

## **DEVELOPERS MID CHECKLIST**

First MID submittal is to be made with the second civil submittal.

First Submittal to include:

- MID application fee
- 24"x36" MID diagram (area table to be included on the diagram), with original seal and signature.
- Metes and bounds legal description of the MID boundary, with original seal and signature. (The legal description shall be accompanied with back-up material showing it closes)

Second Submittal to include:

- 24"x36" MID diagram, with original seal and signature.
- Fully executed petition, with original signatures and dates (for electronic submittals, executed petition shall have electronic signatures)
- Metes and bounds legal description of the MID boundary, with original seal and signature
- 8-1/2" x 11" recordable copy of MID diagram
- ½ size copy of landscape plans (if requested)

Informational Notes:

- MID number is assigned and provided during the first review
- Final Plat to include in the dedication statement the standard maintenance easement note. (Refer to Final Plat notes/review for language.)
- Final Plat shall include a note which states the subdivision is subject to a MID. The assigned MID number shall be included in this note.

## **MAINTENANCE IMPROVEMENT DISTRICT (MID) POLICY**

### **City of Peoria**

#### **PURPOSE**

The purpose of this document is to inform and assist the developers in their formation of the Maintenance Improvement District. Under provisions of the City Code, all developers are responsible to completely landscape the development projects according to the approved plans, prior to issuance of a Certificate of Occupancy. Subdivisions shall provide landscape along arterial streets and along collector streets in which lots back onto the streets and in other locations as provided in the zoning stipulations or subdivisions requirements.

The City of Peoria has a Design Review Manual to assist in the development and review of the landscape projects for conformance to established policies and approved preliminary plats.

Pursuant to the provision of A.R.S. 48-574 the Mayor and Council are empowered to adopt a resolution ordering the formation of a Maintenance Improvement District and a resolution ordering the improvements.

All residential subdivisions are subject to the formation of a Maintenance Improvement District. Under State law the residents will receive, on their property tax bill, an additional charge for maintenance of landscape, irrigation and drainage improvements located adjacent to and within the public rights-of-way, easements and tracts.

The Homeowners Association is responsible to maintain the landscape, irrigation and drainage improvements within the public rights-of-way, easements and tracts. Until such time as the Homeowners Association fails and the City assumes maintenance responsibility, the additional charge to property owners will be \$0.00.

#### **DOCUMENTATION**

As mentioned above, each residential subdivision is subject to a Maintenance Improvement District (MID). Prior to recordation of the subdivision Final Plat the developer is responsible to have the following documentation submitted to the City.

1. The Engineering Department will provide a MID number. The MID number must be placed on the MID diagram.
2. Each owner/developer shall fully execute a MID petition/waiver. The petition/waiver must be executed in black ink only (this does not apply to electronic submittals in which electronic signatures are required), include the MID number, acreage of the subdivision, subdivision name, print or type the name of the owner/developer, provide the company name, company address, day of witness of execution of the petition and then sign the document.
3. Provide one copy of the metes and bounds legal description of the MID boundary with ½" top, bottom, and side margins and using font size – Aerial 12. This format is suitable for recording. The legal description shall be prepared and sealed by a professional engineer or surveyor registered in the State of Arizona. The legal description shall be accompanied with back-up material showing it closes.
4. The owner/developer shall provide a MID diagram prepared and sealed by a professional engineer, or surveyor registered in the State of Arizona. The diagram shall be a photo-Mylar (24" x 36").

The MID diagram shall contain the following information:

- A. All lettering, numbers, and the drawing must be clear and distinct and of sufficient size to enable the City to have useable records when drawings are microfilmed.

- B. Prepare the drawing of the proposed MID boundary so that the direction of the north will be toward the top of the sheet. (The top of the sheet will have the 36-inch dimension). All notations should be oriented to read with north pointed up. A north arrow shall be provided in a pertinent manner with a bar scale indicating the scale of the MID boundary drawing.
- C. Insert the statement provided below at the top of the page:  
“Assessment Diagram”  
“Maintenance Improvement District No. (Insert MID#)”  
Insert City Emblem  
Insert Subdivision Name
- D. Following the subdivision name, state the quarter section(s) within which the proposed MID boundary is located, for example: “A portion of the southeast quarter of section 22, township 4 north, range 1 east of the Gila River meridian, County of Maricopa, State of Arizona, more particularly described as follows.” This statement should be followed by a complete legal description.
- E. A certification must be provided that states the following:

**CERTIFICATION**

I, Andrew Granger, Development and Engineering Department Director of the City of Peoria, Arizona hereby certify that this is the assessment diagram of the City of Peoria Maintenance Improvement District No. (Insert Number) for (Insert Subdivision Name) was approved by the Mayor and Council of the City of Peoria, and that a quorum was present.

Assessment Diagram Submitted this (Insert date) day of (Insert Month), 20\_\_\_\_\_.

