

RESOLUTION NO. 2024-009 SVCFD NO. 2

A RESOLUTION OF THE DISTRICT BOARD OF SUPERSTITION VISTAS COMMUNITY FACILITIES DISTRICT NO. 2 APPROVING A CORRECTED LEGAL DESCRIPTION OF THE BOUNDARIES OF THE DISTRICT AS REQUESTED BY PINAL COUNTY, ARIZONA; CONFIRMING PRIOR APPROVAL OF AN AMENDMENT TO THE GENERAL PLAN OF THE DISTRICT AND THE FIRST AMENDMENT TO THE AMENDED AND RESTATED DISTRICT DEVELOPMENT, FINANCING PARTICIPATION, WAIVER AND INTERGOVERNMENTAL AGREEMENT AND INCORPORATING THE CORRECTED LEGAL DESCRIPTION THEREIN; AND APPROVING AND AUTHORIZING ALL ACTIONS HERETOFORE AND HEREAFTER TAKEN IN CONNECTION WITH THE DELETION OF AN AREA FROM THE BOUNDARIES OF THE DISTRICT.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SUPERSTITION VISTAS COMMUNITY FACILITIES DISTRICT NO. 2, AS FOLLOWS:

SECTION 1 FINDINGS

A. The Board of Directors (the "District Board") of the Superstition Vistas Community Facilities District No. 2 (the "District") received a petition dated as of December 19, 2023 signed by the owners of all of the land in the District (the "Petition") requesting the District Board consider the deletion of approximately 97 acres of land (the "Deleted Area") from the boundaries of the District in accordance with Sections 48-707.F and 48-714, Arizona Revised Statutes.

B. On December 19, 2023, the District Board adopted Resolution No. 2023-003 SVCFD No. 2 which, among other things granted the Petition to delete the Deleted Area from the boundaries of the District pursuant to the terms and provisions of, and with the powers and authority established by, pursuant to Title 48, Chapter 4, Article 6, Arizona Revised Statutes, as amended (the "CFD Act").

C. In connection with the deletion of the Deleted Area from the boundaries of the District, Brookfield Homes Holdings, LLC, Brookfield ASLD 8500, LLC (the "Developer"), the City of Apache Junction, Arizona, and the District executed and delivered the First Amendment to Amended and Restated District Development, Financing Participation, Waiver and Intergovernmental Agreement

for Superstition Vistas Community Facilities District No. 2, dated as of January 25, 2024, recorded as Fee No. 2024-005632 in the official records of Pinal County, Arizona (the "First Amendment to CFD Development Agreement").

D. Pursuant to the CFD Act, the District executed and delivered an amendment to the General Plan (as defined herein) of the District and provided notice to Pinal County, Arizona (the "County") and State of Arizona agencies in connection with the deletion of the Deleted Area.

E. Upon providing notice to the County of the amended legal description of the boundaries of the District which removed the Deleted Area, it was determined by the Assessor of the County that there were errors in the legal description provided by the Developer, and the Developer corrected the legal description.

F. On October 15, 2024, the District Board adopted Resolution No. 2024-007 SVCFD No. 2 which approved the correction of an error in the legal description of the District boundaries provided by the Developer as described above, and corrective notices were filed and recorded.

G. Upon providing notice to the County of the corrected legal description of the boundaries of the District in accordance with Resolution No. 2024-007 SVCFD No. 2, in November 2024 the County identified an additional correction to the previously corrected legal description of the District boundaries.

H. In accordance with the request of the County, the Developer made an additional correction to the legal description of the boundaries of the District. As so corrected, the District boundaries are depicted and legally described in the corrected legal description attached hereto as Exhibit A.

SECTION 2 APPROVAL OF CORRECTED LEGAL DESCRIPTION

The District Board hereby approves the corrected legal description attached hereto as Exhibit A as if it was submitted by

the Developer in the Petition and approved by the District Board pursuant to Resolution No. 2023-003 SVCFD No. 2.

SECTION 3 CONFIRMATION OF PRIOR APPROVALS AND ACTIONS

A. The District Board hereby confirms its prior approval of the First Amendment to CFD Development Agreement and approves the incorporation of the corrected legal description attached hereto as Exhibit A.

