

RESOLUTION NO. 2009-18

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE TOWN OF FOUNTAIN HILLS, SUBJECT TO TAXATION A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, TO PROVIDE FUNDS FOR BOND REDEMPTIONS, FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS; ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2010.

WHEREAS, the Mayor and Town Council of the Town of Fountain Hills (the "Town Council") is required by ARIZ. REV. STAT § 42-17151 and 42-17253 to adopt an annual tax levy based upon the rate to be assessed per each one hundred dollars (\$100.00) of valuation of real and personal property within the Town; and

WHEREAS, by the provisions of State law, a resolution levying the property taxes for fiscal year 2009-10 is required to be finally adopted on or before the third Monday in August and not less than 14 days after the adoption of the municipal budget; and

WHEREAS, the Town Council adopted the Town's annual budget on June 18, 2009; and

WHEREAS, the County of Maricopa is assessing and collecting authority for the Town of Fountain Hills.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS as follows:

SECTION 1. That the foregoing recitals are incorporated as if fully set forth herein.

SECTION 2. There is hereby levied on each one hundred dollars (\$100.00) of assessed valuation of all property, both real and personal, within the corporate limits of the Town of Fountain Hills, except such property as may be by law exempt from taxation, a secondary property tax rate of \$0.2273, which amount is sufficient to raise the sum of \$1,414,960 for the purpose of providing a bond interest and redemption fund for General Obligation Bond debt service for the fiscal year ending June 30, 2010.

SECTION 3. That failure by the county officials of Maricopa County, Arizona, to properly return the delinquent list, any irregularity in assessments or omissions in the same, or any irregularity in any proceedings shall not invalidate such proceedings or invalidate any title conveyed by any tax deed; failure or neglect of any officer or officers to timely perform any of the duties assigned to him or to them shall not invalidate any proceedings or any deed or sale pursuant thereto, the validity of the assessment or levy of taxes or of the judgment of sale by which the collection of the same may be enforced shall not affect the lien of the Town of Fountain Hills upon such property for the delinquent taxes unpaid thereon, and no overcharge as to

part of the taxes or of costs shall invalidate any proceedings for the collection of taxes or the foreclosure; and all acts of officers de facto shall be valid as if performed by officers de jure.

SECTION 4. The Town Clerk is hereby directed to transmit a certified copy of this Resolution to the County Assessor and the Board of Supervisors of the County of Maricopa, Arizona.

SECTION 5. That, if any provision of this Resolution is for any reason held by any court of competent jurisdiction to be unenforceable, such provision of portion hereof shall be deemed separate, distinct, and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Resolution.

PASSED AND ADOPTED by the Mayor and Council of the Town of Fountain Hills, July 2, 2009.

FOR THE TOWN OF FOUNTAIN HILLS:

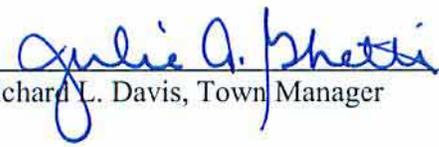
ATTESTED TO:

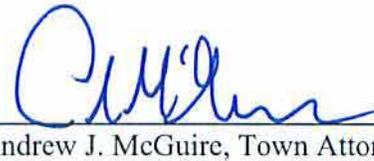

Jay T. Schlum, Mayor


Bevelyn J. Bender, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:

for 
Richard L. Davis, Town Manager


Andrew J. McGuire, Town Attorney

TOWN OF FOUNTAIN HILLS

COUNTY OF MARICOPA

STATE OF ARIZONA

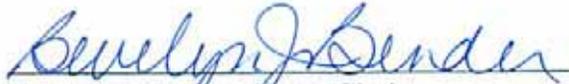
OFFICE OF THE CLERK

State of Arizona)
County of Maricopa)
Town of Fountain Hills)

I, Bevelyn J. Bender, the duly appointed and acting Town Clerk of the Town of Fountain Hills, Arizona, do hereby certify that the attached Resolution 2009-18 was duly passed by the Town Council of the Town of Fountain Hills, Arizona at a regular meeting held on July 2, 2009, and the vote was 6 aye's and 0 nay's and that the Mayor and 5 Councilmembers were present thereat.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Town of Fountain Hills. Done at the Town Hall of Fountain Hills this 3rd day of July, 2009.


Bevelyn J. Bender, Town Clerk