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DEC 12 2011

ORDINANCE NO. 4330

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, INCREASING THE CORPORATE LIMITS OF THE CITY OF CHANDLER, MARICOPA COUNTY, STATE OF ARIZONA (GILBERT ROAD RIGHTS-OF-WAY AT THE NORTHEAST CORNER OF PECOS ROAD ANNEXATION), PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES BY ANNEXING CERTAIN TERRITORY TO THE CITY, CONTINGENT UPON ITS BEING DE-ANNEXED BY THE TOWN OF GILBERT.

WHEREAS, the City of Chandler desires to annex contiguous territory now within the corporate limits of the Town of Gilbert, pursuant to the provisions of A.R.S. 9-471.02 as amended; and

WHEREAS, the City of Chandler has requested that the Town of Gilbert de-annex and sever the territory from its corporate limits, and has notified the Town of Gilbert of its desire to adopt an ordinance to annex the territory; and

WHEREAS, the City consents to and approves of the proposed annexation contingent upon the County's consent to and approval of the proposed annexation pursuant to the provisions of A.R.S. 9-471.02;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION 1. Pursuant to the provisions of A.R.S. 9-471.02, and contingent upon approval of the Maricopa County Board of Supervisors, the following described territory is annexed to the City of Chandler contingent upon its being de-annexed by the Town of Gilbert in the manner provided in A.R.S. 9-471.02; and

That the present corporate limits of the City of Chandler are hereby modified and increased to add the following territory, which is contiguous to both the City of Chandler and the Town of Gilbert, contingent upon the fulfillment of the conditions of Section 2 of this Ordinance, to-wit;

SEE ATTACHED EXHIBIT A FOR MAP AND LEGAL DESCRIPTION

SECTION 2. That a copy of this Ordinance, together with an accurate map of the territory hereby annexed to the City of Chandler, certified by the Mayor of the City of Chandler, be forthwith filed by the Clerk of the Maricopa County Board of Supervisors. Additionally, the City of Chandler staff is hereby authorized and directed to notify by certified mail, return receipt

requested, the owners of any real property in the territory to be de-annexed at least twenty (20) days before the hearing by the Maricopa County Board of Supervisors. Such notification shall contain the information as more specifically set forth in Title 9, Chapter 4, Article 7, Section 9-471.02, Arizona Revised Statutes.

SECTION 3. The land annexed, as more particularly described in Section 1 above, shall not be exempt from the payment of any taxes lawfully assessed against it for the purpose of paying any indebtedness lawfully contracted by the Town of Gilbert while such land was within the limits of the Town of Gilbert and which remains unpaid, and for the payment of which such land could be lawfully taxed.

SECTION 4. The Clerk of the City is hereby instructed to file and record a copy of this Ordinance, together with documentation of approval by the Maricopa County Board of Supervisors and an accurate map of the territory to be annexed by the City of Chandler, certified by the Mayor of the City of Chandler, in the Office of the County Recorder of Maricopa County, Arizona.

SECTION 5. The Transportation and Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this Ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City of Chandler, Arizona, this 17th day of November, 2011.

ATTEST:

_____ _____
CITY CLERK MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this _____ day of _____, 2011.

ATTEST:

_____ _____
CITY CLERK MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No.4330 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on _____ day of _____, 2011, and that a quorum was present thereat.

_____
CITY CLERK

PUBLISHED:

APPROVED AS TO FORM:

_____
CITY ATTORNEY GAB

EXHIBIT "A"

Note: The legal description below is based on county and municipal documents. It is not based on a boundary survey of the subject parcel.

LEGAL DESCRIPTION
FOR TRANSFER OF PARCEL 1
TOWN OF GILBERT RIGHT-OF-WAY TO THE CITY OF CHANDLER

That portion of a parcel of land described in the Records of Maricopa County, Arizona located in Section 31, Township 1 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