By: \_\_\_\_\_  
District Engineer

- F. A note must be provided that states the following:

**NOTE**

This improvement district is for the express purpose of providing the maintenance and operation of the landscaping adjacent to and along the public roadways and parkways within the district and drainage and retention facility within such proposed district. Specific authorization is included in the Arizona State Statutes, Title 48, Chapter 4, Article 2, Section 574, as amended.

- G. Each MID boundary shall have two survey ties to existing monuments. These ties must be shown, together with the bearings and distances, curve lengths, central angles, radii, etc. for all MID boundary lines. All corners must be identified.
- H. Each MID boundary shall be taken to the centerline of all adjacent roadways.
- I. Identify all lots by number and all tracts by letter. Show all lots, tracts and street rights-of-way to be within and perimeter the district. Provide all bearings, dimensions and curve data of the MID boundary.
- J. Include the vicinity map on the Assessment Diagram.

5. The owner/developer shall provide one 8 ½" x 11" copy of the MID diagram with ½" top, bottom, and side margins suitable for recording.
6. The owner/developer is responsible to provide a table on the diagram listing the rights-of-way, easements and tracts of the areas (square footage & acreage) to be included in the MID.
7. The owner/developer shall provide a ½ size copy of the landscape plans, if requested.
8. The dedication statement of the Final Plat shall include the following paragraph:

The City is hereby given an easement for maintenance of landscaping, drainage and retention areas on tract(s) (insert number or letter of each tract). This easement may be exercised by the City of Peoria at any such time when the homeowners association fails to exist and provide the required maintenance and operation of the landscaping, drainage and retention areas. As long as the homeowner's association is in existence, it is responsible for providing all maintenance of landscaping, drainage and retention areas regardless of the dedication of the easement.

9. Each Final Plat shall include a note, which states that the subdivision is subject to a Maintenance Improvement District.

**PETITION, WAIVER AND CONSENT TO FORMATION  
OF A MUNICIPAL IMPROVEMENT DISTRICT  
BY THE CITY OF PEORIA**

[ \_\_\_\_\_ ]  
MID#

[ \_\_\_\_\_ ]  
Subdivision Name

To: Honorable Mayor and Council  
City of Peoria, Arizona

Pursuant to Arizona Revised Statutes, Sections 48-574 and 48-575, the undersigned property owner respectfully petitions the City Council of the City of Peoria, Arizona (City Council) to order the formation of a Municipal Improvement District under Arizona Revised Statutes, Title 48, Chapter 4, Article 2. In support of this petition, the undersigned agrees to waive certain rights under the Arizona Improvement District Law and to consent to the formation and completion of the District.

1. Area of District. The proposed district is described by a map and by a legal description on Exhibit "A" that is attached hereto and incorporated herein by reference. The proposed district consists of \_\_\_\_\_ acres and is entirely within the corporate boundaries of the City of Peoria.
2. Ownership. The undersigned (is) (are) the sole owner(s) of the real property within the proposed district.
3. Purpose. The district is proposed to be formed for the purpose of the operation, maintenance, repair and improvements for landscape maintenance adjacent to designated public roadways and parkways within the proposed district and drainage and retention within each proposed district.
4. Public Convenience and Necessity. The necessity for the proposed district is for the operation, maintenance, repair and improvements for landscape maintenance adjacent to designated streets and parkways within the proposed district by the levying of special assessments in the proposed district.
5. Waiver and Consent. The petitioners with full knowledge of their rights being waived hereunder, hereby expressly waive:
  - (a) Any and all irregularities, illegalities or deficiencies which may exist in the acts or proceedings resulting in the adoption of the Resolution of Intention and the Resolution Ordering the Work;
  - (b) Any necessity for publication and posting of the Resolution of Intention and the Notice of Proposed Improvements pursuant to A.R.S. §48-578;
  - (c) All protest rights whatsoever under A.R.S. §48-579(A) and (B), which provide for protests against the work; and
  - (d) All objections to the filing of and adoption by the City of the plans and specifications, the Engineer's estimate and the Assessment Diagram, all of which provide for the completion of the District.

Further, the improvements described above are of more than local or ordinary public benefit.

In Witness whereof the parties have executed this Petition and Waiver Agreement as of the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

<p>_____ Print Property Owner Name</p> <p>_____ Print Name</p> <p>_____ Address</p> <p>_____ Signature</p>	<p>Date:</p> <p>_____</p>	<p>Property (Tax Parcel Numbers)</p> <p>_____</p>
<p>_____ Print Property Owner Name</p> <p>_____ Print Name</p> <p>_____ Address</p> <p>_____ Signature</p>	<p>Date:</p> <p>_____</p>	<p>Property (Tax Parcel Numbers)</p> <p>_____</p>

Accepted and approved by:

CITY OF PEORIA, ARIZONA, an  
ARIZONA MUNICIPAL CORPORATION

ATTEST:

By \_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney