



## CROCKETT LAW GROUP

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February 8, 2021

**Hand-Delivered**

Alfred Erives P.E., Division Manager  
Superintendent of Streets  
MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION  
901 W. Durango Street  
Phoenix, Arizona 85009

***Re: Petition to Form the Rio Verde Foothills Domestic Water Improvement District***

Dear Mr. Erives,

Enclosed is a petition ("Petition") requesting the establishment of the Rio Verde Foothills Domestic Water Improvement District ("District"), with original signatures, for submittal to Maricopa County ("County").

In furtherance of their desire to provide a permanent and reliable source of domestic water to landowners within the boundaries of the proposed District, the petitioners request that the Board of Supervisors: (i) summarily order the formation of the District since the Petition has been signed by the owners of all real property to be included in the proposed District; and (ii) after consideration of any objections that may be made, enter a formal order declaring the following:

- A. That the County finds the Petition was signed by the owners of all of the real property to be included within the proposed District, and all of such property owners are qualified electors of the proposed District;
- B. That the County finds the public health, convenience, necessity and welfare will be promoted by the establishment of the proposed District, and the real property to be included therein will be benefited by the improvements to be constructed by the proposed District;
- C. That the County issue a formal order declaring that the Petition conforms with all applicable legal requirements relating to the formation of the District, and define and establish the boundaries of the District as described in the amended **Exhibit B: PROPOSED BOUNDARY DESCRIPTION** and the amended **Exhibit C: PROPOSED BOUNDARIES MAP**;

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- D. That in accordance with A.R.S. Sections 48-1011 *et seq.*, the County finds that the proposed District should be governed by an elected Board of Directors, and that the first Board of Directors shall consist of the five persons listed in Paragraph 7 of the Petition;
- E. That the first election for at least two of the initial members of the Board of Directors be held on the first Tuesday after the first Monday in November 2022, with subsequent elections being held in each even-numbered year on the first Tuesday after the first Monday in November;
- F. That, in accordance with A.R.S. Section 48-915, the District be authorized to incur expenses and debt for which the District will be liable; and
- G. That the County perform such other and further acts regarding the Petition as are required by law.

RESPECTFULLY SUBMITTED this 8th day of February, 2021.

Approved as to form:



Jeffrey W. Crockett, Esq.  
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*Attorney for the Petitioners*

**PETITION FOR THE ESTABLISHMENT OF THE**  
**RIO VERDE FOOTHILLS DOMESTIC WATER IMPROVEMENT DISTRICT**  
**AND PETITION TO INCUR EXPENSE**

**TO THE HONORABLE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA:**

The undersigned real property owners ("Petitioners"), as identified in Exhibit A attached hereto and incorporated herein, petition ("Petition") the Board of Supervisors of Maricopa County, Arizona ("County") to enter its final order declaring the formation, organization and establishment of the **RIO VERDE FOOTHILLS DOMESTIC WATER IMPROVEMENT DISTRICT** ("District"). This Petition is made pursuant to Sections 48-901 to 48-967, inclusive, and Sections 48-1011 to 48-1019, inclusive, of the Arizona Revised Statutes ("A.R.S."), as the same may be amended from time to time (collectively, the "County Domestic Water Improvement District Laws").

As required by A.R.S. Section 48-903(C), the Petitioners hereby assert and declare the following facts and make the following representations in support of this Petition:

1. The name of the proposed District is the "Rio Verde Foothills Domestic Water Improvement District" of Maricopa County, Arizona.
2. The necessity for the proposed District is the need to provide a secure source of water, purchase land and construct one or more standpipes for a domestic water system and other local improvements, and the financing of such improvements by the issuance of bonds or such other financial mechanisms as the District may determine in its discretion for the benefit of the parcels of land so benefitted within the proposed District, charging and collecting fees and charges as may be permitted by law, and levying taxes within the proposed District to operate and maintain such improvements.
3. The public convenience, necessity and welfare will be promoted by the establishment of the District and the real property to be included therein will be benefitted by the improvements which can be ordered upon the formation of the District.
4. The **Initial Proposed Boundary Description** for the District is described in **Exhibit B: PROPOSED BOUNDARY DESCRIPTION** attached hereto and the **Initial Proposed Boundaries Map** for the District is depicted in **Exhibit C: PROPOSED BOUNDARIES MAP** attached hereto. The intent is to show the boundaries within which Petitioners are required to own land in order to sign the Petition.

After all petition signatures are gathered, there will be an amended **Exhibit B: PROPOSED BOUNDARY DESCRIPTION** and an amended **Exhibit C: PROPOSED BOUNDARIES MAP** created that will include only those parcels whose owners have signed this Petition. Parcels whose owners did NOT sign this petition will NOT be included in the District.

The parcels to be included within the boundaries of the proposed District are not, wholly or partially, within either of the following:

- a. The boundaries of the existing service territory of a public service corporation that provides domestic water or wastewater services as defined by a certificate of convenience and necessity issued by the Arizona Corporation Commission.
- b. The boundaries of the proposed service territory of a public service corporation that provides domestic water or wastewater services as defined in an application for a certificate of convenience and necessity that is pending before the Arizona Corporation Commission or that has been considered by the Arizona Corporation



Commission within one year before the date this Petition for an improvement district is filed with the Clerk of the Board of the County.

5. The proposed improvements may include, but are not limited to, acquiring a secure source of water, acquisition or construction of a well or wells, installation of a pump or pumps, construction of a water storage tank or tanks, and construction of a standpipe or standpipes, combined with water hauling by independent commercial and/or private water haulers delivering water from the constructed water infrastructure to parcels included within the District, or the sale of water from the domestic water system, all as part of a domestic water system.
6. Petitioners ask that the proposed District have the power and authority to: (i) construct, acquire and/or improve a domestic water system and all appurtenances thereto, within and without the District; (ii) make any and all other local improvements as may be required or necessary to fulfill such purpose; (iii) fund by loans, grants, assessments, special assessments, the issuance of bonds, and/or imposition of charges as may now or hereafter be ordered under and pursuant to the County Domestic Water Improvement District Laws; and (iv) provide for the operation, maintenance, repair and replacement of such improvements, as the need may arise. The proposed District shall be a special purpose district and municipal corporation for all applicable purposes. These purposes consist of, but are not limited to, the purposes prescribed in A.R.S. Section 48-909(A) as well as the related powers prescribed in A.R.S. Section 48-909(B) and A.R.S. Section 48-910.
7. Petitioners request that the District have an elected Board of Directors consisting of five members and that the following qualified electors of the District be appointed as the initial Board of Directors:

<u>Name of Director</u>	<u>Address</u>
Jennifer Simpson	13824 E Olesen Rd Scottsdale, Arizona 85262
John Jouas	35607 N 138 <sup>th</sup> Way Scottsdale, AZ 85262
Karen Nabity	13730 E. Cavedale Drive Scottsdale, Arizona 85262
Michelle Jameson	30507 N 164 <sup>th</sup> St Scottsdale, Arizona 85262
Jaime Phillips	16327 E Rancho Tierra Dr Scottsdale, AZ 85262

8. Election dates shall be the same as the county-wide general election date of each even numbered year commencing in 2022, and terms of the applicable class shall expire on the last day of December following the election.
9. When the District is formed, this Petition shall be deemed to be a petition to the Board of Directors of the District that the District incur the expense of appointing and employing a District engineer, drafting and preparing plans, specifications and estimates of the District's improvements or any one of them, and of taking all action to initiate and complete such improvements. Further, this Petition shall be deemed to be a petition to the Board of Directors of the District to incur the expenses of acquiring a secure source of water and constructing a domestic water system, to pay a required bond, other fees and expenses, costs of mailings, notifications, professionals and of taking all action to initiate and complete the process of obtaining a secure source of water and any improvements.



10. The Petitioners agree to pay all expenses connected with the proceedings in case the Board of Supervisors refuses to establish the District. If the District is established but the improvement work is abandoned by the District, the costs incurred previous to the abandonment (*i.e.*, costs for engineering, legal, financial, and other incidental expenses) will be paid by the District, such payment will be provided for by the levy and collection of taxes upon all the property, real and personal, in the District, or payment for such costs will be made by any other remedy or law in force at the time of abandonment.
11. Petitioners understand that the engineer's estimate of costs of the improvements have not been completed nor has the assessment methodology been determined or approved by the Board of Directors, and therefore no maximum limit on the amount of any assessment or the aggregate amount of all assessments has been established.
12. Petitioners acknowledge that the formation of the District may result in the levy of ad valorem taxes, assessments, and other charges to pay the costs of taking all action to initiate and complete the anticipated improvements, and for their operation and maintenance, and that the real property included within the District will be subject to the ordinances, resolutions, and other laws of the District. **The owners of real property within Exhibit B: PROPOSED BOUNDARY DESCRIPTION and Exhibit C: PROPOSED BOUNDARIES MAP who do not sign this Petition shall be excluded from the District.**
13. The Petitioners represent and/or acknowledge that: (1) this Petition constitutes a binding obligation; (2) this Petition has been validly authorized and executed as verified in the verification attached hereto; (3) this Petition meets the majority requirements of A.R.S. Sections 48-903(A); (4) the proposed District is a non-contiguous District and after all Petitioners sign this petition, an amended **Exhibit B: PROPOSED BOUNDARY DESCRIPTION** and an amended **Exhibit C: PROPOSED BOUNDARIES MAP** will be created including ONLY those parcels whose owners have signed this Petition; and as a result (5) 100% of the owners of 100% of the real property to be included in the District will have signed this Petition.

**EXHIBIT A**

**PETIONERS SIGNATURE PAGE**

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**Exhibit B**  
**PROPOSED BOUNDARY DESCRIPTION**  
**Rio Verde Foothills Domestic Water Improvement District**

The **Initial Proposed Boundary Description** is:

The area is located in Maricopa County and is bounded by the City of Scottsdale to the West, Tonto National Forest to the North, Tonto National Forest North of Dixileta Dr.; Dixileta West to 172nd St.; 172nd St. South to Rio Verde Dr.; Rio Verde Dr. East to 176th St.; 176th St. to The McDowell Mountain Regional Park comprise the East boundary, and The McDowell Mountain Regional Park on the South.

EXCEPT the following areas:

Granite Mountain Ranch; encompassed by Lone Mountain Rd. to the North, 144<sup>th</sup> St. to the East, Dixileta Dr. to the South and 140<sup>th</sup> St. to the West.

Rio Mountain Estates; encompassed by Dixileta Dr. to the North, 152<sup>nd</sup> St. to the East, Rio Verde Dr. to the South and 150<sup>th</sup> St. to the West.

