

RESOLUTION NO. _____

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MESA, ARIZONA, DECLARING INTENT TO FORM A COMMUNITY FACILITIES DISTRICT; ORDERING AND DECLARING FORMATION OF THE TAX LEVYING EASTMARK COMMUNITY FACILITIES DISTRICT NO. 2 (CITY OF MESA, ARIZONA); AND APPROVING THE DEVELOPMENT, FINANCING PARTICIPATION, WAIVER AND INTERGOVERNMENTAL AGREEMENT FOR SUCH DISTRICT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MESA, ARIZONA, as follows:

Section 1. Findings. The Mayor and City Council hereby make the following findings:

A. Prior to the adoption hereof, there was presented to us, the Mayor and City Council of the City of Mesa, Arizona (hereinafter referred to as the "*City*"), a petition for formation and petition for adoption of resolutions ordering and declaring formation of Eastmark Community Facilities District No. 2 (City of Mesa, Arizona), submitted and effective as of November 28, 2018 (the "*Petition*"), signed by the entities which, on the date of the Petition and on the date hereof, are the owners of all real property as shown on the assessment roll for State and County taxes for Maricopa County, Arizona, or, if such persons shown on such assessment roll are no longer the owners of land in the proposed District (as defined herein), are the entities which are the successor owners which have become known and have been verified by recorded deed or similar evidence of transfer of ownership to be the owners of such real property (collectively, the "*Petitioner*") described in the Petition by metes and bounds to be in the community facilities district, the formation of which is requested by the Petitioner in the Petition, pursuant to Title 48, Chapter 4, Article 6, Arizona Revised Statutes, as amended (the "*Act*"). (The proposed district shall be referred to herein as the "*District*").

B. Prior to the adoption hereof and in accordance with A.R.S. § 48-702 subsections B and D there was presented to the Mayor and City Council of the City by the Petitioner a completed application (the "*Application*") for formation of the District, which includes the information required pursuant to the Act and the City's Policy Guidelines and Application Procedures for the Establishment of Community Facilities Districts.

C The Petitioner has represented, attested and declared the following:

1. The name of the District is requested pursuant to the Petition to be "*Eastmark Community Facilities District No. 2 (City of Mesa, Arizona)*",
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 227.43 acres of land, more or less, wholly within the corporate boundaries of the City, and is to be composed of the land described by metes and bounds 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 special purpose district for purposes of Article IX, Section 19, Constitution of Arizona, a tax levying public improvement district for the purposes of Article XIII, Section 7, Constitution of Arizona, and a municipal corporation for all purposes of Title 35, Chapter 3, Articles 3, 3.1, 3.2, 4 and 5, 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 City; 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

5. Public convenience and necessity require the adoption of this resolution forming the District.

D. The Petitioner further represented, attested and declared that on the date thereof and hereof, as shown on the assessment roll for State and county taxes in Maricopa County, Arizona, all of the land to be in the District is owned by the Petitioner or, if a person listed on such assessment roll is no longer the owner of the land in the District, that the name of the successor owner has become known and verified by recorded deed or similar evidence of transfer of ownership to the Petitioner and that the land to be included in the District shall be benefited from the improvements for which the District is proposed to be formed and that there are no qualified electors residing on the land to be in the District.

E. After representing, attesting and declaring the preceding, the Petitioner requested that the Petition be properly filed as provided by law and that, as the Petition is signed by the owners of all the land to be in the District, any requirements of posting, publication, mailing, notice, hearing and landowner election otherwise required by the Act in connection with the formation of the District and adoption hereof be waived, and that the City, upon receipt of the Petition, declare its intention to form the District and thereafter form the District without being required to comply with such provisions for posting, publication, mailing, notice, hearing or landowner election.

F. The substantially final form of a Development, Financing Participation, Waiver and Intergovernmental Agreement (the "*Development Agreement*") has been presented to the Mayor and City Council, executed by the owners of all the land in the District and it is now in order for the City to approve such Development Agreement and authorize the execution of the Development Agreement.