B. The District Board authorizes the Acting District Clerk (the "District Clerk") to, as applicable, update and re-record the notice of deletion of area from the District and the First Amendment to CFD Development Agreement, with the corrected legal description of the District boundaries, in the official records of the County. Such notice may include a reference to the general plan for the District recorded as Fee No. 2021-131167 in the official records of the County (the "General Plan") and amend the General Plan to correct the District boundary description attached to the General Plan.

C. The District Clerk or her designee is hereby authorized to provide notice of the corrected legal description of the District boundaries to, without limitation, the Assessor of the County, the Board of Supervisors of the County, the Arizona Department of Real Estate and the Arizona Department of Revenue, in accordance with the CFD Act and Section 42-17257, Arizona Revised Statutes.

SECTION 4 APPROVAL AND AUTHORIZATION OF ACTIONS

All actions of the officers, officials, employees and agents of the District which conform to the purposes and intent of this resolution whether heretofore or hereafter taken are hereby ratified, confirmed and approved. The proper officers, officials, employees and agents of the District are hereby authorized and directed to do all such acts and things and to execute and deliver all such documents on behalf of the District as may be necessary to carry out the terms and intent of this resolution. The engagement by the District of outside legal counsel or consultants is hereby authorized.

SECTION 5 NO LIABILITY OF OR FOR THE MUNICIPALITY; SEVERABILITY;
AMENDMENT; EFFECTIVE DATE

A. Neither the City nor the State of Arizona or any political subdivision of either (other than the District) shall be directly, indirectly or morally liable or obligated for the payment or repayment of any indebtedness, liability, cost, expense or obligation of the District, and neither the credit nor the taxing power of the City, the State of Arizona or any political subdivision of either (other than the District) shall be pledged therefor.

B. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution. The District Board hereby declares that it would have adopted this resolution and each and every other section, paragraph, clause or provision hereof and authorized the correction to the legal description of the District boundaries pursuant hereto irrespective of the fact that any one or more sections, paragraphs, clauses or provisions may be held to be invalid, illegal or unenforceable.

C. All resolutions or parts thereof inconsistent herewith are hereby waived to the extent only of such inconsistency.

D. This resolution shall be effective immediately.

Signature page to follow.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE SUPERSTITION VISTAS COMMUNITY FACILITIES DISTRICT NO. 2, THIS ___ DAY OF DECEMBER, 2024.

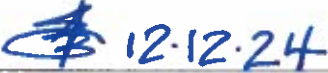
SIGNED AND ATTESTED TO THIS ___ DAY OF _____, 2024.

WALTER "CHIP" WILSON
Chairman, Board of Directors

ATTEST:

YVETTE MCKINNEY
Acting District Clerk

APPROVED AS TO FORM:



RICHARD JOEL STERN
District Counsel

EXHIBIT A

CFD DESCRIPTION

THAT PORTION OF SECTION 17, SECTION 20, THE SOUTH HALF OF SECTION 18 AND THE NORTH HALF OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 8 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A PINAL COUNTY PUBLIC WORKS DEPARTMENT BRASS CAP IN HAND HOLE MARKING THE WEST QUARTER CORNER OF SAID SECTION 20, FROM WHICH A PINAL COUNTY PUBLIC WORKS DEPARTMENT BRASS CAP IN HAND HOLE MARKING THE NORTHWEST CORNER THEREOF BEARS NORTH 0°17'35" WEST, A DISTANCE OF 2641.12 FEET;

THENCE NORTH 0°17'35" WEST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 2641.12 FEET TO SAID NORTHWEST CORNER;

THENCE SOUTH 89°46'31" WEST, ALONG THE SOUTH LINE OF SECTION 18, A DISTANCE OF 500.00 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 2500.00 FEET, A CENTRAL ANGLE OF 22°55'06", AND A CHORD THAT BEARS SOUTH 78°18'58" WEST, 993.35 FEET;

THENCE ALONG SAID CURVE, A DISTANCE OF 1000.00 FEET;