The following parcels which are included in EPCOR's service area:

These are located West of 172<sup>nd</sup> St. and North of Rio Verde Dr.:

Parcel 219-38-009H	Parcel 219-39-009P	Parcel 219-38-979
Parcel 219-38-009N	Parcel 219-38-978	

These are located West of 176<sup>th</sup> St. South of Rio Verde Dr.:

Parcel 219-38-046	Parcel 219-38-056C	Parcel 219-38-160F
Parcel 219-38-047	Parcel 219-38-158	Parcel 219-38-160G
Parcel 219-38-052C	Parcel 219-38-159A	Parcel 219-38-160H
Parcel 219-38-052H	Parcel 219-38-159C	Parcel 219-38-160J
Parcel 219-38-052J	Parcel 219-38-159D	Parcel 219-38-160K
Parcel 219-38-052N	Parcel 219-38-159E	Parcel 219-38-161
Parcel 219-38-052P	Parcel 219-38-159F	Parcel 219-38-162
Parcel 219-38-052Q	Parcel 219-38-106A	Parcel 219-38-163
Parcel 219-38-052S	Parcel 219-38-106B	Parcel 219-38-164
Parcel 219-38-052T	Parcel 219-38-106C	Parcel 219-38-165
Parcel 219-38-052U	Parcel 219-38-160D	
Parcel 219-38-056B	Parcel 219-38-160E	

An **Amended Proposed Boundary Description** will supersede and replace this Exhibit B and will list only those Parcels whose owners have signed the accompanying Petition and are within the above Initial Proposed Boundary description. No other parcels will be included.



**Exhibit B**  
**AMENDED PROPOSED BOUNDARY DESCRIPTION**  
**Rio Verde Foothills Domestic Water Improvement District**

This **Amended Proposed Boundary Description** supersedes and replaces the Initial Proposed Boundary Description and lists only those Parcels whose owners have signed this Petition. The following parcels are located within Maricopa County, Arizona in Township 5 North, Range 6 East and make up the boundaries of the Rio Verde Foothills Domestic Water Improvement District.

219-36-003U	219-36-094B	219-37-680	219-40-052J
219-36-003W	219-36-094C	219-37-681	219-40-309
219-36-006F	219-36-094D	219-38-005R	219-40-330
219-36-007	219-36-098	219-38-009G	219-41-004K
219-36-014N	219-36-099	219-38-010E	219-41-005R
219-36-015N	219-36-106	219-38-040M	219-41-005S
219-36-018L	219-36-108	219-38-050	219-41-011J
219-36-018M	219-36-120B	219-38-061	219-41-013L
219-36-018Q	219-36-166	219-38-069B	219-41-031T
219-36-021H	219-36-171	219-38-072	219-41-038D
219-36-021R	219-36-182	219-38-074	219-41-042D
219-36-022A	219-36-183	219-38-076	219-41-045F
219-36-022F	219-36-196	219-38-084J	219-41-048B
219-36-032	219-36-197	219-38-086	219-41-048C
219-36-033G	219-36-200A	219-38-087	219-41-048E
219-36-034G	219-36-215	219-38-099A	219-41-049B
219-36-034Z	219-37-008G	219-38-100A	219-41-051V
219-36-049C	219-37-015R	219-38-178	219-41-063F
219-36-050J	219-37-015S	219-38-179	219-41-086
219-36-053L	219-37-018D	219-38-416	219-41-094
219-36-060F	219-37-020V	219-38-420A	219-41-101A
219-36-061M	219-37-020W	219-39-014D	219-41-104A
219-36-063C	219-37-020Y	219-39-039G	219-41-114
219-36-064A	219-37-045N	219-39-086A	219-42-003Q
219-36-067	219-37-045P	219-39-086B	219-42-006A
219-36-069D	219-37-062B	219-39-119D	219-42-008K
219-36-071	219-37-100B	219-39-136B	219-42-015T
219-36-072K	219-37-100C	219-39-136K	219-42-031
219-36-074B	219-37-100D	219-39-136L	219-42-032
219-36-074F	219-37-100E	219-39-136P	219-42-036C
219-36-074G	219-37-497R	219-39-150	219-42-041
219-36-074H	219-37-498	219-39-173J	219-42-042B
219-36-074L	219-37-499A	219-39-203G	219-42-046D
219-36-074N	219-37-499H	219-39-225B	219-42-047
219-36-075A	219-37-499J	219-39-225L	219-42-061B
219-36-075B	219-37-533A	219-39-225Q	219-42-062
219-36-076B	219-37-535	219-39-347B	219-42-064
219-36-076D	219-37-612	219-39-347E	219-42-066C
219-36-088B	219-37-613	219-40-037S	219-42-085C
219-36-091A	219-37-615	219-40-044R	219-42-087A
219-36-091E	219-37-638A	219-40-044S	219-42-104
219-36-093E	219-37-678	219-40-047Y	219-42-108B
219-36-021P	219-36-117	219-41-042A	219-41-119D
219-36-046D	219-41-016 J	219-41-042B	219-37-677A

Exhibit C  
**INITIAL PROPOSED BOUNDARIES MAP**  
**Rio Verde Foothills Domestic Water Improvement District**

This is the **INITIAL PROPOSED BOUNDARIES MAP**. The intent of this map is to show the boundaries within which Petitioners are required to own property to sign this Petition, shaded areas excluded.

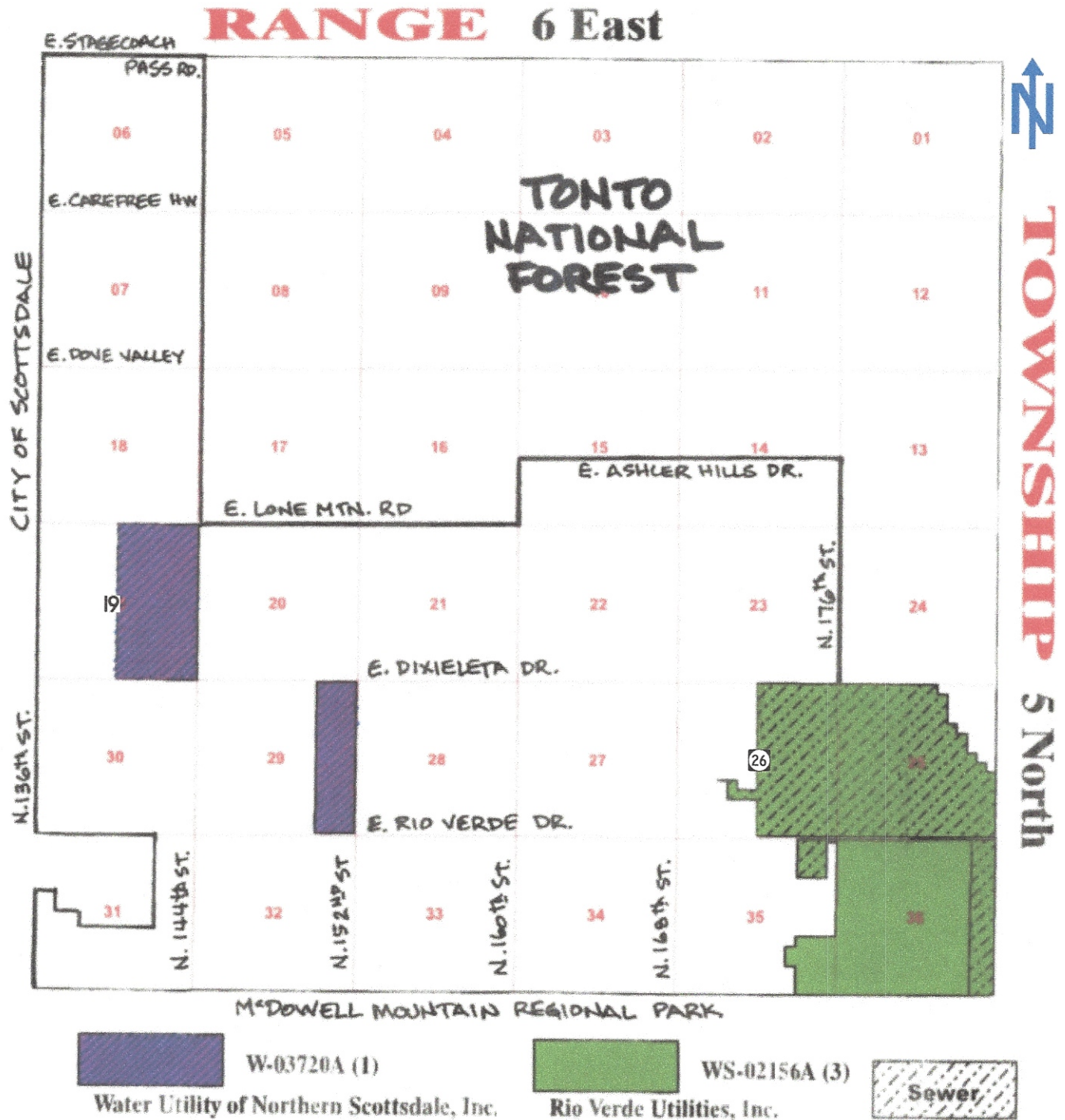


Exhibit C  
**AMENDED PROPOSED BOUNDARIES MAP**  
**Rio Verde Foothills Domestic Water Improvement District**

This is the **AMENDED PROPOSED BOUNDARIES MAP\*** which includes only those parcels whose owners have signed this Petition. The **AMENDED PROPOSED BOUNDARIES MAP** supersedes and replaces the INITIAL PROPOSED BOUNDARIES MAP.