Section 2. Agreements and Further Findings by the City. The Mayor and City Council hereby agree to and find the following:

A. The Petitioner seeks formation of the District to exercise the powers and functions set forth in the Act.

B. The General Plan (as defined hereafter) has been filed with the Clerk of the City.

C. The Petition, and all necessary supporting materials, meets the requirements of A.R.S. § 48-707, subsections F and G and has been filed with the Clerk of the City, and the showings in the Petition are each noticed by us and are hereby incorporated at this place as if set forth in whole.

D. The Application, and all necessary supporting materials, meets the requirements of A.R.S. § 48-702, subsections B and D and has been filed with the Clerk of the City.

E. The purposes for which the organization of the District is sought are as described in the Petition, Application and General Plan and are purposes for which a community facilities district created pursuant to the Act may be lawfully formed.

F. The District is to be wholly comprised of the Property and the Property is wholly within the boundaries of the City.

G. The Property is benefited by the District and the public infrastructure and the public infrastructure purposes set forth in the General Plan.

H. Pursuant to A.R.S. § 48-707, subsections F and G, no hearing on the formation of the District will be held.

I. The Petitioner is the owner of all of the Property and no qualified electors reside on the Property.

J. The Petitioner intends to split certain parcels partially within the proposed boundaries of the District in order to comply with A.R.S. § 48-272 et seq.

K. The public convenience and necessity require the adoption hereof.

Section 3. Approval of the General Plan. Prior to the adoption hereof, a "General Plan for the Proposed Eastmark Community Facilities District No. 2 (City of Mesa, Arizona)" for the District was filed with the Clerk of the City setting out a general description of the improvements for which the District is proposed to be formed and the general areas to be improved and benefited (hereinafter referred to as the "*General Plan*"). The General Plan is hereby approved in all respects.

Section 4. Approval of the Development Agreement. The Development Agreement by and among the City, the District and the owners of the property within the District, in substantially the form as presented to the City and on file with the Clerk, is hereby approved. The Mayor is authorized and directed to execute and deliver and the Clerk is authorized and directed to attest, the Development Agreement, with such necessary and appropriate omissions, insertions and variations as are permitted or required hereby and are

approved by the officers executing the Development Agreement on behalf of the City. Execution of the Development Agreement by the Mayor, and attestation by the Clerk, shall be conclusive evidence of such approval.

Section 5. Intention to Form the District. The Mayor and City Council hereby declares, pursuant to the Act, its intention to form the District comprised of the Property as a community facilities district, pursuant to the terms and provisions of, and with the powers and authority established by, the Act, with jurisdiction over the Property. Based on the Petition and the findings set forth herein, all requirements of posting, publication, mailing, notice, hearing and landowner election otherwise required by the Act in connection with the formation of the District and adoption hereof are waived.

Section 6. Granting of Petition; Formation of District. The Petition is hereby granted, and the District is hereby formed as a community facilities district pursuant to the terms and provisions of, and with the powers and authority established by, the Act, with jurisdiction over the Property. The Mayor and City Council hereby determine December 21, 2018 to be the scheduled election date to submit the question of formation of the District to the qualified electors, if any, who reside within the boundaries of the District. As of the date hereof, which is a date within 29 days immediately preceding such scheduled election date, there are no resident electors or qualified electors residing on the Property, therefore, the submission of the formation of the District to an election of resident electors is hereby found to be unnecessary and no formation election will be held. Prior to the first meeting of the District Board (as defined herein), the Petitioner shall take necessary steps, if any, to comply with A.R.S. § 48-272 et seq. and other requirements of the Assessor of Maricopa County, Arizona.

Section 7. Levy of Taxes. Formation of the District may result in the levy of taxes by the District on all taxable property located within the District to pay the costs of improvements constructed by the District and the administration of the District and for their operation and maintenance and the administration of the District.

