

RESOLUTION NO. C-20-12-017-M-00

RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, DECLARING ORGANIZATION AND ESTABLISHMENT OF THE ASU ATHLETIC FACILITIES DISTRICT AND APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH SUCH DISTRICT.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, as follows:

Section 1. **Findings.** The Board of Supervisors hereby makes the following findings:

A. Prior to the adoption hereof, there was presented to us, the Board of Supervisors of Maricopa County, Arizona (hereinafter referred to as the "*County*"), a request for organization and establishment of a university athletic facilities district and adoption of a resolution declaring organization and establishment of the ASU Athletic Facilities District, requested by the Arizona Board of Regents for and on behalf of Arizona Sate University ("ASU"), the organization and establishment of which is requested by ASU pursuant to Title 48, Chapter 26, Arizona Revised Statutes, as amended (hereinafter referred to as the "*Act*"). (The proposed district shall be referred to herein as the "*District*").

B. ASU has represented, attested and declared the following:

1. The name of the District is requested to be "*ASU Athletic Facilities District*",

2. The District is to be formed, and will exist, pursuant to the terms and provisions of the Act,

3. The District is to contain an area of approximately 330 acres of land, more or less, wholly within the boundaries of Maricopa County, and is to be composed of the land described as provided in Exhibit A hereto, which is made a part hereof for all purposes (hereinafter referred to as the "*Property*"),

4. The District is to be a stadium district for the purposes of the Act, and subject to limitations imposed by the Act, the District is a tax levying public improvement district and a political taxing subdivision of this state and has all the powers, privileges and immunities granted generally to municipal corporations for the purposes of implementing Title 48, Chaper 26 of the Arizona Revised Statutes, as amended; except as otherwise provided in the Act, and is to be considered a municipal corporation and political subdivision of the State of Arizona separate and apart from the County; and is to be formed for, and have, all the purposes and powers of a "district" as such term is defined, and as provided, in the Act, and

C. ASU further represented, attested and declared that on the date of its request and on the date hereof, all of the land to be in the District, except for public roads and rights of way, is within the contiguous exterior boundaries owned by ASU.

D. ASU requested that the County form the District in order for the District to construct, reconstruct, finance, furnish, maintain and improve intercollegiate athletic facilities located on ASU's property, including utilities, roads, parking areas or buildings necessary for full use of the athletic facilities, and otherwise implement the Act.

E. As required by the Act, an Intergovernmental Agreement between The Arizona Board of Regents for and on behalf of Arizona State University and Maricopa County, Arizona will be executed within 45 days of the adoption of this Resolution.

Section 2. Granting of Request; Formation of District. The Board of Supervisors hereby determines that the public convenience, necessity, and welfare will be promoted by establishing the District. The District will construct, reconstruct, finance, furnish, maintain and improve intercollegiate athletic facilities located on ASU's property, including utilities, roads, parking areas or buildings necessary for full use of the athletic facilities, and otherwise implement the Act, thereby improving the functionality and aesthetics of ASU's competitive sports facilities. The request is hereby granted, and the District is hereby formed as a university athletic facilities district pursuant to the terms and provisions of, and with the powers and authority established by, the Act, with jurisdiction over the Property.

Section 3. District Board and Officers. The District shall be governed by a "District Board" comprised of the members identified in the IGA.

Section 4. District Boundaries and Map. The District boundaries are set to be as described in Exhibit A hereto. The map showing the District boundaries is set forth in Exhibit B hereto and is hereby approved. The boundaries of the District shall be altered only as ASU acquires and disposes of real property.

Section 5. No General Liability of or for the County. Neither the general fund or any other fund or moneys of the County, nor that of the State of Arizona or any political subdivision of either (other than the District) shall be liable for the payment or repayment of any obligation, liability, bond or indebtedness of the District, and neither the credit nor the taxing power of the County, the State of Arizona or any political subdivision of either (other than the District) shall be pledged therefor.

ADOPTED this 2nd day of Nov., 2011, by the affirmative vote of the Board of Supervisors of Maricopa County, Arizona.



Chairman

ATTEST:


Clerk

APPROVED AS TO FORM:



Attorney

Exhibits:

- A Legal description of district
- B Boundary map of district

EXHIBIT A
LEGAL DESCRIPTION OF
ASU ATHLETIC FACILITIES DISTRICT
(MARICOPA COUNTY, ARIZONA)

Parcel Composition

<u>Parcels East Of Rural Rd.</u>	<u>Sq. FT</u>	<u>Acres</u>
# 132-32-003G	597,382	13.71
# 132-32-004E	43,778	1.01
# 132-32-004F	1,058,203	24.29
# 132-32-004B	838,791	19.26
# 132-33-001B	1,110,475	25.49
# 132-34-003R	2,214,547	50.84
# 132-34-003G	1,755,120	40.29
# 132-34-003Y	1,018,520	23.38
# 132-34-003X	92,739	2.13
# 132-31-004	381,542	8.76
SUBTOTAL	9,111,097 SF	209.16 ac

<u>Parcels West Of Rural Rd.</u>	<u>Sq. FT</u>	<u>Acres</u>
# 132-99-001H/132-24-001E*	660,211	15.16
# 132-25-025	465,220	10.68
# 132-25-021D	341,600	7.84
# 132-25-019D	12,134	0.28
# 132-25-020A	42,283	0.97
# 132-25-008D	491,205	11.28
# 132-24-004A	392,040	9.00
# 132-24-002	8,712	0.20
# 132-24-001C	2,813,486	64.59
# 132-99-001D	47,472	1.09
SUBTOTAL	4,614,152 SF	121.09 ac

TOTAL	13,725,249 SF	330.25 ac
--------------	----------------------	------------------

*Portion of these lots described as ASU Parcel 3B, Recorded 2002-1019659

EXHIBIT B

**BOUNDARY MAP OF
ASU ATHLETIC FACILITIES DISTRICT
(MARICOPA COUNTY, ARIZONA)**

