

**RIO SALADO COMMUNITY FACILITIES DISTRICT
RESOLUTION NUMBER CFD R2016.1**

RESOLUTION LEVYING THE ANNUAL ASSESSMENT FOR THE RIO SALADO COMMUNITY FACILITIES DISTRICT (CITY OF TEMPE, ARIZONA) IMPROVEMENT PROJECT NUMBER 1 PERTAINING TO THE ACQUISITION, CONSTRUCTION AND ANNUAL MAINTENANCE OF CERTAIN IMPROVEMENTS WITHIN THE DISTRICT; APPROVING THE TENTATIVE BUDGET OF THE DISTRICT FOR THE FISCAL YEAR 2016/2017; AND SETTING THE DATE FOR, AND ORDERING THE GIVING OF NOTICE OF, A PUBLIC HEARING TO RECEIVE OBJECTIONS ON THE ASSESSMENTS AND TENTATIVE BUDGET.

BE IT RESOLVED BY THE GOVERNING BODY OF THE RIO SALADO COMMUNITY FACILITIES DISTRICT (CITY OF TEMPE, ARIZONA), as follows:

Section 1. Pursuant to the provisions of Title 48, Chapter 4, Article 6, Arizona Revised Statutes, and amendments and supplements thereto, the Resolution of Intention No. CFD97-2, adopted by the Governing Body of the Rio Salado Community Facilities District (City of Tempe, Arizona) (the "District") on April 17, 1997 (the "Resolution of Intention") and the Intergovernmental Agreement by and between the District and the City of Tempe, Arizona (the "Municipality") and Resolution No. CFD97-6 (the "Assessment Resolution"), this Governing Body hereby modifies the levy, assessment and apportionment of the costs of acquiring, constructing and maintaining the public infrastructure improvements and projects described in the Resolution of Intention as shown on Exhibit A attached hereto upon the lots and parcels of land as described in the Resolution of Intention and shown in the Assessment Diagram (a copy of the Assessment Diagram for the 1997/1998 fiscal year is attached hereto). Exhibit B is the Modified Finance Plan dated June 27, 2013. Exhibit C displays the current maps of the Rio Salado Community Facilities District. Such assessments are to be paid to the District, its agents or assigns, to finance the acquisition, construction and annual maintenance of the public infrastructure (as such term is defined in the Act) improvements and projects described in the feasibility study (the "Study"), pertaining to the District's Improvement Project No. 1. The assessments were initially levied pursuant to the Assessment Resolution.

Section 2. Pursuant to Sections 48-721(A) and, to the extent applicable, 48-589, Arizona Revised Statutes, this Governing Body hereby modifies the apportionment of the cost of said public infrastructure improvements and projects, including the annual maintenance thereof, and hereby assesses against each lot, portion of lot, or parcel of land within the District to be assessed, each in proportion to the benefits to be received, the respective amounts set forth in Exhibit D attached hereto. Opposite the description of each lot or parcel of land is the name of the owner of such lot or parcel as known to the District and as shown on the most recently certified assessment roll for State and local taxes.

Section 3. The tentative "Capital Budget" for the District attached hereto and marked Exhibit D, pages 11-12, in the amount of \$44,849,700.12 is hereby approved for the fiscal year 2016/2017 with a debt service payment of \$3,051,000. The tentative "Operations and

Maintenance Budget” for the District attached hereto and marked Exhibit D, pages 13-21, in the amount of \$3,290,000 is hereby approved for the fiscal year 2016/2017. The entire CFD Budget for 2016/2017 is \$4,608,552, which also includes \$1,318,552 of carry forward appropriation for capital infrastructure needs.

Section 4. The Governing Body hereby sets the following date, time and place on and at which it will conduct a public hearing to hear objections on the tentative budget and on the assessments heretofore recorded by the superintendent of Streets of the District:

Date of Hearing: June 9, 2016
Time of Hearing: Immediately following the Tempe City Council meeting which will be held at 6:00 p.m.
Place of Hearing: City of Tempe City Council Chambers
31 East Fifth Street
Garden Level
Tempe, Arizona 85281

Section 6. The Notice of Public Hearing shall be substantially in the form attached hereto and marked Exhibit E. The Board hereby orders that said Notice be published and mailed in the manner prescribed by law. Exhibits are available in the Tempe City Clerk’s Office.

PASSED, ADOPTED AND APPROVED by the Board of the Rio Salado Community Facilities District (City of Tempe, Arizona) on May 26, 2016.