Section 8. District Board and Officers. The District shall be governed by a "District Board" comprised of the members of the governing body of the City, ex officio, with two additional members who are initially designated by the owner who owns the largest amount of privately owned acreage in the District and who are appointed by the governing body of the City. In accordance with A.R.S. § 48-702(B), the Petitioner described the process for designation of the two additional members in the Application. Pursuant to the Petitioner's Application, the Mayor and City Council, as governing body of the City, hereby appoint David Short and Sally Harrison as the initial two additional members of the District Board. Gust Rosenfeld P.L.C. may serve as attorney and bond counsel for both the City and the District, and the City hereby waives any conflict of interest that may exist now or in the future as a result of such dual representation.

Section 9. District Boundaries and Map. The District boundaries are set to be as described in metes and bounds in Exhibit A hereto. The map showing the District boundaries is set forth in Exhibit B hereto and is hereby approved.

Section 10. Dissemination of This Resolution. The Clerk shall cause a copy of this resolution to be delivered to the County Assessor and the Board of Supervisors of Maricopa County, Arizona, and to the Department of Revenue of the State of Arizona.

Section 11. No General Liability of or for the City. Neither the general fund or any other fund or moneys of the City, 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 City, the State of Arizona or any political subdivision of either (other than the District) shall be pledged therefor.

PASSED AND ADOPTED by the City Council of the City of Mesa, Arizona, this 10th day of December, 2018.

Mayor

ATTEST:

Clerk

APPROVED AS TO FORM:

City Attorney

Exhibits:

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

CERTIFICATION

I, Dee Ann Mickelsen, the duly appointed Clerk of the City of Mesa, Arizona, do hereby certify that the above and foregoing Resolution No. ____ was duly passed by the City Council of the City of Mesa, Arizona, at a regular meeting held on December 10, 2018, and that a quorum was present thereat and that the vote thereon was __ ayes and __ nays; __ did not vote or were absent.

DATED: _____, 2018.

Clerk

EXHIBIT A

LEGAL DESCRIPTION OF EASTMARK COMMUNITY FACILITIES DISTRICT NO. 2 (CITY OF MESA, ARIZONA)

PARCEL NO. 1:

THAT PORTION OF SECTIONS 14 AND 15, TOWNSHIP 1 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3" MARICOPA DEPARTMENT OF TRANSPORTATION (MCDOT) BRASS CAP IN HAND- HOLE FOUND AT THE WEST QUARTER CORNER OF SAID SECTION 15, FROM WHENCE A 3" MCDOT BRASS CAP IN HAND-HOLE FOUND AT THE NORTHWEST CORNER OF SAID SECTION 15 BEARS NORTH 00 DEGREES 35 MINUTES 07 SECONDS WEST (BASIS OF BEARING), A DISTANCE OF 2,623.19 FEET;

THENCE DEPARTING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15, NORTH 89 DEGREES 24 MINUTES 53 SECONDS EAST, A DISTANCE OF 50.00 FEET, TO THE EAST RIGHT-OF-WAY OF S. ELLSWORTH ROAD AS RECORDED IN DOCKET 1606, PAGE 249, MARICOPA COUNTY RECORDS (MCR), ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY OF S. ELLSWORTH ROAD, NORTH 89 DEGREES 24 MINUTES 53 SECONDS EAST, A DISTANCE OF 674.33 FEET, TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 3,900.00 FEET;

THENCE NORTHEASTERLY, A DISTANCE OF 686.85 FEET, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 10 DEGREES 05 MINUTES 26 SECONDS, SAID CURVE HAVING A CHORD OF NORTH 84 DEGREES 22 MINUTES 10 SECONDS EAST, A DISTANCE OF 685.96 FEET, TO A POINT OF TANGENCY;

THENCE NORTH 79 DEGREES 19 MINUTES 27 SECONDS EAST, A DISTANCE OF 1,284.60 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS POINT BEARING NORTH 79 DEGREES 19 MINUTES 27 SECONDS EAST, A DISTANCE OF 3,900.00 FEET;

