as provided by A.R.S. Section 48-903;
 - b. The public convenience, necessity or welfare will be promoted by the establishment of the Porter Creek Domestic Water Improvement District;

c. Notice has been published, posted and mailed pursuant to A.R.S. Section 48-905;

d. The property included within the Porter Creek Domestic Water Improvement District will be benefited thereby.

2. That the boundaries of the Porter Creek Domestic Water Improvement District shall be those set forth in Exhibits A and B, attached hereto and incorporated herein by reference.

3. That the Improvement District shall be known in all proceedings as the Porter Creek Domestic Water Improvement District.

4. That these findings and orders are made after public hearing required by A.R.S. Section 48-905.

5. That by virtue of the authority set forth in A.R.S. Section 48-906, the Porter Creek Domestic Water Improvement District is hereby established, formed, organized, 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, Articles 1 and 4 of the Arizona Revised Statutes.

6. That the Porter Creek Domestic Water Improvement District is to be governed by an elected Board of Directors of five (5) members who are qualified electors of the District. The first Board of Directors shall be:

1. Ed Pederson
2. Dick Taylor
3. Allan Johnson
4. Art De Shazo
5. John Clifford

7. That the term of every elected office shall commence on the second day of January following the election of Board members to fill vacancies on the Board, said election to be held on the second Tuesday of each October of every odd numbered year.

8. That request is hereby made of the Department of Property Valuation, State of Arizona, that the establishment of the Porter Creek Domestic Water Improvement District become effective for assessment and tax levying purposes for the tax years beginning from and after December 31, 1990.

9. That the Clerk of the Board file with said Department and with the County Assessor of Navajo County, a certified copy of this resolution on or before November 1, 1990.

10. That said filing shall constitute the notice provided to be given pursuant to A.R.S. Section 42-483.

ADOPTED this 4th day of June, 1990.

BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA

Malin J. Gellugin

Chairman

ATTEST:

Sharon J. Keens
Clerk

(SEAL)

ESTORG. RES/PORTER

Legal Description

Proposed Porter Creek Domestic Water Improvement District

PORTER CREEK ESTATES SUBDIVISION, described as being the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 14, in Township 9 North, Range 22 East, G&SRB&M, Navajo County, Arizona, except that parcel thereof beginning at the Southeast corner of said Northeast Quarter of the Southeast Quarter of Section 14; thence North 466.7 feet; thence West 466.7 feet; thence South 466.7 feet; thence East 466.7 feet to the point of beginning, containing approximately 5 acres.

The said whole parcel being also described as follows:

Commencing at the Southeast corner of Section 14, Township 9 North, Range 22 East, G&SRB&M, Navajo County, Arizona; thence North 0 degrees 43' East 1766.95 feet to the point of beginning; thence North 0 degrees 43' East 2137.80 feet; thence South 89 degrees 40' 49" West 1328 feet; thence South 0 degrees 22' 10" West 2607.6 feet; thence North 89 degrees 39' 39" East 845.3 feet; thence North 0 degrees 43' 00" East 466.7 feet; thence North 89 degrees 39' 39" East 466.7 feet to the point of beginning, containing approximately 73.97 acres.

It is the intention of the petitioners to establish a domestic water improvement district contiguous with the certificated area of Porter Creek Water Company, as said certificated area is described in Arizona Corporation Commission Docket No. U-1793 and in Exhibit B hereto attached.

ExhibitA/Porter
190-004
03/01/89 dh