CHAIRMAN

ATTEST:

CITY CLERK

**LEGAL DESCRIPTION
FOR
RIO SALADO COMMUNITY FACILITIES DISTRICT**

A PORTION OF SECTIONS 14, 15 AND 16, TOWNSHIP 1 NORTH, RANGE 4 EAST GILA AND SALT RIVER BASE AND MERIDIAN That portion of Sections 14, 15 and 16, Township 1 North, Range 4 East, of the Gila and Salt River Base and Meridian, County of Maricopa, State of Arizona, being more particularly described as follows: Commencing at the Northwest corner of said Section 14; thence South 00°07'01" West, 474.53 feet along the section line common to said Sections 14 and 15 to the point of beginning; thence departing said section line South 89°52'59" East, 65.00 feet to the easterly right of way of Scottsdale Road and the southerly right of way of the Red Mountain Freeway; thence departing said easterly right of way of Scottsdale Road North 89°41'27" East, 348.30 feet along said southerly right of way of the Red Mountain Freeway; thence North 82°26'36" East, 606.67 feet; thence departing said southerly right of way South 00°22'49" East, 242.88 feet; thence South 89°49'34" East, 256.38 feet; thence North 00°22'49" West, 248.10 feet to said southerly right of way of the Red Mountain Freeway; thence South 89°59'56" East, 1592.18 feet along said southerly right of way; thence South 79°52'22" East, 284.43 feet; thence South 87°01'36" East, 964.29 feet; thence North 68°32'12" East, 271.73 feet; thence North 86°42'17" East, 681.70 feet to the West line of the East 55.00 feet of said Section 14, said line also being the westerly right of way of McClintock Drive; thence departing said southerly right of way of the Red Mountain Freeway, South 03°41'06" East, 988.53 feet along said West line of the East 55.00 feet of Section 14; thence departing said West line of the East 55.00 feet of Section 14, South 80°35'36" West, 80.20 feet; thence North 89°48'41" West, 112.47 feet; thence South 85°55'30" West, 963.81 feet to the beginning of a curve concave southerly having a radius of 3985.00 feet; thence westerly 94.88 feet along said curve through a central angle of 01°21'51"; thence on a non-tangent line South 73°27'46" West, 132.12 feet; thence South 47°38'18" West, 216.69 feet; thence South 47°29'10" West, 560.21 feet; thence South 31°07'18" West, 783.59 feet to the North line of the South 40.00 feet of the Northeast quarter of said Section 14, said line also being the northerly right of way of the Rio Salado Parkway; thence North 89°21'07" West, 174.60 feet along said North line of the South 40.00 feet of the Northeast quarter of Section 14 to the north-south mid-section line of said Section 14; thence departing said north-south mid-section line North 89°21'06" West, 1488.77 feet along the North line of the South 40.00 feet of the Northwest quarter of said Section 14, said line also being the northerly right of way of the Rio Salado Parkway to the beginning of a non-tangent curve concave southeasterly having a radius of 615.46 feet and to which beginning a radial line bears North 04°31'04" West; thence departing said North line of the South 40.00 feet of the Northwest quarter of said Section 14, southwesterly 225.29 feet along said northerly right of way of the Rio Salado Parkway and said curve through a central angle of 20°58'22"; thence South 64°30'34" West, 219.29 feet to the beginning of a curve concave northwesterly having a radius of 530.46 feet; thence westerly 274.31 feet along said curve through a central angle of 29°37'42"; thence North 85°51'44" West, 332.52 feet to the easterly right of way line of Scottsdale Road; thence departing said northerly right of way of the Rio Salado Parkway and said easterly right of way of Scottsdale Road, North 89°51'58" West, 80.00 feet to said section line common to Sections 14 and 15; thence North 00°08'02" East, 11.86 feet along said section line; thence departing said section line North 89°51'58" West, 90.00 feet to the westerly right of way of Scottsdale Road and the northerly right of way of the Rio Salado Parkway; thence departing said westerly right of way of Scottsdale Road, North 85°51'36" West, 211.80 feet along said northerly right of way of Rio Salado Parkway to the beginning of a curve concave southerly having a radius of 1042.50 feet; thence westerly 259.28 feet along said curve through a central angle of 14°15'00"; thence South 79°53'24" West, 175.66 feet to the beginning of a curve concave northerly having a radius of 1252.50 feet; thence westerly 750.60 feet along said curve through a central angle of 34°20'10"; thence North 65°46'26" West, 184.97 feet to the beginning of a curve concave southwesterly having a radius of 639.50 feet; thence westerly 279.66 feet along said curve through a central angle of 25°03'23"; thence South 89°10'11" West, 179.35 feet to the beginning of a curve concave northeasterly having a radius of 554.50 feet; thence northwesterly 400.01 feet along said curve through a central angle of 41°19'57"; thence North 49°29'52" West, 179.55 feet to the beginning of a curve concave southwesterly having a radius of 692.50 feet; thence northwesterly 68.85 feet along said curve through a central angle of 05°41'49" to the north-south mid-section line of said Section 15; thence departing said northerly right of way of the Rio Salado Parkway on a non-tangent line North 00°12'05" East, 28.23 feet along said north-south mid-section line of section 15 to the beginning of a non-tangent curve concave southerly having a radius of 865.00 feet and to which beginning a radial line bears North 34°43'46" East; thence departing said north-south mid-section line westerly 589.89 feet along said curve through a central angle of 39°04'24" to the beginning of a compound curve concave southeasterly having a radius 715.00 feet and to which beginning a radial line bears North 04°20'38" West; thence southwesterly