THENCE SOUTHEASTERLY, A DISTANCE OF 222.35 FEET, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 3 DEGREES 16 MINUTES 00 SECONDS, SAID CURVE HAVING A CHORD OF SOUTH 12 DEGREES 18 MINUTES 33 SECONDS EAST, A DISTANCE OF 222.32 FEET, TO A POINT OF NON- TANGENCY;

THENCE NORTH 76 DEGREES 03 MINUTES 27 SECONDS EAST, A DISTANCE OF 40.50 FEET, TO THE NORTHWEST CORNER OF TRACT "N" OF THE FINAL PLAT FOR EASTMARK DEVELOPMENT UNIT 5/6 SOUTH PARCELS 6-16 AND 6-18 TO 6-23, RECORDED AS BOOK 1379, PAGE 8 MCR;

THENCE ALONG THE NORTH LINE OF SAID TRACT "N", SOUTH 89 DEGREES 45 MINUTES 48 SECONDS EAST, A DISTANCE OF 2,499.29 FEET, TO THE NORTHEAST CORNER OF SAID TRACT "N";

THENCE DEPARTING SAID NORTH LINE OF TRACT "N", NORTH 89 DEGREES 16 MINUTES 30 SECONDS EAST, A DISTANCE OF 17.50 FEET, TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 15;

THENCE ALONG SAID EAST LINE OF THE NORTHEAST QUARTER OF SECTION 15, SOUTH 00 DEGREES 43 MINUTES 30 SECONDS EAST, A DISTANCE OF 134.31 FEET, TO A 2.5" GLO BRASS CAP FOUND AT THE EAST QUARTER CORNER OF SAID SECTION 15;

THENCE DEPARTING SAID EAST LINE OF THE NORTHEAST QUARTER OF SECTION 15 AND ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15, SOUTH 00 DEGREES 44 MINUTES 46 SECONDS EAST, A DISTANCE OF 16.01 FEET, TO THE INTERSECTION OF THE CENTERLINE OF S. EVERTON TERRACE AND THE NORTH LINE OF SAID S. EVERTON TERRACE, AS SHOWN ON THE FINAL PLAT FOR EASTMARK DEVELOPMENT UNIT 6 - INFRASTRUCTURE FOR PARCELS 4-6 AND 9-23, RECORDED AS BOOK 1343, PAGE 15, MCR;

THENCE ALONG SAID CENTERLINE OF S. EVERTON TERRACE, SOUTH 00 DEGREES 44 MINUTES 46 SECONDS EAST, A DISTANCE OF 512.59 FEET, TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,500 FEET.

TOGETHER WITH THE FOLLOWING DESCRIBED REAL PROPERTY:

LOTS 50, 51, 52, 55, 69, 70, 71, 98, 99, 100, 144 AND 145, FINAL PLAT FOR EASTMARK DEVELOPMENT UNIT 5/6 SOUTH, PARCELS 6-4 TO 6-6, 6-9 AND 6-17, RECORDED IN BOOK 1360 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA.

AND TOGETHER WITH THE FOLLOWING DESCRIBED REAL PROPERTY:

LOTS 70, 75, 96, 111, 112, 113, 121, 122, 128, 129, 199, 240, 241, 273, 292, 332, 333, 345, 389, 390 AND 391, FINAL PLAT FOR EASTMARK DEVELOPMENT UNIT 5/6 SOUTH PARCELS 6-16 AND 6-18 TO 6-23, RECORDED IN BOOK 1379 OF MAPS, PAGE 8, RECORDS OF MARICOPA COUNTY, ARIZONA;

EXCEPT THEREFROM ANY PORTION LYING WITHIN THE FOLLOWING DESCRIBED REAL PROPERTY:

LOTS 33, 34, 35, 48, 49, 68, 69, 76, 77, 109, 110, 126, 127, 274, 334, 344 AND 404, FINAL PLAT FOR EASTMARK DEVELOPMENT UNIT 5/6 SOUTH PARCELS 6-16 AND 6-18 TO 6-23, RECORDED IN BOOK 1379 OF MAPS, PAGE 8, RECORDS OF MARICOPA COUNTY, ARIZONA;

AND EXCEPT THEREFROM ANY PORTION LYING WITHIN THE FOLLOWING DESCRIBED REAL PROPERTY:

LOTS 23, 24, 25, 47, 48, 49, 72, 73, 74, 94, 95, 96 AND 97, FINAL PLAT FOR EASTMARK DEVELOPMENT UNIT 5/6 SOUTH, PARCELS 6-4 TO 6-6, 6-9 AND 6-17, RECORDED IN BOOK 1360 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

A PORTION OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3" MCDOT BRASS CAP IN HAND HOLE, FOUND AT THE SOUTHWEST CORNER OF SAID SECTION 22, FROM WHENCE A 2" MARICOPA COUNTY ALUMINUM CAP, FOUND AT THE SOUTH QUARTER CORNER OF SAID SECTION 22, BEARS SOUTH 89 DEGREES 38 MINUTES 34 SECONDS EAST, (BASIS OF BEARINGS) A DISTANCE OF 2647.07 FEET;

THENCE SOUTH 89 DEGREES 38 MINUTES 34 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 1136.20 FEET;

THENCE DEPARTING SAID SOUTH LINE OF SECTION 22, NORTH 00 DEGREES 21 MINUTES 26 SECONDS EAST, A DISTANCE OF 192.00 FEET, TO THE NORTH RIGHT-OF-WAY LINE OF E. RAY ROAD AS SHOWN ON THE MAP OF DEDICATION EASTMARK PHASE 1, RECORDED AS BOOK 1117, PAGE 47, MARICOPA COUNTY RECORDS (MCR), AND A LINE 192.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF SECTION 22, AND THE TRUE POINT OF BEGINNING;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE E. RAY ROAD AND SAID PARALLEL LINE, NORTH 89 DEGREES 38 MINUTES 34 SECONDS WEST, A DISTANCE OF 502.06 FEET;

THENCE DEPARTING SAID PARALLEL LINE, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE OF E. RAY ROAD, NORTH 00 DEGREES 21 MINUTES 26 SECONDS EAST, A DISTANCE OF 10.00 FEET, TO A LINE 202.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF SECTION 22;

THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE OF E. RAY ROAD AND ALONG SAID PARALLEL LINE, NORTH 89 DEGREES 38 MINUTES 34 SECONDS WEST, A DISTANCE OF 556.33 FEET;

THENCE TRANSITIONING FROM SAID NORTH RIGHT-OF-WAY LINE OF E. RAY ROAD, TO THE EAST RIGHT-OF-WAY LINE OF S. ELLSWORTH ROAD, AS SHOWN ON SAID MAP OF DEDICATION, NORTH 44 DEGREES 57 MINUTES 12 SECONDS WEST, A DISTANCE OF 21.33 FEET, AND TO A LINE 65.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 22;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF S. ELLSWORTH ROAD, AND SAID PARALLEL LINE, NORTH 00 DEGREES 15 MINUTES 50 SECONDS WEST, A DISTANCE OF 103.79 FEET;

THENCE DEPARTING SAID PARALLEL LINE, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE OF S. ELLSWORTH ROAD, NORTH 89 DEGREES 44 MINUTES 10 SECONDS EAST, A DISTANCE OF 10.00 FEET, TO A LINE 75.00 FEET EAST OF AND PARALLEL WITH SAID WEST LINE OF SECTION 22;

THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE OF S. ELLSWORTH ROAD AND SAID PARALLEL LINE, NORTH 00 DEGREES 15 MINUTES 50 SECONDS WEST, A DISTANCE OF 309.95 FEET;