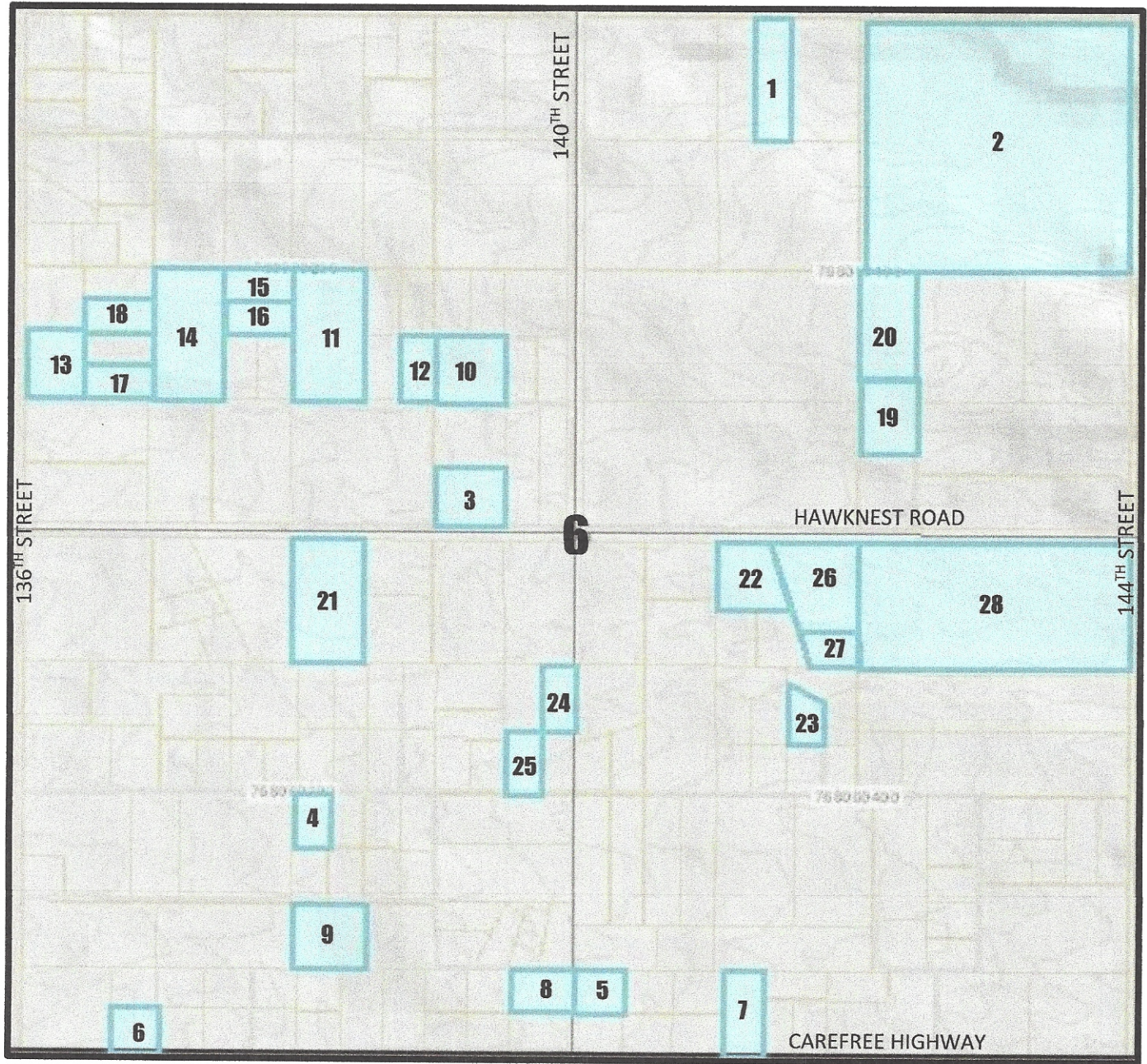
\*For purposes of clarity, this map is broken down into ***Section Maps on the following pages.*** All parcels within each Section are numbered and highlighted with a legend of corresponding numbers listed. To see a map including all sections of the overall area please see Exhibit C, Initial Proposed Boundary Map.



## SECTION 6 MAP



T06 R05



1	219-36-006F
2	219-36-007
3	219-36-032
4	219-36-050J
5	219-36-060F
6	219-36-061M
7	219-36-063C
8	219-36-064A
9	219-36-067
10	219-36-069D

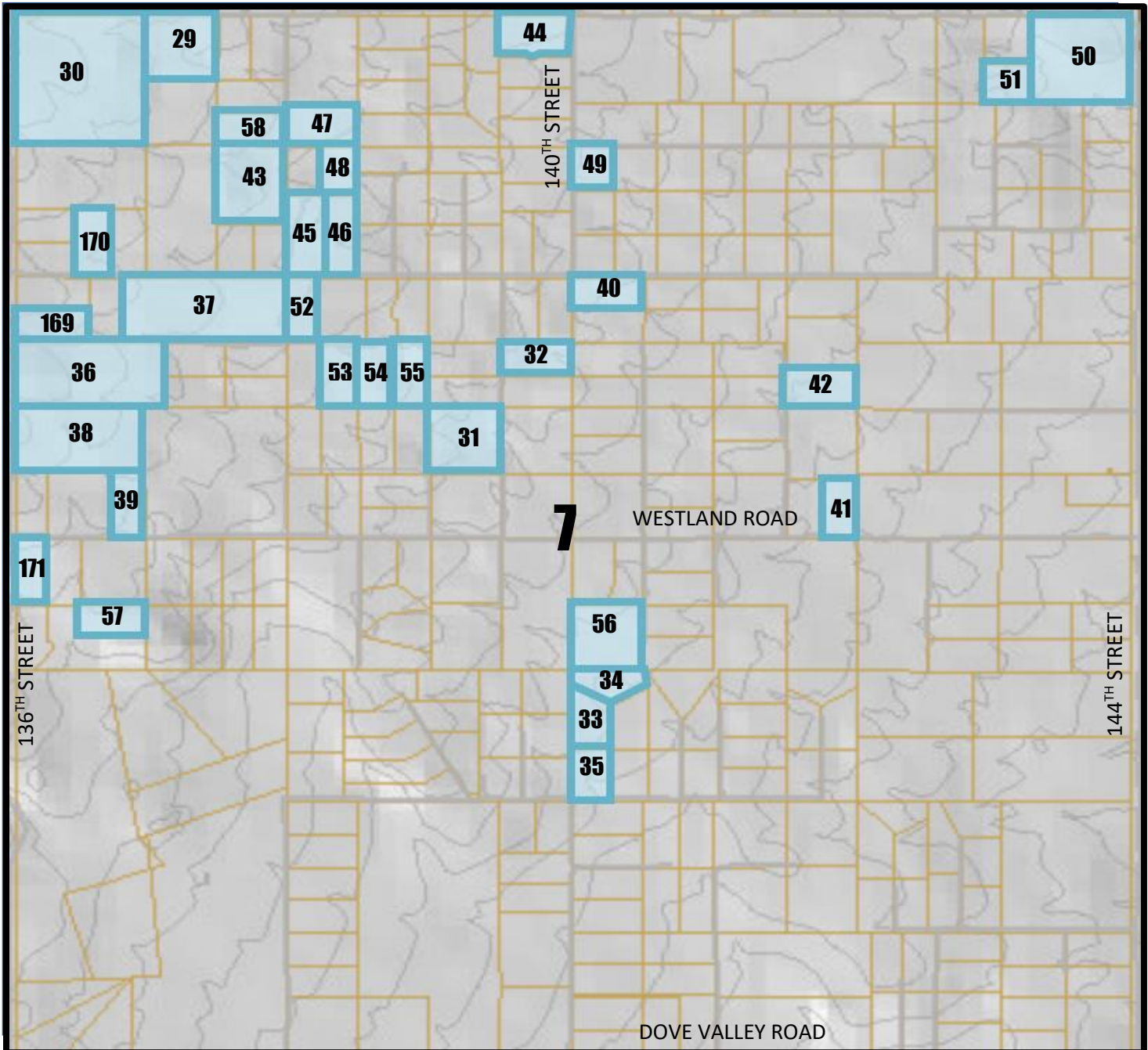
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12	219-36-072K
13	219-36-074B
14	219-36-074F
15	219-36-074G
16	219-36-074H
17	219-36-074L
18	219-36-074N
19	219-36-098
20	219-36-099

21	219-36-106
22	219-36-166
23	219-36-171
24	219-36-182
25	219-36-183
26	219-36-196
27	219-36-197
28	219-36-200A



**SECTION 7 MAP**

REV 1 of 1

**T06 R05**

29	219-36-003U
30	219-36-003W
31	219-36-014N
32	219-36-015N
33	219-36-018L
34	219-36-018M
35	219-36-018Q
36	219-36-021H
37	219-36-021R
38	219-36-022A
39	219-36-022F

40	219-36-033G
41	219-36-034G
42	219-36-034Z
43	219-36-049C
44	219-36-053L
45	219-36-075A
46	219-36-075B
47	219-36-076B
48	219-36-076D
49	219-36-088B
50	219-36-091A

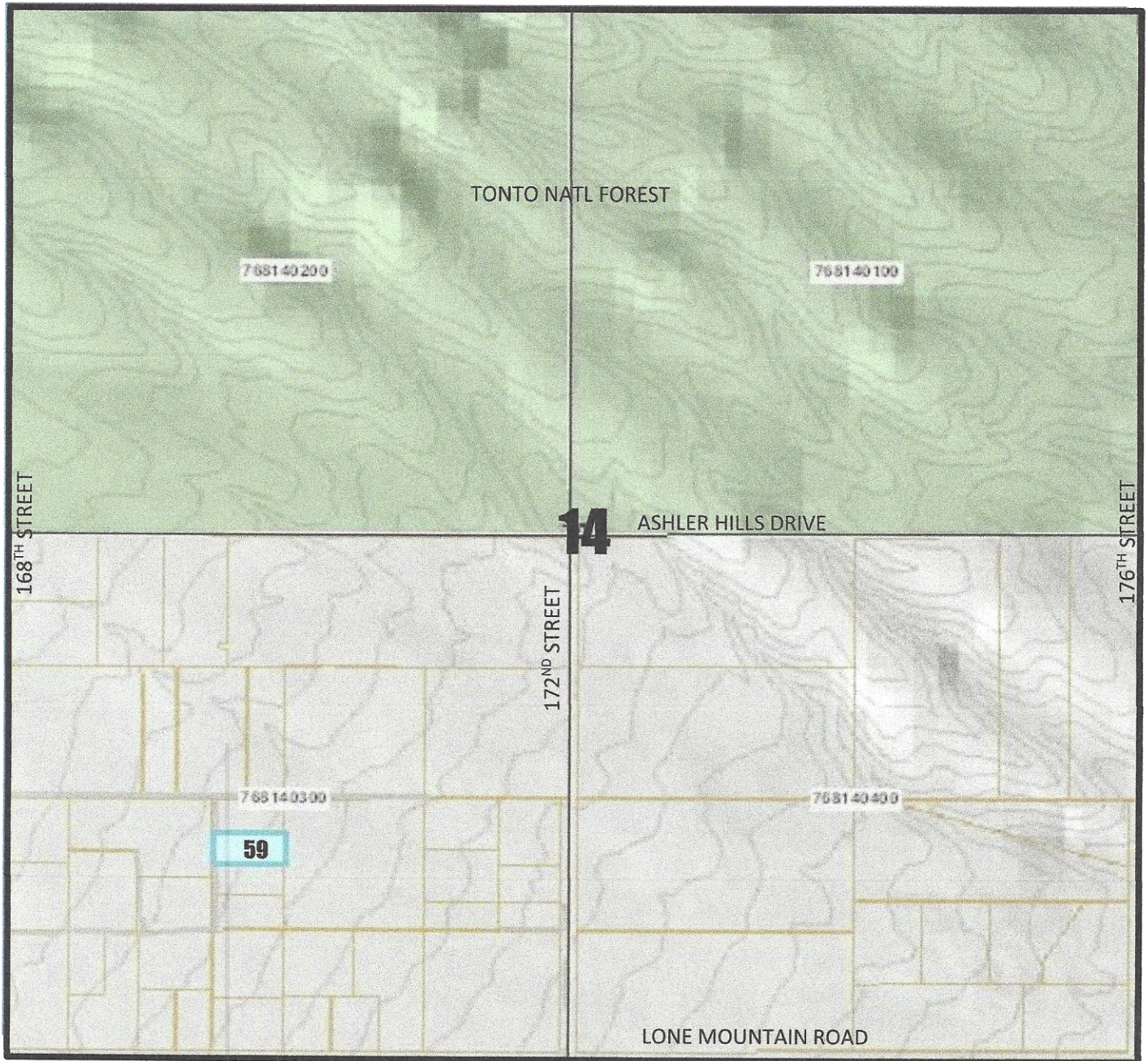
51	219-36-091E
52	219-36-093E
53	219-36-094B
54	219-36-094C
55	219-36-094D
56	219-36-108
57	219-36-120B
58	219-36-215
169	219-36-021P
170	219-36-046D
171	219-36-117