THENCE SOUTH 66°51'25" WEST, A DISTANCE OF 540.51 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 3000.00 FEET, A CENTRAL ANGLE OF 30°39'58", AND A CHORD THAT BEARS SOUTH 82°11'24" WEST, 1586.58 FEET;

THENCE ALONG SAID CURVE, A DISTANCE OF 1605.68 FEET;

THENCE NORTH 82°28'36" WEST, A DISTANCE OF 583.29 FEET;

THENCE NORTH 53°29'13" EAST, A DISTANCE OF 910.07 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 18;

THENCE NORTH 53°29'26" EAST, A DISTANCE OF 4200.33 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 17;

THENCE NORTH 0°17'10" WEST, ALONG SAID WEST LINE, A DISTANCE OF 155.64 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 17;

THENCE NORTH 0°13'51" WEST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 2639.88 FEET TO NORTHWEST CORNER THEREOF;

THENCE NORTH 89°45'04" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 2642.33 FEET TO THE NORTH QUARTER CORNER THEREOF;

THENCE NORTH 89°47'06" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 33.50 FEET;

THENCE SOUTH 0°16'32" EAST, A DISTANCE OF 830.28 FEET;

THENCE NORTH 53°27'53" EAST, A DISTANCE OF 1401.79 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17;

THENCE NORTH 89°47'06" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 1480.06 FEET TO THE NORTHEAST CORNER OF SAID SECTION 17;

THENCE SOUTH 0°17'17" EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 2641.26 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 17;



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SHEET 1 OF 5

CFD DESCRIPTION

THENCE SOUTH 0°17'38" EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 2641.38 FEET TO THE SOUTHEAST CORNER THEREOF;

THENCE SOUTH 0°16'25" EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 2640.89 FEET TO THE EAST QUARTER CORNER THEREOF;

THENCE SOUTH 0°15'30" EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 20, A DISTANCE OF 2641.53 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 20;

THENCE SOUTH 89°46'59" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2643.37 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 20;

THENCE SOUTH 89°48'18" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 2643.78 FEET TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTH 0°17'01" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2640.28 FEET TO THE POINT OF BEGINNING.

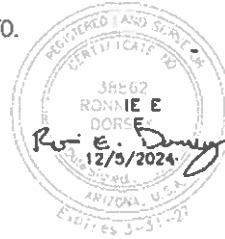
EXCEPT PARCEL "A" OF THE FINAL PLAT FOR PHASE 5 COMMERCIAL, RECORDED ON FEE NUMBER 2024-061060, PINAL COUNTY RECORDS;

EXCEPT PARCEL "A" OF THE FINAL PLAT FOR PHASE 3 COMMERCIAL, RECORDED ON FEE NUMBER 2024-061061, PINAL COUNTY RECORDS;

AND EXCEPT PARCEL "11, 12, 13 & 14" OF THE FINAL PLAT FOR BLOSSOM ROCK PHASE 1, RECORDED ON FEE NUMBER 2022-084918, PINAL COUNTY RECORDS.

CONTAINS 57166135 SQUARE FEET OR 1312.3539 ACRES OF LAND, MORE OR LESS.

