

Repl # 3
JAN 26 2012

ORDINANCE NO. 4336

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PLANNED AREA DEVELOPMENT TO PLANNED AREA DEVELOPMENT AMENDED, IN CASE DVR11-0033 (NORTON'S CROSSING) ELIMINATING ZONING CONDITION NO. 22 OF ORDINANCE NO. 4053 REQUIRING PHASING OF DEVELOPMENT, APPROVED IN CASE DVR07-0042 (NORTON'S CROSSING), LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, place and date of public hearing; and

WHEREAS, a notice of such hearing was posted on the property at least seven (7) days prior to said public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code

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

SECTION I. Legal Description of Property:

See Attachment 'A'.

Said parcel is hereby rezoned to delete Condition No. 22 of Ordinance No. 4053 requiring phasing of development in case DVR07-0042 Norton's Crossing.

Said parcel is hereby rezoned from PAD to PAD, subject to the following conditions:

23. The applicant shall work with Staff to provide landscaping at the intersection corner and within the landscapable area of the Chandler Boulevard right-of-way, located between the primary entrance drive along Chandler Boulevard and the adjacent apartments to the west.
24. Compliance with original conditions adopted by the City Council as Ordinance No. 4053 in case DVR07-0042 NORTON'S CROSSING, except as modified by condition herein.

SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

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SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

EXHIBIT "A"

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 25;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 25 AND ALONG THE CENTERLINE OF CHANDLER BOULEVARD, A DISTANCE OF 1,715.19 FEET;

THENCE NORTH 00 DEGREES 10 MINUTES 00 SECONDS WEST, A DISTANCE OF 65.00 FEET TO A POINT;

THENCE NORTH 24 DEGREES 49 MINUTES 59 SECONDS EAST, A DISTANCE OF 785.86 FEET;

THENCE NORTH 89 DEGREES 39 MINUTES 52 SECONDS EAST, A DISTANCE OF 1,380.78 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 25, BEING ALSO A POINT ON THE CENTERLINE OF GILBERT ROAD;

THENCE SOUTH 00 DEGREES 20 MINUTES 08 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 25, AND ALONG THE CENTERLINE OF GILBERT ROAD, A DISTANCE OF 781.29 FEET TO THE POINT OF BEGINNING;

EXCEPT THE SOUTH 208.71 FEET OF THE EAST 208.71 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25; AND

EXCEPT ANY PORTION THEREOF LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

THAT CERTAIN DITCH NOW LOCATED AND CONSTRUCTED THROUGH, OVER AND ACROSS SECTION 25, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, ALONG THE SOUTH SIDE OF SAID SECTION 25, AND ALONG THE NORTH SIDE OF THE COUNTY ROAD; THE CENTER LINE OF SAID DITCH BEING DESCRIBED (USING AS A BASE THE SOUTH LINE OF SAID SECTION 25 WITH AN ASSUMED BEARING OF EAST) AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 25, DISTANT 25 FEET NORTH FROM THE SOUTHEAST CORNER THEREOF;

THENCE NORTH 89 DEGREES 53 MINUTES WEST 2627.6 FEET TO A POINT ON THE NORTH AND SOUTH MID-SECTION LINE OF SAID SECTION 25, DISTANT 30 FEET NORTH FROM THE SOUTH QUARTER CORNER THEREOF;

THENCE SOUTH 89 DEGREES 55 MINUTES WEST 2195 FEET TO A POINT IN THE EAST BRANCH OF THE CONSOLIDATED CANAL; 27 FEET NORTH OF A POINT ON THE SOUTH LINE OF SAID SECTION 25 DISTANT 436.5 FEET EAST FROM THE SOUTHWEST CORNER THEREOF AS CONVEYED TO THE UNITED STATES OF AMERICA BY DEED RECORDED MARCH 5, 1920, IN BOOK 142 OF DEEDS, PAGE 360; AND

EXCEPT THE EAST 33 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION; AND

EXCEPT THE SOUTH 33 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION; AND

EXCEPT THE SOUTH 60 FEET OF THE EAST 1715.19 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION; AND

EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 25;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 208.71 FEET ALONG THE SOUTH LINE OF SAID SECTION 25;

THENCE NORTH 00 DEGREES 20 MINUTES 08 SECONDS WEST, A DISTANCE OF 60.00 FEET TO THE EXISTING NORTH RIGHT-OF-WAY LINE OF CHANDLER BOULEVARD;

THENCE CONTINUING NORTH 00 DEGREES 20 MINUTES 08 SECONDS WEST, A DISTANCE OF 22.50 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 67.79 FEET;

THENCE SOUTH 00 DEGREES 20 MINUTES 08 SECONDS EAST, A DISTANCE OF 17.50 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 1438.50 FEET PARALLEL WITH AND 65.00 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 25;

THENCE NORTH 24 DEGREES 49 MINUTES 59 SECONDS EAST, A DISTANCE OF 17.65 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, A DISTANCE OF 1401.51 FEET;

THENCE NORTH 50 DEGREES 49 MINUTES 10 SECONDS EAST, A DISTANCE OF 27.80 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, A DISTANCE OF 75.62 FEET;

THENCE SOUTH 00 DEGREES 20 MINUTES 08 SECONDS EAST, A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING; AND

EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 25;

THENCE NORTH 00 DEGREES 20 MINUTES 08 SECONDS WEST, A DISTANCE OF 208.71 FEET ALONG THE EAST LINE OF SAID SECTION 25;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 33.00 FEET TO THE EXISTING WEST RIGHT-OF-WAY LINE OF GILBERT ROAD AND POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 43.50 FEET;

THENCE NORTH 00 DEGREES 20 MINUTES 08 SECONDS WEST, A DISTANCE OF 198.79 FEET PARALLEL WITH THE EAST LINE OF SAID SECTION 25;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, A DISTANCE OF 11.50 FEET;

THENCE NORTH 00 DEGREES 20 MINUTES 08 SECONDS WEST, A DISTANCE OF 373.61 FEET PARALLEL WITH THE EAST LINE OF SAID SECTION 25;

THENCE NORTH 89 DEGREES 39 MINUTES 52 SECONDS EAST, A DISTANCE OF 32.00 FEET TO THE EXISTING WEST RIGHT-OF-WAY LINE OF GILBERT ROAD;

No. NCS-249840-PHX1

THENCE SOUTH 00 DEGREES 20 MINUTES 08 SECONDS EAST, A DISTANCE OF 572.50 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.