# SECTION 14 MAP



T06 R05



59 219-42-015T

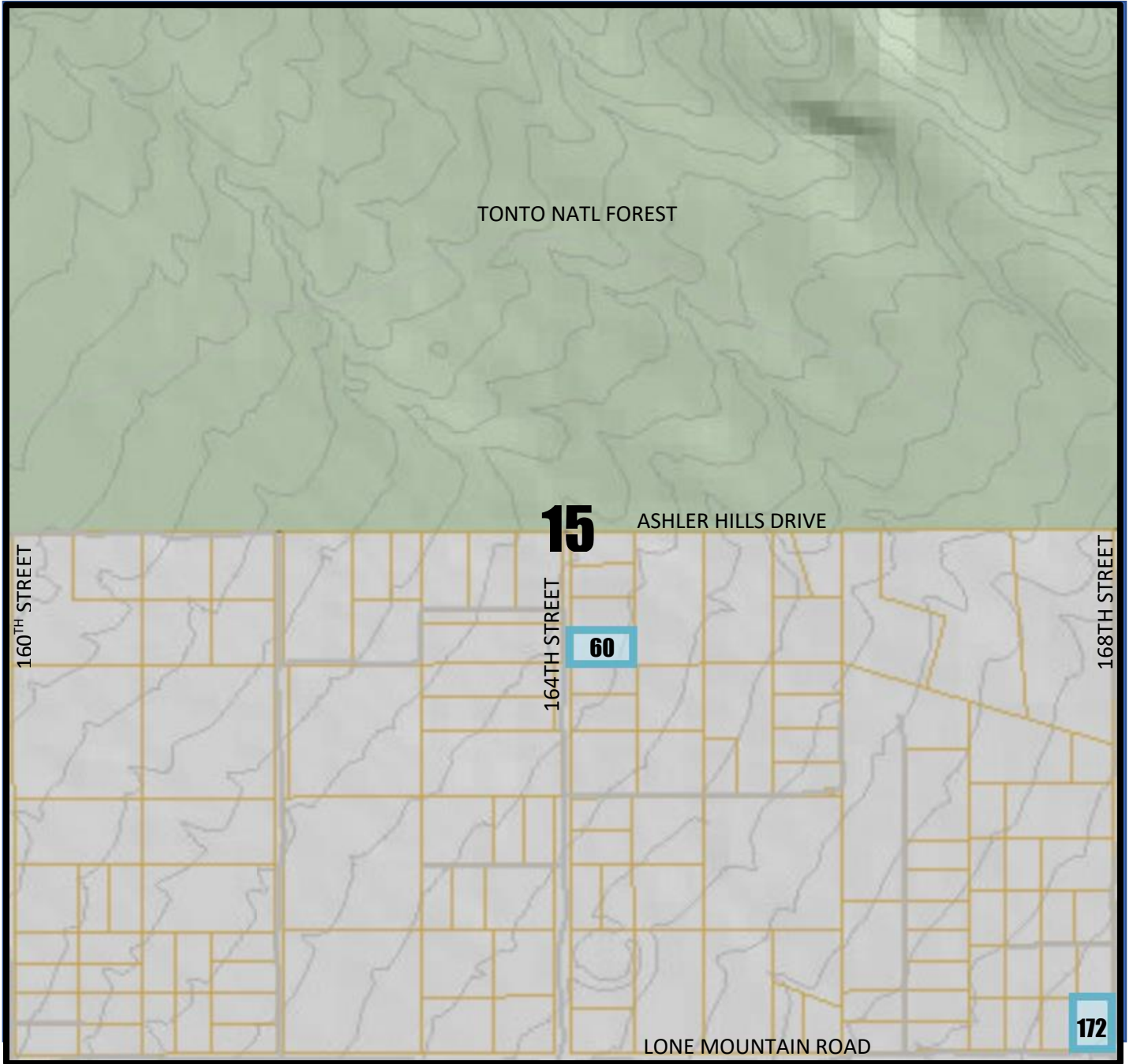


# SECTION 15 MAP

REV 1 of 1

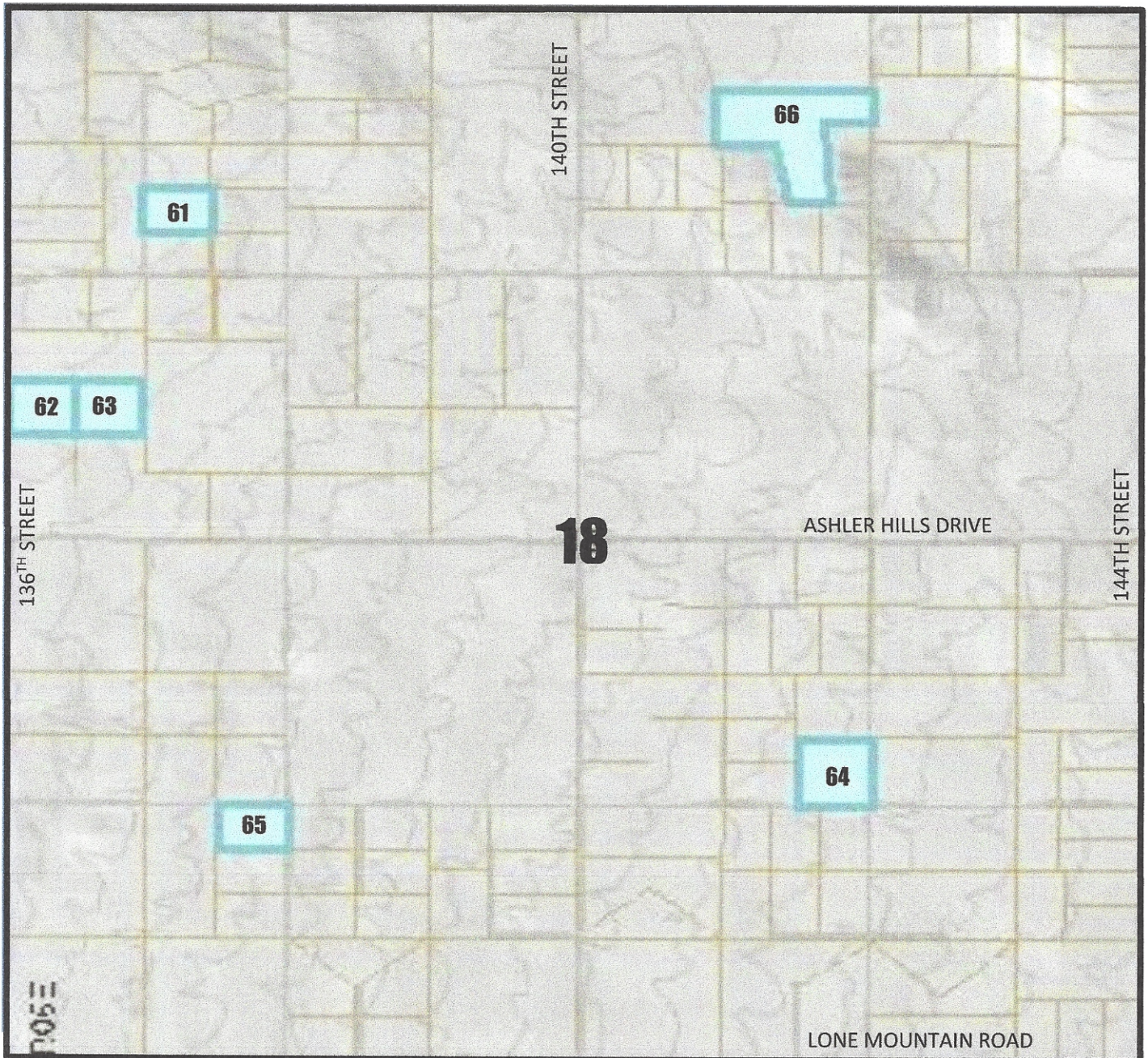


T06 R05



60	219-41-104A
172	219-41-016J



**SECTION 18 MAP****T06 R05**

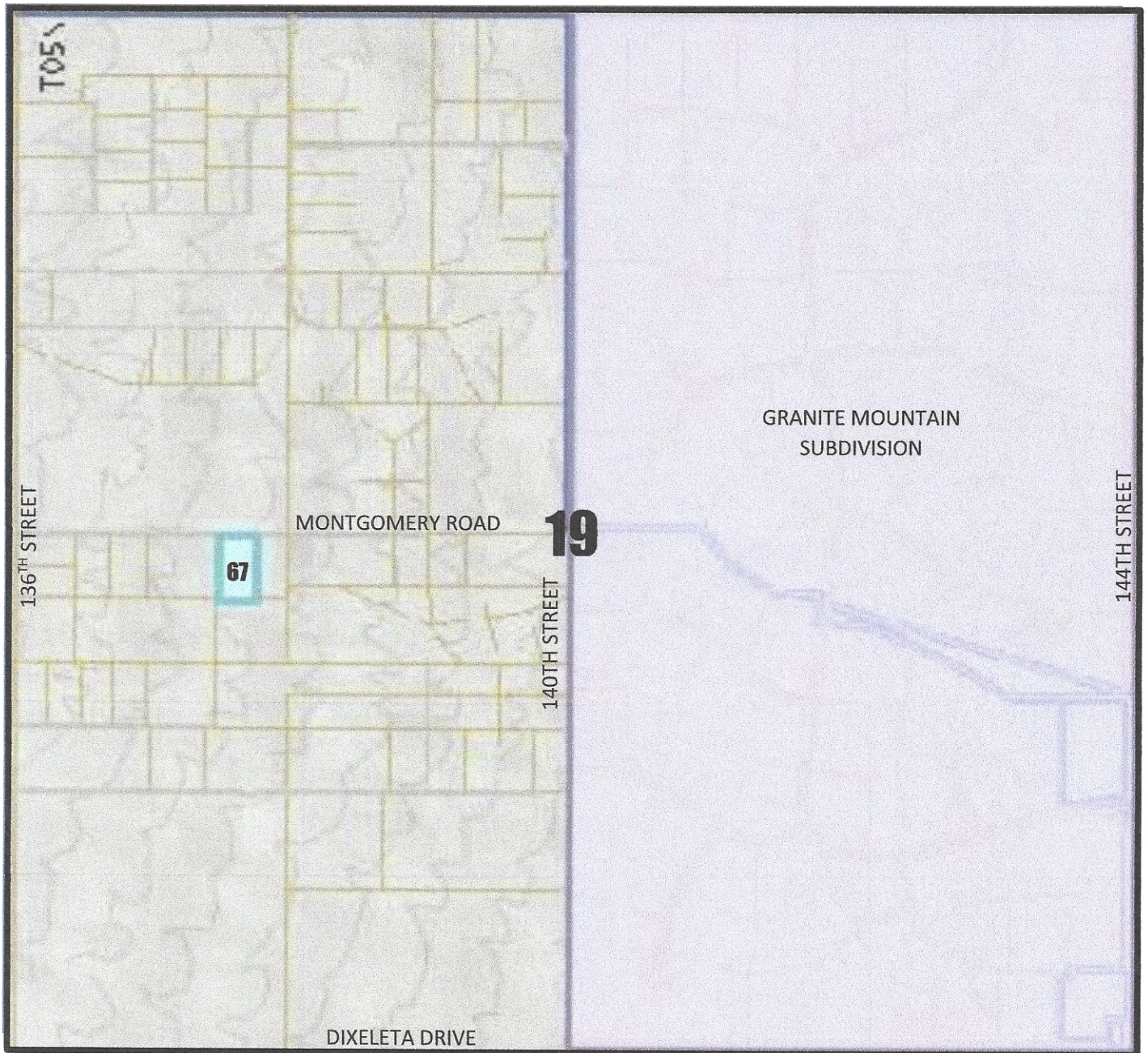
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62	219-40-044R
63	219-40-044S
64	219-40-047Y
65	219-40-052J
66	219-40-330