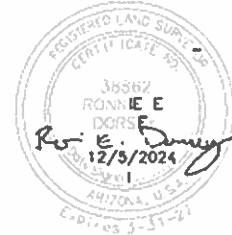
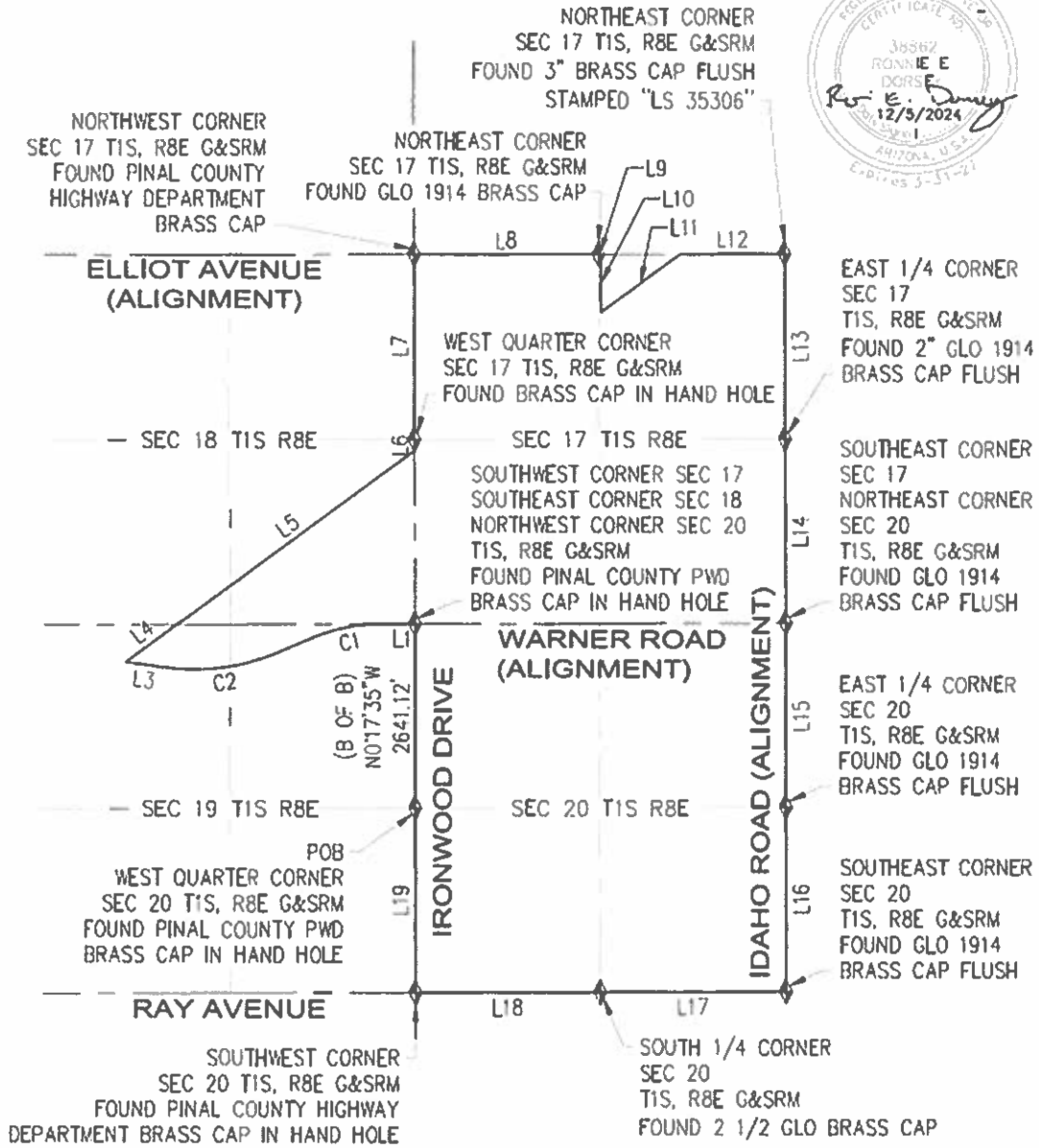
SEE ATTACHED EXHIBIT "A" BY REFERENCE MADE A PART HERETO.