THENCE DEPARTING SAID PARALLEL LINE AND CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE OF S. ELLSWORTH ROAD, NORTH 44 DEGREES 44 MINUTES 10 SECONDS EAST, A DISTANCE OF 21.21 FEET, TO A LINE 90.00 FEET EAST OF AND PARALLEL WITH SAID WEST LINE OF SECTION 22;

THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE OF S. ELLSWORTH ROAD AND SAID PARALLEL LINE, NORTH 00 DEGREES 15 MINUTES 50 SECONDS WEST, A DISTANCE OF 67.00 FEET;

THENCE DEPARTING SAID PARALLEL LINE, AND CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE OF S. ELLSWORTH ROAD, SOUTH 89 DEGREES 44 MINUTES 10 SECONDS WEST, A DISTANCE OF 10.00 FEET;

THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE OF S. ELLSWORTH ROAD NORTH 45 DEGREES 15 MINUTES 50 SECONDS WEST, A DISTANCE OF 21.21 FEET, TO A LINE 65.00 FEET EAST OF AND PARALLEL TO SAID WEST LINE OF SECTION 22;

THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE OF S. ELLSWORTH ROAD, AND ALONG SAID PARALLEL LINE, NORTH 00 DEGREES 15 MINUTES 50 SECONDS WEST, A DISTANCE OF 590.40 FEET, TO THE SOUTHERLY LINE OF EASTMARK COMMUNITY FACILITIES DISTRICT (CFD) NO. 1, RECORDED AS INSTRUMENT NUMBER 2012-0294413, MCR;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE OF S. ELLSWORTH ROAD, AND DEPARTING SAID PARALLEL LINE, AND ALONG SAID SOUTH LINE OF CFD NO. 1, NORTH 89 DEGREES 43 MINUTES 59 SECONDS EAST, A DISTANCE OF 336.03 FEET, TO THE BEGINNING OF A TANGENT CURVE HAVING A RADIUS DISTANCE OF 945.00 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY LINE OF CFD NO. 1, NORTHEASTERLY, A DISTANCE OF 394.48 FEET, ALONG SAID CURVE TO THE LEFT, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 23 DEGREES 55 MINUTES 04 SECONDS, SAID CURVE HAVING A CHORD OF NORTH 77 DEGREES 46 MINUTES 27 SECONDS EAST, A DISTANCE OF 391.63 FEET, TO A POINT OF TANGENCY;

THENCE CONTINUING ALONG SAID SOUTHERLY LINE OF CFD NO. 1, NORTH 65 DEGREES 48 MINUTES 55 SECONDS EAST, A DISTANCE OF 24.54 FEET;