# SECTION 19 MAP



T06 R05

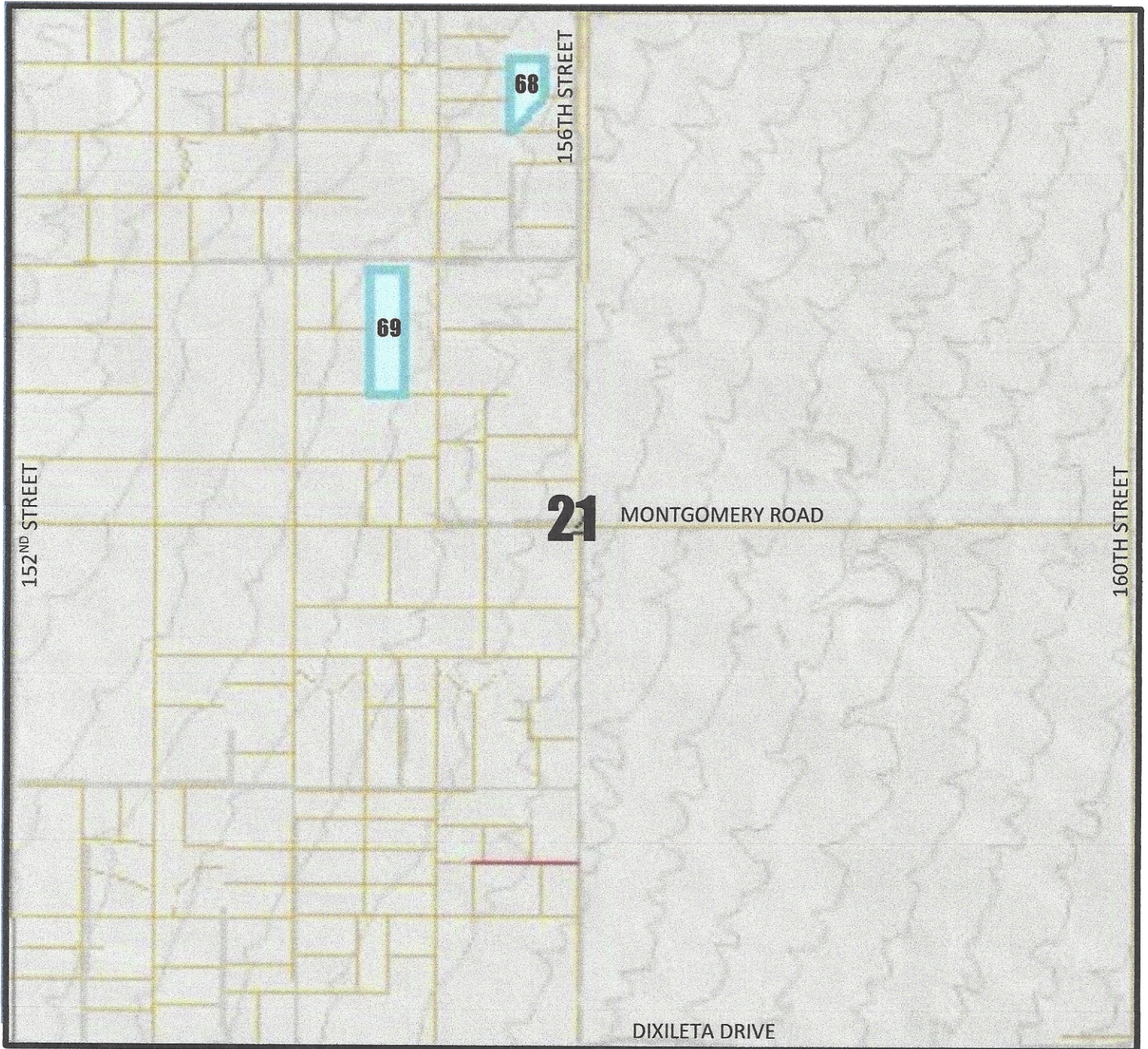


67	219-40-309
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# SECTION 21 MAP

T06 R05



68	219-41-031T
69	219-41-051V

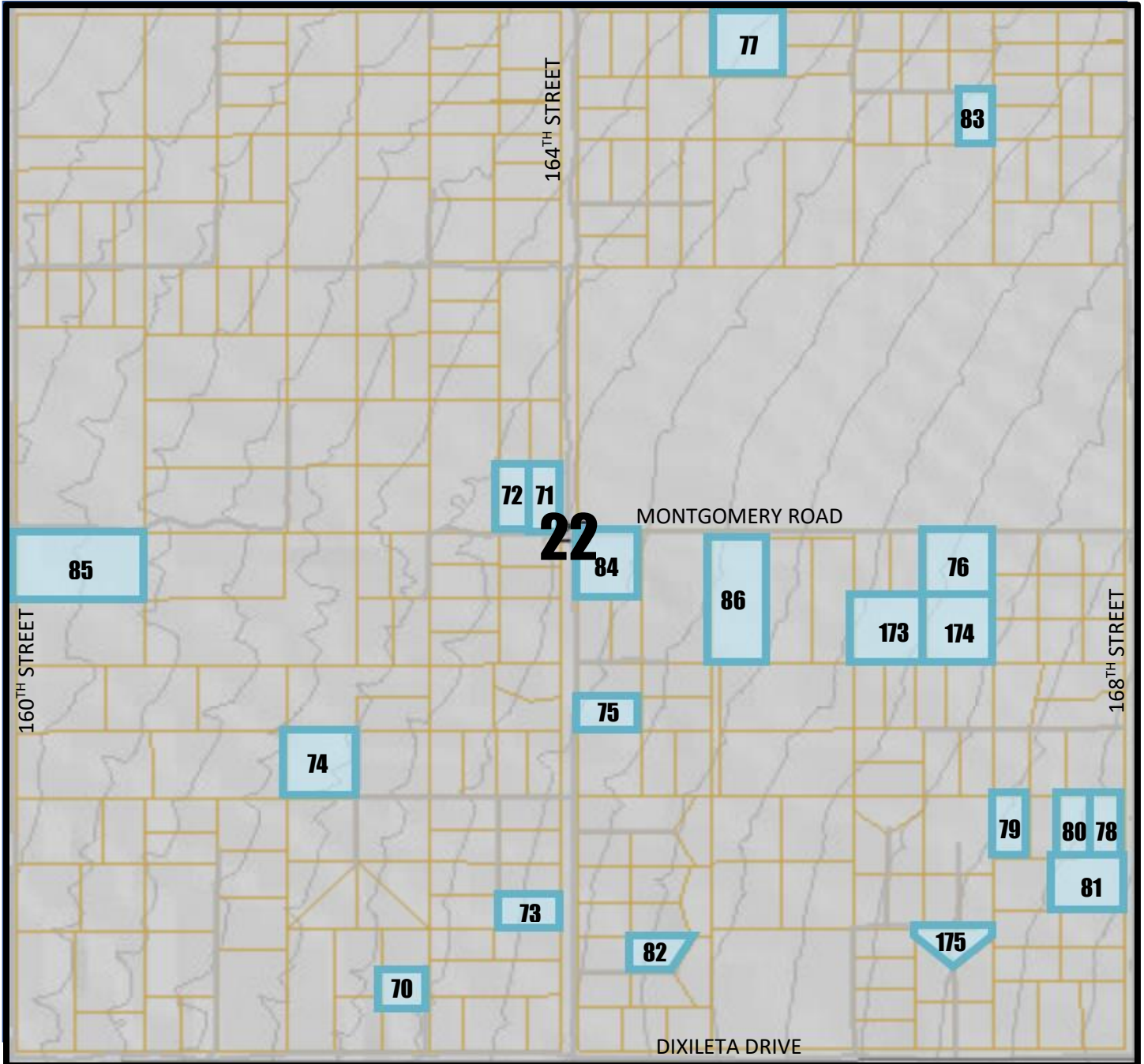


## SECTION 22 MAP

REV 1 of 1



T06 R05



70	219-41-004K
71	219-41-005R
72	219-41-005S
73	219-41-011J
74	219-41-013L
75	219-41-038D
76	219-41-042D
77	219-41-045F
78	219-41-048B
79	219-41-048C