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SHEET 2 OF 5

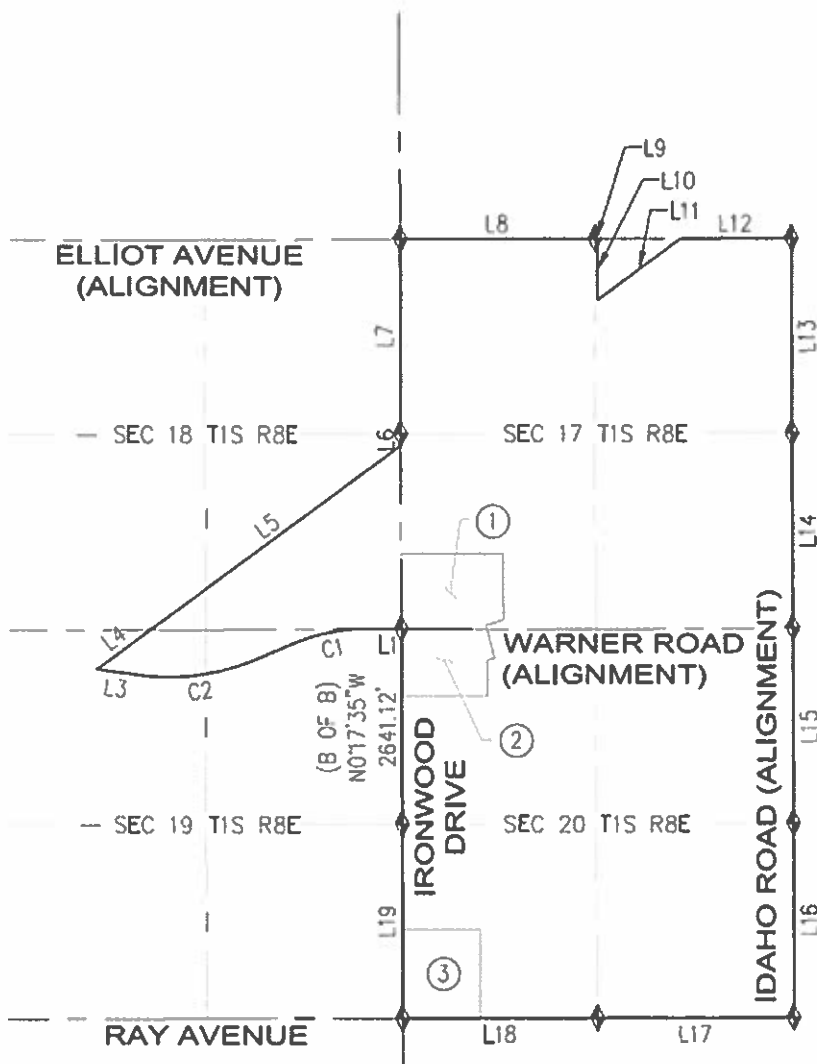
EXHIBIT "A"



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SHEET 3 OF 5

EXHIBIT "A"



- EXCEPTION
- ① PARCEL "A", PHASE 5 COMMERCIAL
FEE 2024-061060, PCR
- EXCEPTION
- ② PARCEL "A", PHASE 3 COMMERCIAL
FEE 2024-061061, PCR
- EXCEPTION
- ③ PARCEL 11, 12, 13 & 14
BLOSSOM ROCK PHASE 1
FEE 2022-084918, PCR



NOT TO SCALE



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SHEET 4 OF 5

EXHIBIT "A"

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DIST
C1	22°55'06"	2500.00	1000.00'	S78°18'58"W	993.35'
C2	30°39'58"	3000.00	1605.68'	S82°11'24"W	1586.58'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S89°46'31"W	500.00'
L2	S66°51'25"W	540.51'
L3	N82°28'36"W	583.29'
L4	N53°29'13"E	910.07'
L5	N53°29'26"E	4200.33'
L6	N0°17'10"W	155.64'
L7	N0°13'51"W	2639.88'
L8	N89°45'04"E	2642.33'
L9	N89°47'06"E	33.50'
L10	S0°16'32"E	830.28'
L11	N53°27'53"E	1401.79'
L12	N89°47'06"E	1480.06'
L13	S0°17'17"E	2641.26'
L14	S0°17'38"E	2641.38'
L15	S0°16'25"E	2640.89'
L16	S0°15'30"E	2641.53'
L17	S89°46'59"W	2643.37'
L18	S89°48'18"W	2643.78'
L19	N0°17'01"W	2640.28'

LEGEND

	SUBJECT BOUNDARY
	PLSS SECTION LINE
	PLSS SUB SECTION LINE

ABBREVIATIONS

APN	ASSESSOR PARCEL NUMBER
E	EAST
GLO	GENERAL LAND OFFICE
G&SRM	GILA & SALT RIVER MERIDIAN
LS	LAND SURVEYOR
N	NORTH
PCR	PINAL COUNTY RECORDS
PLSS	PUBLIC LAND SURVEY SYSTEM
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
PWD	PUBLIC WORKS DEPARTMENT
R	RANGE
S	SOUTH
T	TOWNSHIP
W	WEST



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