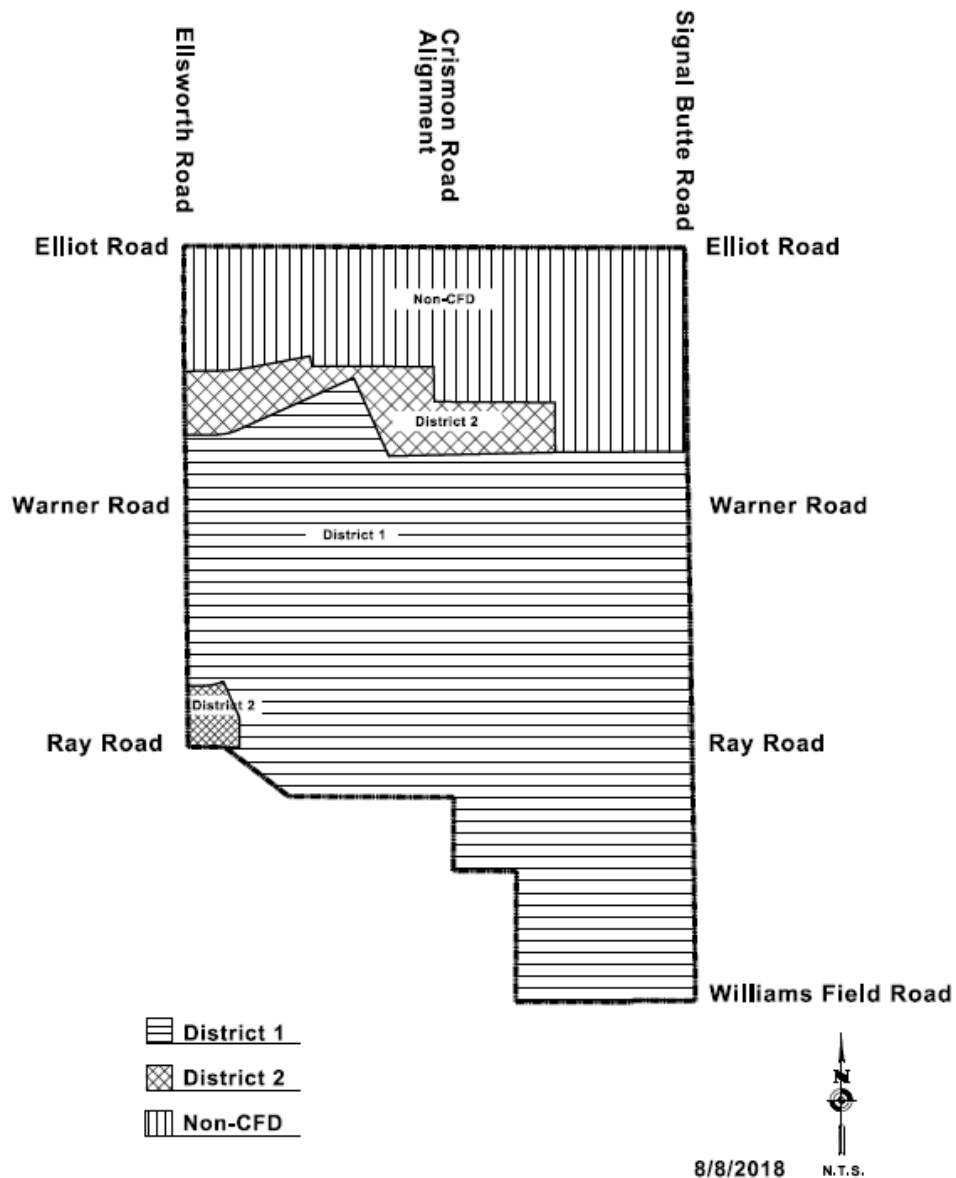
THENCE CONTINUING ALONG SAID SOUTHERLY LINE OF CFD NO. 1, SOUTH 24 DEGREES 08 MINUTES 09 SECONDS EAST, A DISTANCE OF 749.04 FEET, TO THE BEGINNING OF A TANGENT CURVE HAVING A RADIUS DISTANCE OF 382.45 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY LINE OF CFD NO. 1, SOUTHERLY, A DISTANCE OF 163.52, ALONG SAID CURVE TO THE RIGHT, CONCAVE WESTERLY, THROUGH A CENTRAL ANGLE OF 24 DEGREES 29 MINUTES 51 SECONDS, SAID CURVE HAVING A CHORD OF SOUTH 11 DEGREES 53 MINUTES 14 SECONDS EAST, A DISTANCE OF 162.28 FEET, TO A POINT OF TANGENCY;

THENCE CONTINUING ALONG SAID SOUTHERLY LINE OF CFD NO. 1, SOUTH 00 DEGREES 21 MINUTES 42 SECONDS WEST, A DISTANCE OF 385.03 FEET, TO THE TRUE POINT OF BEGINNING.

EXHIBIT B

BOUNDARY MAP OF EASTMARK COMMUNITY FACILITIES DISTRICT NO. 2 (CITY OF MESA, ARIZONA)



Community Facilities Districts 1 and 2