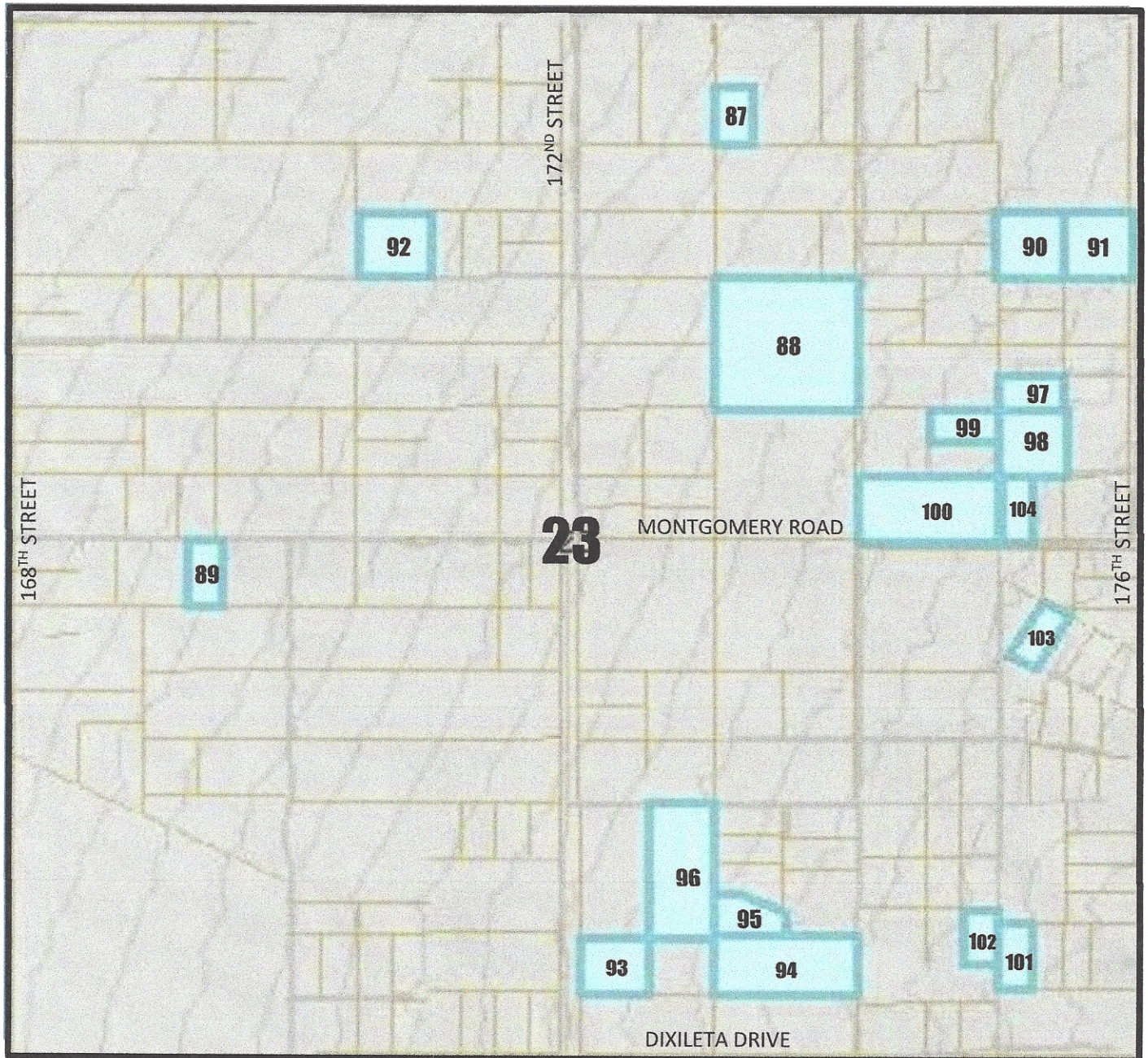
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81	219-41-049B
82	219-41-063F
83	219-41-086
84	219-41-094
85	219-41-101A
86	219-41-114
173	219-41-042A
174	219-41-042B
175	219-41-119D



## SECTION 23 MAP



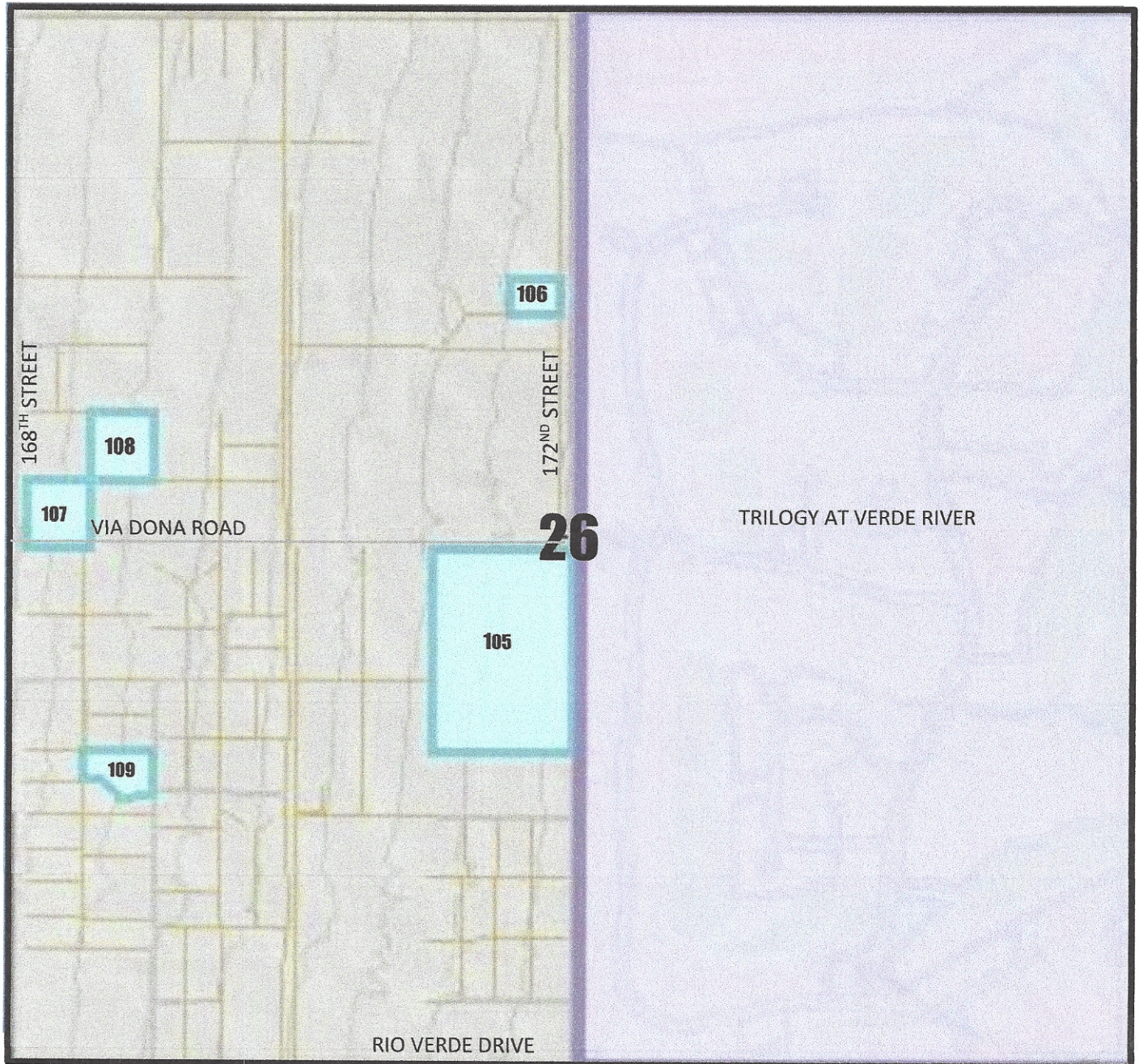
T06 R05



87	219-42-003Q
88	219-42-006A
89	219-42-008K
90	219-42-031
91	219-42-032
92	219-42-036C
93	219-42-041
94	219-42-042B
95	219-42-046D
96	219-42-047

97	219-42-061B
98	219-42-062
99	219-42-064
100	219-42-066C
101	219-42-085C
102	219-42-087A
103	219-42-104
104	219-42-108B



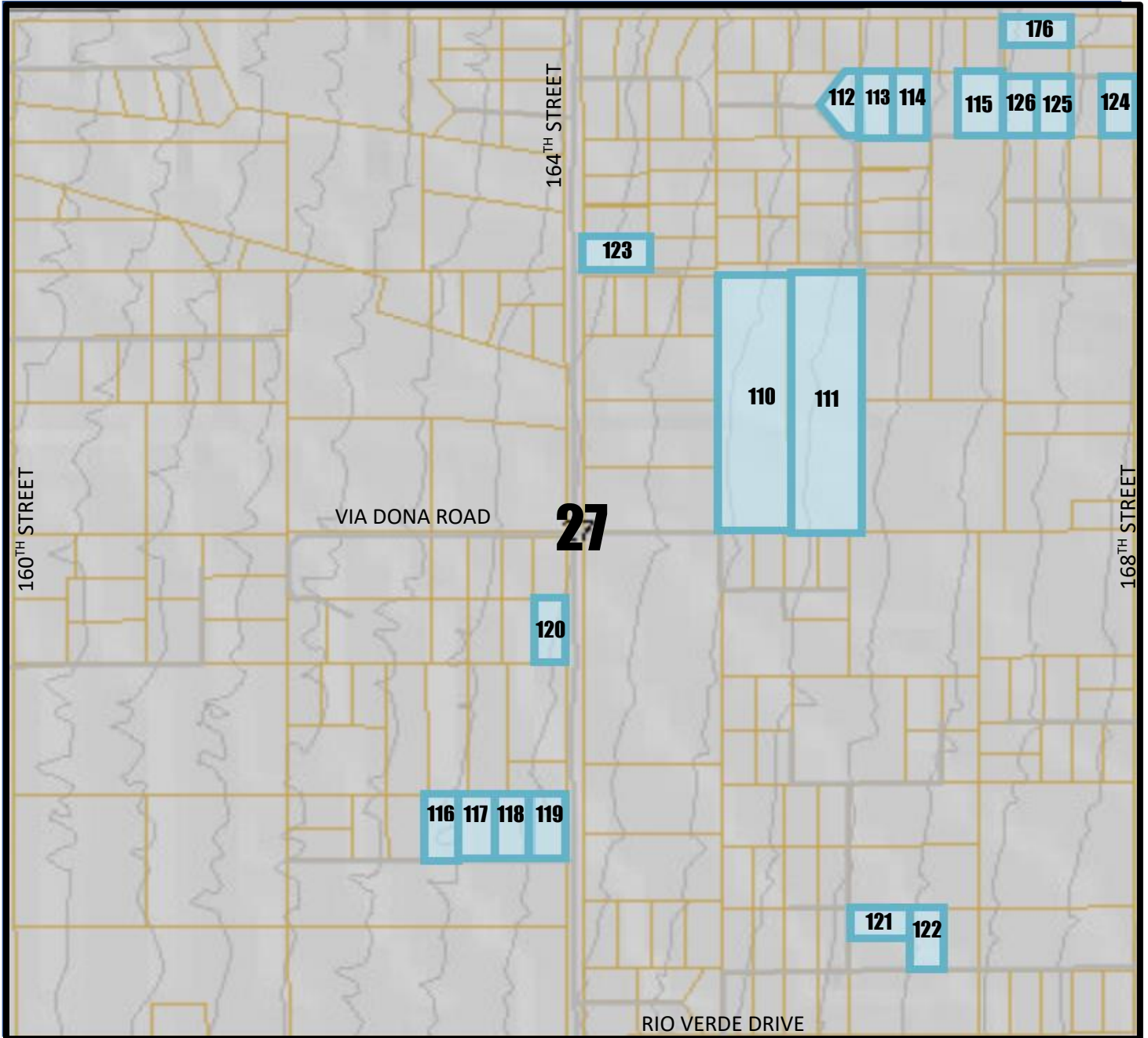
**SECTION 26 MAP****T06 R05**

105	219-38-009G
106	219-38-010E
107	219-38-072
108	219-38-074
109	219-38-416



**SECTION 27 MAP**

REV 1 of 1

**T06 R05**

110	219-37-015R
111	219-37-015S
112	219-37-018D
113	219-37-020V
114	219-37-020W
115	219-37-020Y
116	219-37-100B
117	219-37-100C
118	219-37-100D
119	219-37-100E