388.84 feet along said curve through a central angle of 31°09'33"; thence South 54°29'49" West, 307.48 feet to the beginning of a curve concave northwesterly having a radius of 285.00 feet; thence westerly 165.84 feet along said curve through a central angle of 33°20'26"; thence South 87°50'15" West, 174.58 feet to the easterly right of way of Mill Avenue; thence departing said easterly right of way of Mill Avenue South 89°45'38" West, 50.00 feet; thence South 00°14'22" East, 59.56 feet; thence South 89°45'38" West, 53.59 feet to the westerly right of way of Mill Avenue and the northerly right of way of First Street; thence departing said westerly right of way of Mill Avenue South 89°51'13" West, 631.44 feet along said northerly right of way of First Street to the beginning of a curve concave southeasterly having a radius of 336.56 feet; thence southwesterly 146.19 feet along said curve through a central angle of 24°53'14"; thence departing said northerly right of way of First Street North 71°17'47" West, 21.29 feet to the easterly right of way of Ash Avenue; thence North 26°30'35" West, 147.09 feet along said easterly right of way of Ash Avenue to the beginning of a curve concave northeasterly having a radius of 563.11 feet; thence northerly 253.24 feet along said curve through a central angle of 25°46'02"; thence North 00°44'32" West, 440.51 feet along said easterly right of way of Ash Avenue and the prolongation of said easterly right of way of Ash Avenue to a prolongation of the northerly right of way of the Rio Salado Parkway; thence departing said prolongation of the easterly right of way of Ash Avenue South 86°52'10" West, 306.15 feet along said prolongation of the northerly right of way of the Rio Salado Parkway to the beginning of a curve concave southeasterly having a radius of 1497.39 feet; thence westerly 384.14 feet along said curve through a central angle of 14°41'55"; thence South 72°10'15" West, 429.34 feet to the beginning of a curve concave northwesterly having a radius of 1844.86 feet; thence westerly 709.63 feet along said curve through a central angle of 22°02'21"; thence departing said northerly right of way of the Rio Salado Parkway on a non-tangent line North 09°08'55" East, 1615.38 feet to said southerly right of way of the Red Mountain Freeway; thence North 85°21'42" East, 188.25 feet along said southerly right of way of the Red Mountain Freeway; thence South 84°23'05" East, 380.13 feet; thence North 81°31'50" East, 505.15 feet; thence South 85°18'14" East, 528.31 feet; thence South 73°25'29" East, 288.37 feet; thence South 84°43'26" East, 1902.91 feet; thence North 82°21'50" East, 1639.65 feet; thence North 88°50'37" East, 195.05 feet; thence North 00°09'33" East, 52.55 feet; thence North 88°50'37" East, 300.08 feet; thence North 00°09'33" East, 40.01 feet; thence North 88°50'37" East, 751.05 feet to the beginning of a non-tangent curve concave southwesterly having a radius of 72.00 feet and to which beginning a radial line bears North 42°06'23" East; thence departing said southerly right of way of the Red Mountain Freeway, 60.33 feet along said curve through a central angle of 48°00'39" to the easterly right of way of Scottsdale Road; thence South 00°07'01" West, 146.00 feet along said easterly right of way of Scottsdale Road; thence departing said easterly right of way of Scottsdale Road, South 89°52'59" East, 52.00 feet to said section line common to Sections 14 and 15; thence North 00°07'01" East, 126.77 feet along said section line to the point of beginning. EXCEPT the following three parcels: **Parcel No. 1** That portion of the South 200 feet of the North 800 feet of the Northeast quarter of the Northeast quarter of Section 15, Township 1 North, Range 4 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona; EXCEPT the West 495 feet thereof, more particularly described as follows: Commencing at the Northwest corner of said Section 15; thence South (assumed bearing) along the East Section line, said line also being the monument line of Scottsdale Road, a distance of 660.16 feet to a point; thence South 88°41'43" West a distance of 290.02 feet to the True Point of Beginning; thence continuing South 88°41'43" West a distance of 537.82 feet to a point; thence South 00°05'04" East a distance of 200.05 feet to a point; thence North 88°41'43" East a distance of 772.52 feet to a point on the West right of way line of Scottsdale Road, as it existed on March 13, 1984; thence North a distance of 75.05 feet to a point; thence South 88°41'43" West a distance of 235.00 feet to a point; thence North a distance of 125.00 feet to the True Point of Beginning. **Parcel No. 2** The North 176 feet of the South 440 feet of the West 495 feet of the Northeast quarter of the Northeast quarter of Section 15, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. **Parcel No. 3** The South 440 feet of the West 495 feet of the Northeast quarter of the Northeast quarter of Section 15, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. EXCEPT the North 176 feet; and EXCEPT any portion as described in Docket 11280, page 994, records of Maricopa County, Arizona. Said Rio Salado Community Facilities District contains 492.2653 acres more or less.