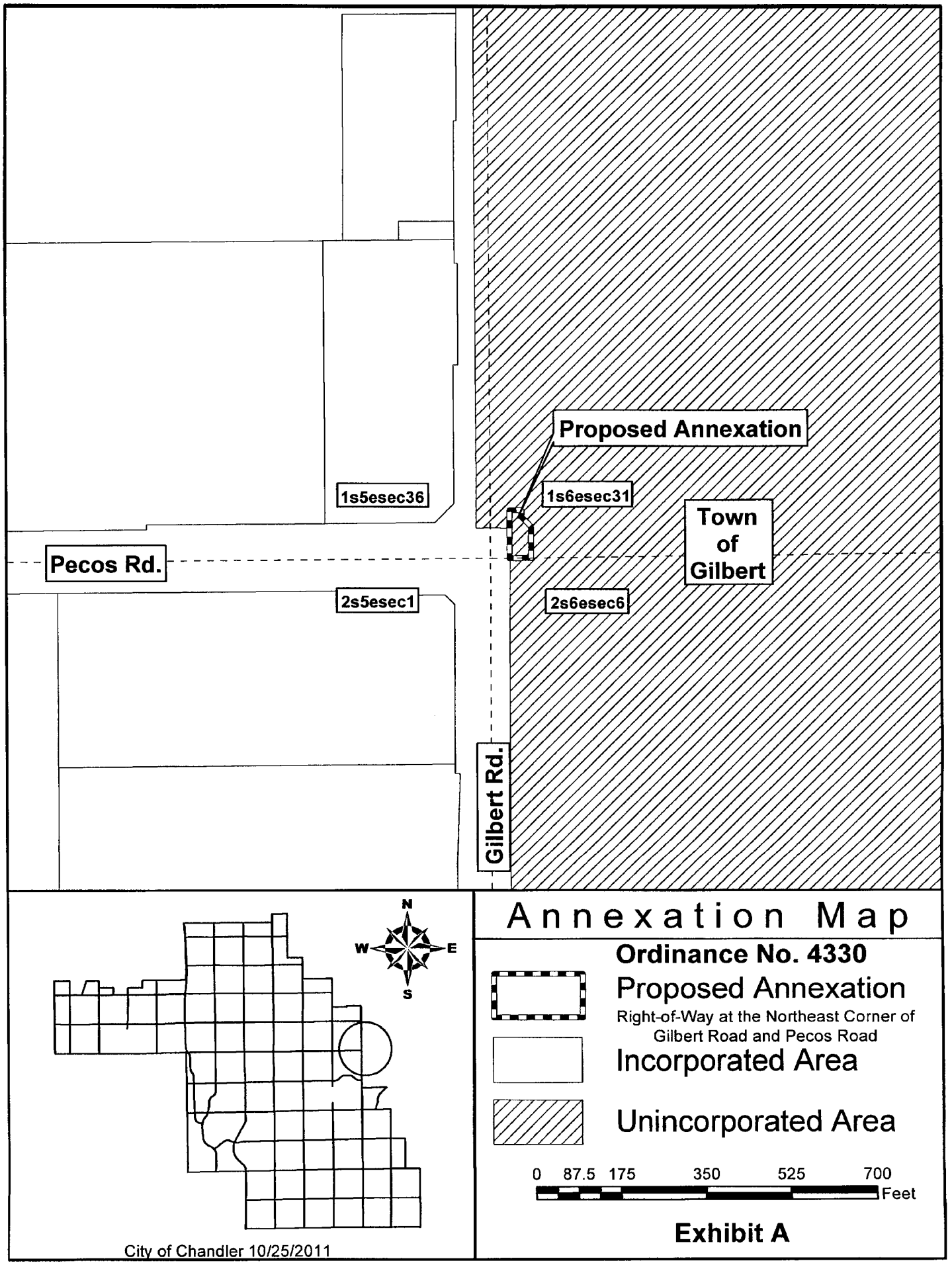
The East 25 feet of the West 65 feet of the South 100 feet of the Southwest Quarter of the Southwest Quarter of said Section 31 and;

The East 20 feet of the West 85 feet of the South 65 feet of the Southwest Quarter of the Southwest Quarter of said Section 31 and;

East 20 feet of the West 85 feet of the North 20 feet of the South 85 feet of the Southwest Quarter of the Southwest Quarter of said Section 31;

Except the triangular Northeast half thereof and;

Containing an area of 3996.90 Square Feet or 0.09 Acres, more or less.


Proposed Annexation
1s5esec36
1s6esec31
Town of Gilbert
Pecos Rd.
2s5esec1
2s6esec6
Gilbert Rd.
N
W
E
S
Annexation Map
Ordinance No. 4330
Proposed Annexation
Right-of-Way at the Northeast Corner of Gilbert Road and Pecos Road
Incorporated Area
Unincorporated Area
0 87.5 175 350 525 700
Feet
Exhibit A
City of Chandler 10/25/2011