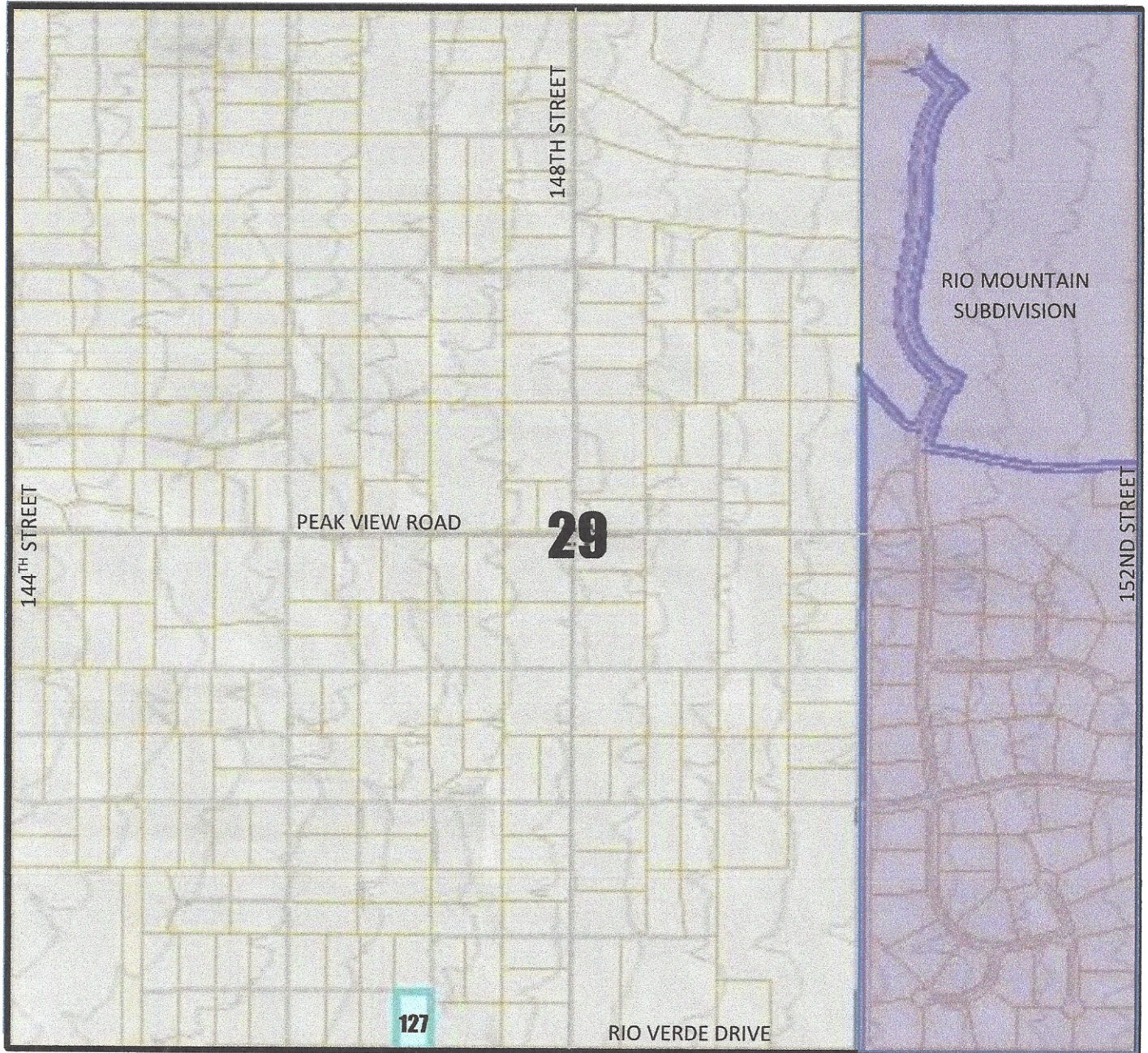
120	219-37-497R
121	219-37-613
122	219-37-615
123	219-37-638A
124	219-37-678
125	219-37-680
126	219-37-681
176	219-37-677A



# SECTION 29 MAP



T06 R05



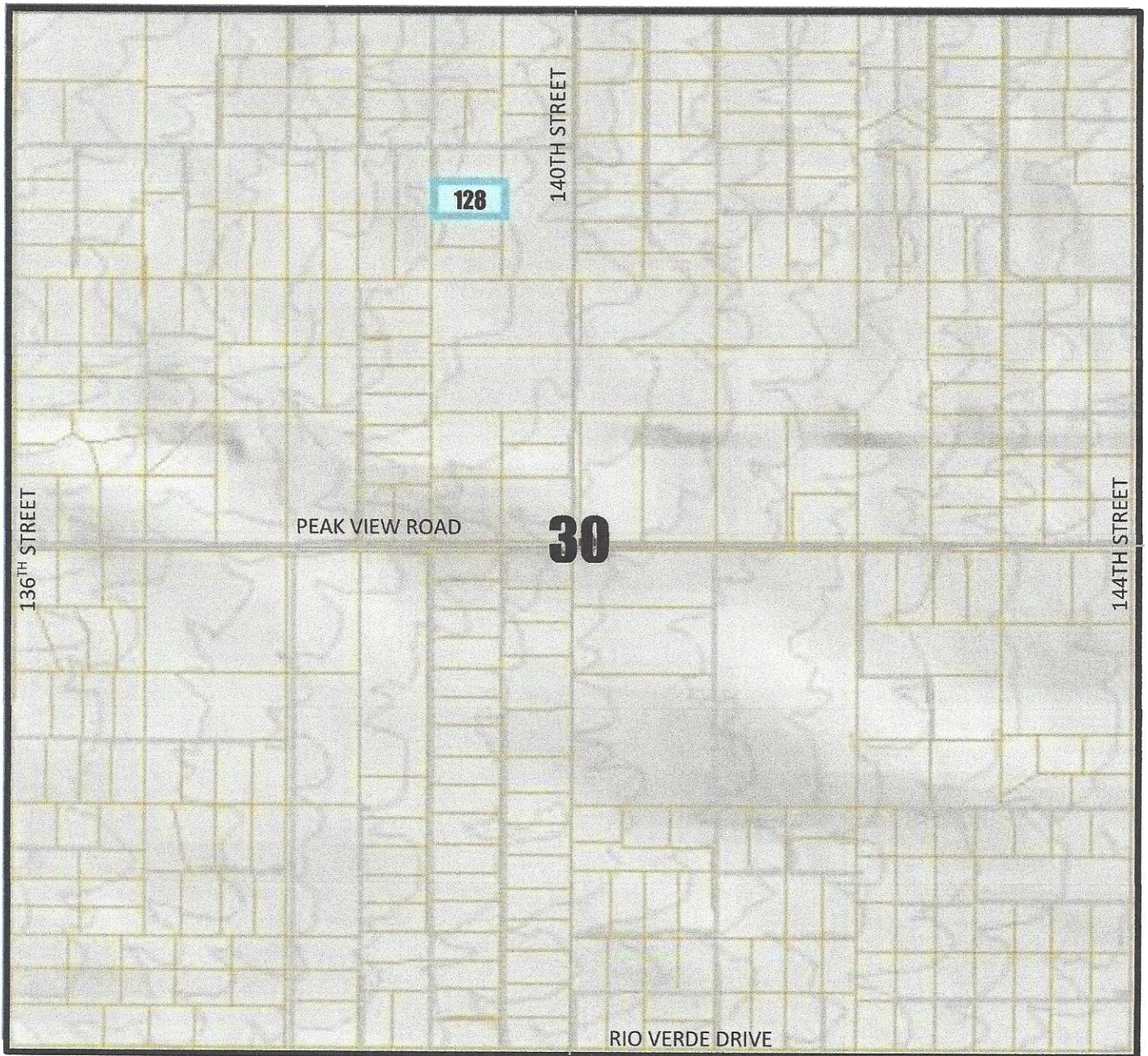
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# SECTION 30 MAP



