

CC Memo 12-107

August 28, 2012

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to be held within thirty (30) days after the adoption of the annexation ordinance, at which meeting the City would repeal the annexation ordinance.

PROPOSED MOTION

Move to approve Resolution No. 4641 authorizing a Procedural Pre-Annexation Agreement between the City of Chandler, Ashton Woods Homes, Carter M. Green and Glenna J. Green, and authorize the Mayor to sign any necessary documents.

Attachments

1. Vicinity Maps
2. Resolution No. 4641

RESOLUTION NO. 4641

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA APPROVING A PROCEDURAL PRE-ANNEXATION AGREEMENT BETWEEN THE CITY OF CHANDLER, ASHTON WOODS HOMES, CARTER M. GREEN AND GLENNA J. GREEN.

WHEREAS, Carter M. Green and Glenna J. Green (“Owners”) own approximately 10.04 acres of real property located west of the southwest corner of Appleby and Gilbert roads in Maricopa County, Arizona, which is legally described in Exhibit “A” and depicted in Exhibit “B”, both exhibits being attached hereto and incorporated herein by this reference (the “Property”); and

WHEREAS, Ashton Woods Homes (“Developer”), has an interest in and intends to develop the Property; and

WHEREAS, both Owner and Developer desire or may desire to annex the Property into the City of Chandler; and

WHEREAS, Owner, Developer and the City of Chandler wish to enter into an agreement in order to facilitate annexation of the Property for future development within the municipal boundaries of the City of Chandler; and

WHEREAS, A.R.S. § 9-500.05 authorizes development agreements for the purpose of addressing annexation issues;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chandler, Arizona, hereby approves the Procedural Pre-Annexation Agreement between the City of Chandler, Owner and Developer and authorizes the Mayor to execute the Agreement.

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this __ day of September 2012.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4641 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the __ day of September 2012, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *GAB*

JUNE 11, 2012
PROJECT # 9601

EXHIBIT A

PARCEL 1:

THAT PART OF THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MARKED BY A 1 ½ INCH ALUMINUM CAP;

THENCE SOUTH 0 DEGREES 01 MINUTES 35 SECONDS EAST, ALONG THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 331.34 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 13;

THENCE SOUTH 89 DEGREES 16 MINUTES 10 SECONDS WEST, ALONG THE SOUTHERLY LINE OF SAID NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 1321.11 FEET TO A POINT ON THE EASTERLY LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 13, FROM WHICH THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER BEARS SOUTH 0 DEGREES 00 MINUTES 48 SECONDS EAST, 993.07 FEET DISTANT THEREFROM, SAID POINT BEING THE TRUE **POINT OF BEGINNING**;

THENCE CONTINUING SOUTH 89 DEGREES 16 MINUTES 10 SECONDS WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 280.20 FEET TO A POINT FROM WHICH THE SOUTHWEST CORNER OF SAID NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER BEARS SOUTH 89 DEGREES 16 MINUTES 10 SECONDS WEST, 1040.92 FEET DISTANT THEREFROM;

THENCE NORTH 0 DEGREES 00 MINUTES 48 SECONDS WEST BEING PARALLEL WITH SAID EASTERLY LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 330.95 FEET TO A POINT ON THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER OF SECTION 13, FROM WHICH THE CENTER OF SAID SECTION 13 BEARS SOUTH 89 DEGREES 15 MINUTES 20 SECONDS WEST, 1040.85 FEET DISTANT THEREFROM;

THENCE NORTH 89 DEGREES 15 MINUTES 20 SECONDS EAST, ALONG THE EAST-WEST MID-SECTION LINE, A DISTANCE OF 280.20 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;

THENCE SOUTH 0 DEGREES 00 MINUTES 48 SECONDS EAST ALONG SAID EASTERLY LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 331.02 FEET, TO THE TRUE **POINT OF BEGINNING**;

EXCEPT AN UNDIVIDED ONE-HALF INTEREST IN THE NORTHERLY 20.00 FEET THEREOF.

PARCEL 2:

THE WEST HALF OF THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 5 EAST, SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT AN UNDIVIDED ONE-HALF INTEREST IN THE WEST 20 FEET THEREOF; AND

EXCEPT THAT PORTION CONVEYED IN DEED RECORDED IN DOCUMENT NO. 96-0401463, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MARKED BY A 1 ½ INCH ALUMINUM CAP;

THENCE SOUTH 0 DEGREES 01 MINUTES 35 SECONDS EAST, ALONG THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 331.34 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 13;

THENCE SOUTH 89 DEGREES 16 MINUTES 10 SECONDS WEST, ALONG THE SOUTHERLY LINE OF SAID NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 1321.11 FEET TO A POINT ON THE EASTERLY LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 13, FROM WHICH THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER BEARS SOUTH 0 DEGREES 00 MINUTES 48 SECONDS EAST, 993.07 FEET DISTANT THEREFROM, SAID POINT BEING THE TRUE **POINT OF BEGINNING**;

THENCE CONTINUING SOUTH 89 DEGREES 16 MINUTES 10 SECONDS WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 280.20 FEET TO A POINT FROM WHICH THE SOUTHWEST CORNER OF SAID NORTH

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THENCE NORTH 89 DEGREES 15 MINUTES 20 SECONDS EAST, ALONG THE EAST-WEST MID-SECTION LINE, A DISTANCE OF 280.20 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;

THENCE SOUTH 0 DEGREES 00 MINUTES 48 SECONDS EAST ALONG SAID EASTERLY LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 331.02 FEET, TO THE TRUE **POINT OF BEGINNING**;

EXCEPT AN UNDIVIDED ONE-HALF INTEREST IN THE NORTHERLY 20.00 FEET THEREOF.

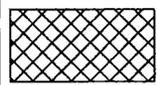
PARCEL 3:

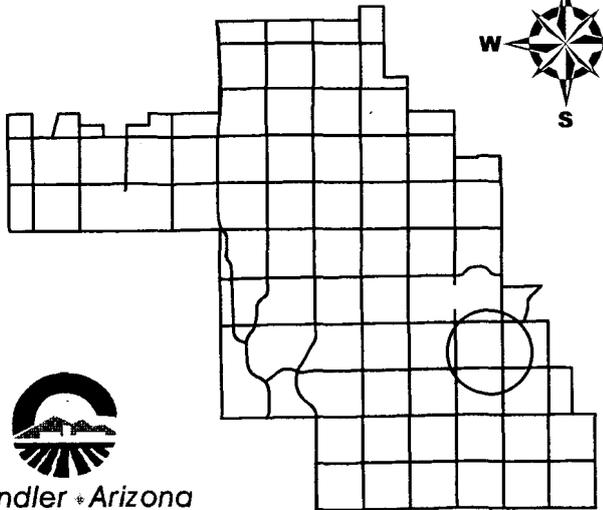
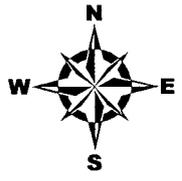
AN UNDIVIDED ONE-HALF INTEREST IN THE NORTH 20 FEET OF PARCEL 1 AND THE WEST 20 FEET OF PARCEL 2.



Vicinity Map

EXHIBIT B

-  Resolution No. 4641
-  Northwest and West of the Southwest Corner of Appleby and Gilbert Roads

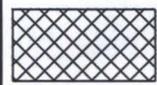




Vicinity Map



Resolution No. 4641



Northwest and West of the Southwest Corner of Appleby and Gilbert Roads