T06 R05



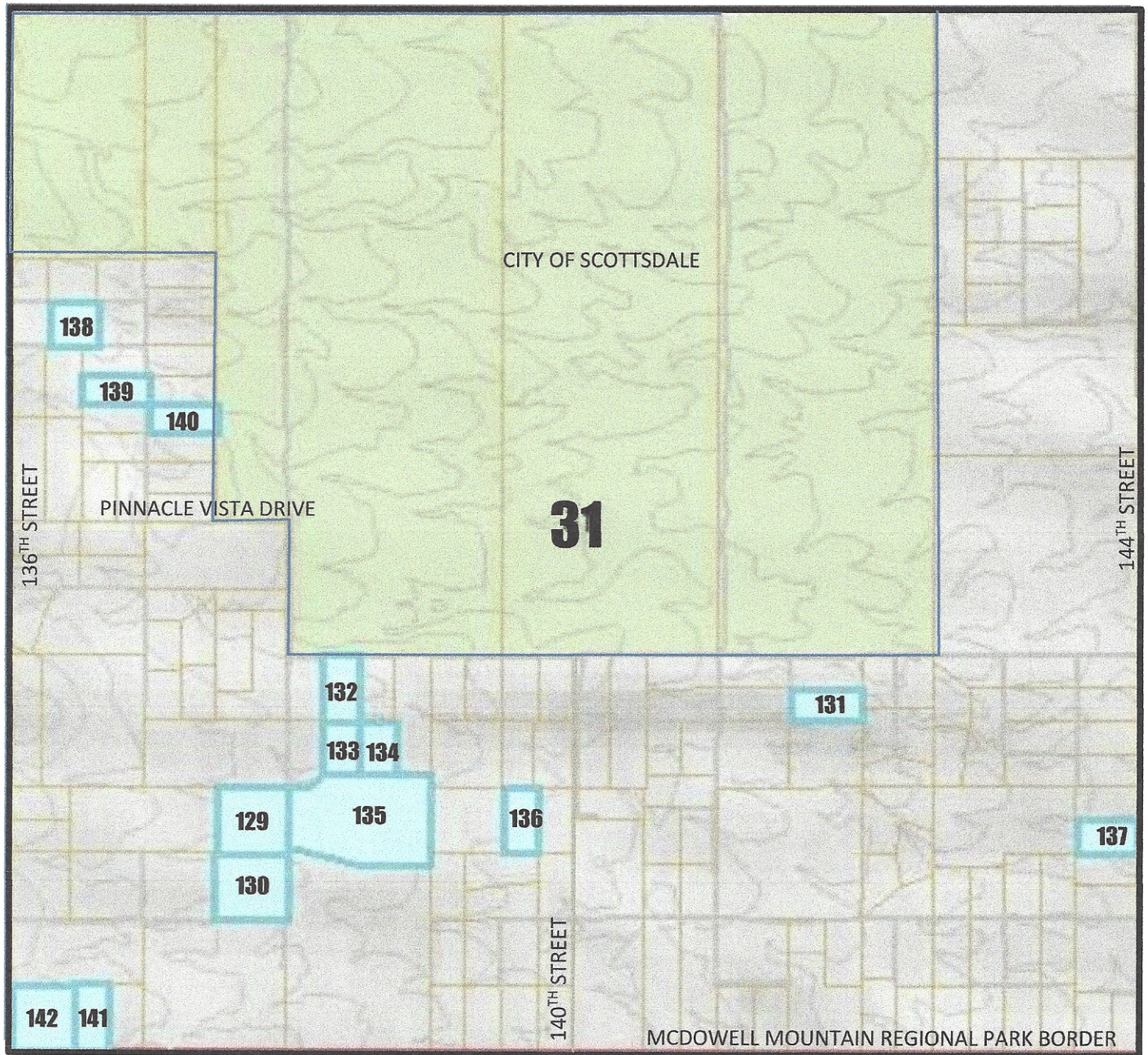
128 219-39-014D



# SECTION 31 MAP



T06 R05



129	219-39-086A
130	219-39-086B
131	219-39-119D
132	219-39-136B
133	219-39-136K
134	219-39-136L
135	219-39-136P
136	219-39-173J
137	219-39-203G
138	219-39-225B

139	219-39-225L
140	219-39-225Q
141	219-39-347B
142	219-39-347E



# SECTION 32 MAP

T06 R05



RIO VERDE DRIVE

148TH STREET

144TH STREET

**32**

PINNACLE VISTA DRIVE

152ND STREET

**143**

MCDOWELL MOUNTAIN REGIONAL PARK BORDER

143 219-39-039G



# SECTION 33 MAP



T06 R05



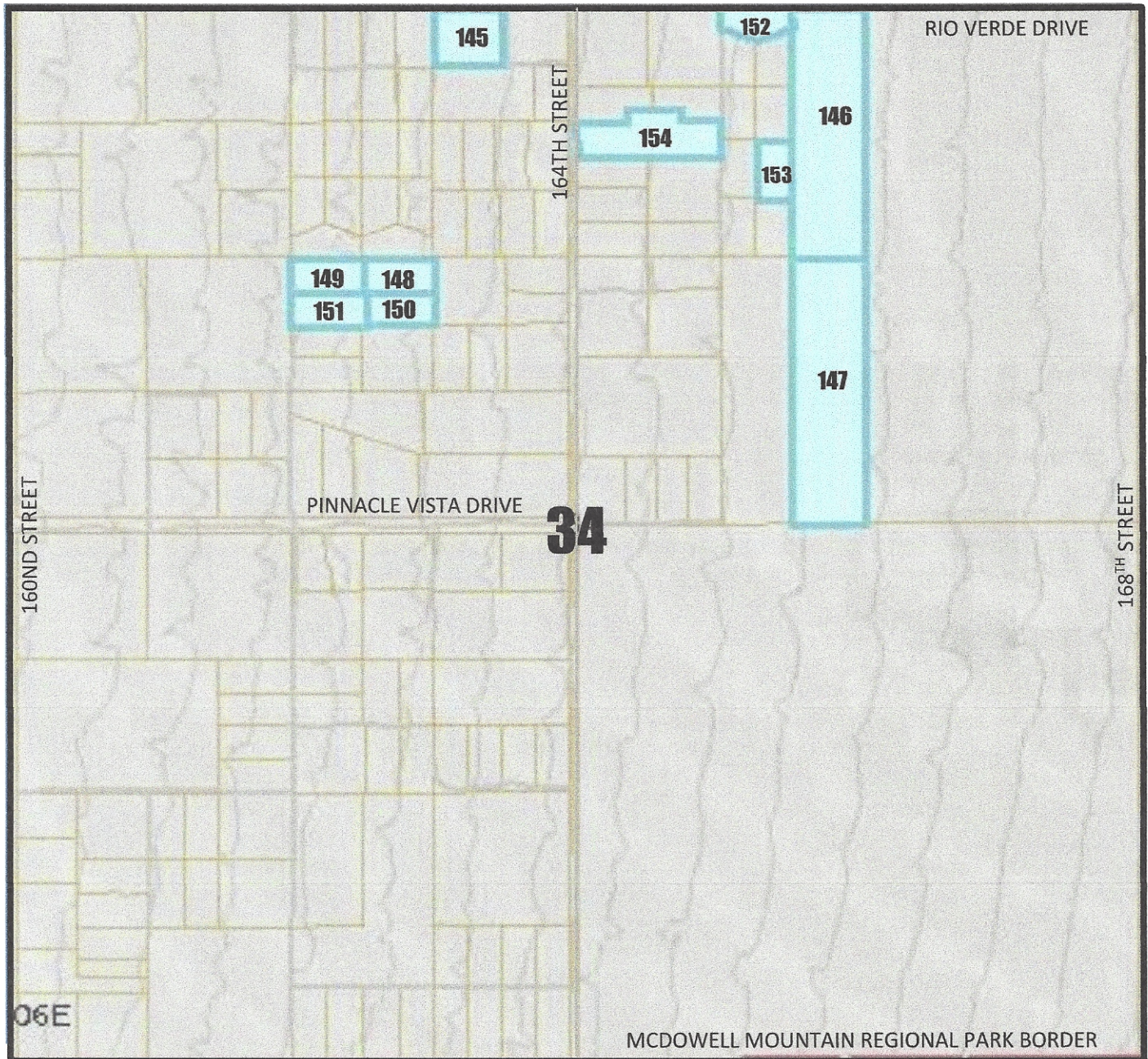
144	219-37-062B
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# SECTION 34 MAP



T06 R05



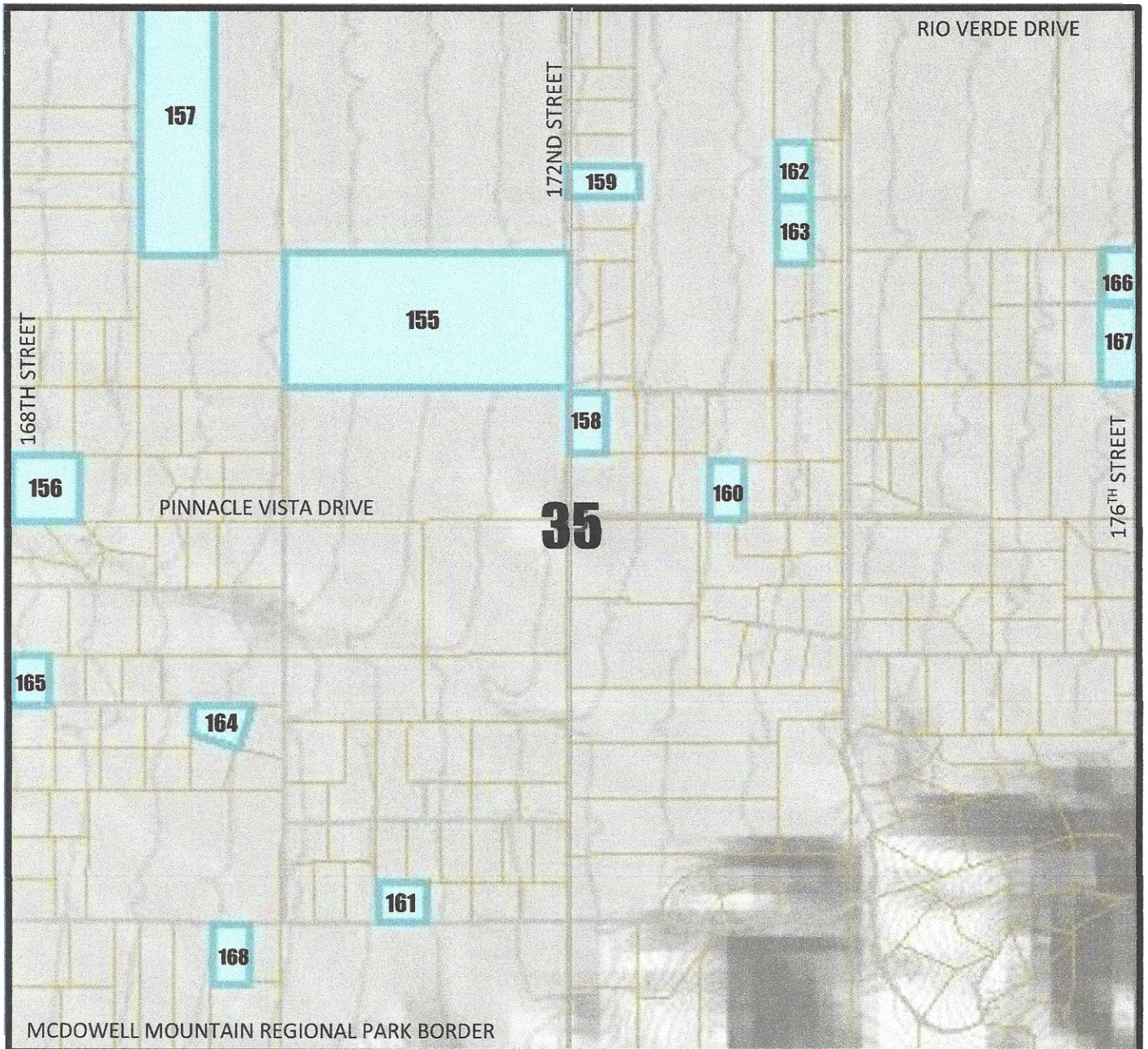
145	219-37-008G
146	219-37-045N
147	219-37-045P
148	219-37-498
149	219-37-499A
150	219-37-499H
151	219-37-499J
152	219-37-533A
153	219-37-535
154	219-37-612



# SECTION 35 MAP



T06 R05



155	219-38-005R
156	219-38-040M
157	219-38-050
158	219-38-061
159	219-38-069B
160	219-38-076
161	219-38-084J
162	219-38-086
163	219-38-087
164	219-38-099A

165	219-38-100A
166	219-38-178
167	219-38-179
168	219-38-420A