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FEB 14 2013

ORDINANCE NO. 4420

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF CHANDLER, MARICOPA COUNTY, STATE OF ARIZONA, (WEST OF THE NORTHWEST CORNER OF LINDSAY AND RIGGS ROADS) PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES, BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF CHANDLER.

WHEREAS, a petition has been presented in writing to the City Council of the City of Chandler, Arizona, signed by the property owners of at least one-half of the value of the real and personal property as would be subject to taxation by the City of Chandler in the event of annexation and by more than one-half of the property owners within the territory and land hereinafter described as shown by the last assessment of said property, said territory being contiguous to the City of Chandler and not now embraced within its limits, asking that the property more particularly hereinafter described be annexed to the City of Chandler so as to embrace the same; and

WHEREAS, a blank petition was filed on November 21, 2012 with the County Recorder, that a Public Hearing was held on December 13, 2012 after proper notice was given, that the thirty day waiting period ended on December 21, 2012 and that the petition was circulated thereafter and signed; and,

WHEREAS, the City Council of the City of Chandler, Arizona, is desirous of complying with said petition and extending and increasing the corporate limits of the City of Chandler to include said territory; and,

WHEREAS, the said petition sets forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed by the City of Chandler and had attached thereto at all times an accurate map of the territory desired to be annexed; and,

WHEREAS, no additions or alterations increasing the territory sought to be annexed have been made after the said petition had been signed by any owner of real and/or personal property in such territory; and,

WHEREAS, no alterations decreasing the territory sought to be annexed have been made and therefore the territory to be annexed is the territory hereinafter described; and

WHEREAS, proper and sufficient certification and proof and the foregoing facts are now on file in the Office of the City Clerk of the City of Chandler, Arizona, together with the original petition referred to herein;

WHEREAS, the City may elect to provide regular fire department services to a newly annexed area under A.R.S. § 48-813(A); and

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

SECTION 1. That the following described territory be and the same hereby is annexed to the City of Chandler and that the present corporate limits be and the same hereby are extended and increased to include the following described territory contiguous to the present City limits:

See Attached Exhibit 'A'

SECTION 2. Pursuant to A.R.S. § 48-813(A), the property depicted in Exhibit A is hereby placed under the City's fire, emergency medical and police protection generally provided to other residents within the city. The services shall take effect on the first (1st) day of July following the date on which this annexation becomes final as set forth in Section 6 below, without further action by the City Council.

SECTION 3. Upon adoption of this annexation ordinance, and in no event for longer than six (6) months after the effective date of this annexation ordinance, the county zoning for said property shall continue in effect, unless and until the City of Chandler has established City zoning for said property.

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

SECTION 5. The Planning 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.

SECTION 6. This ordinance shall take effect, and the annexation of the subject property shall become final, thirty days after this Ordinance is adopted.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4420 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2013, and that a quorum was present thereat.

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY *CAB*

\_\_\_\_\_  
CITY CLERK

PUBLISHED:

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**PARCEL 1**

A PARCEL OF LAND LOCATED WITHIN THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHEAST CORNER OF SECTION 30, BEING A BRASS CAP IN A HANDHOLE, FROM WHICH THE SOUTH QUARTER CORNER THEREOF, BEING A BRASS CAP IN A HANDHOLE, BEARS SOUTH 89°45'13" WEST, A DISTANCE OF 2,642.35 FEET;

**THENCE** SOUTH 89°45'13" WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 1321.17 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30;

**THENCE** NORTH 00°25'39" WEST, ALONG SAID EAST LINE, A DISTANCE OF 65.00 FEET TO A POINT ON A LINE BEING 65.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 30 AND THE **POINT OF BEGINNING**;

**THENCE** SOUTH 89°45'13" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 30.00 FEET TO A POINT ON A LINE BEING 30.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30,

**THENCE** NORTH 00°25'39" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 369.15 FEET TO A POINT ON A LINE BEING PARALLEL WITH AND 888.00 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30;

**THENCE** SOUTH 89°44'25" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 300.28 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30;

**THENCE** SOUTH 00°25'31" EAST, ALONG SAID LINE, A DISTANCE OF 369.08 FEET TO A POINT ON A LINE BEING 65.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 30;

**THENCE** SOUTH 89°45'13" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 165.15 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30;

**THENCE** NORTH 00°25'26" WEST, ALONG SAID LINE, A DISTANCE OF 1257.04 TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30;

**THENCE** NORTH 89°44'25" EAST, ALONG SAID LINE, A DISTANCE OF 495.35 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30;

**THENCE** SOUTH 00°25'39" EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, A DISTANCE OF 1257.16 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 511,920 SQUARE FEET OR 11.7521 ACRES, MORE OR LESS.

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

**PARCEL 2**

THAT PORTION OF LAND DESCRIBED IN THE RECORDS OF MARICOPA COUNTY, ARIZONA AND PREVIOUSLY DESCRIBED BY WARRANTY DEED IN INSTRUMENT NUMBER 2007-0476172, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHEAST CORNER OF SAID SECTION 30, BEING A FOUND BRASS CAP IN A HANDHOLE FROM WHICH THE SOUTHQUARTER CORNER OF SAID SECTION 30, BEING A FOUND BRASS CAP IN A HANDHOLE, BEARS SOUTH 89 DEGREES 55 MINUTES 44 SECONDS WEST (BASIS FOR BEARING) AND MEASURES 2642.32 FEET;

**THENCE** ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER SOUTH 89 DEGREES 55 MINUTES 44 SECONDS WEST 1651.45 FEET TO THE UNMONUMENTED SOUTHWEST CORNER OF THE SAID EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER;

**THENCE** ALONG THE WEST LINE OF SAID EAST HALF OF THE EAST HALF NORTH 0 DEGREES 15 MINUTES 19 SECONDS WEST 364.99 FEET TO THE UNMONUMENTED NORTHWEST CORNER OF A PARCEL DESCRIBED IN SAID EXHIBIT A OF FINAL ORDER OF CONDEMNATION RECORDED IN INSTRUMENT NUMBER 2003-0357006, OFFICE OF THE RECORDER, MARICOPA COUNTY, ARIZONA AND THE TRUE **POINT OF BEGINNING**:

**THENCE** CONTINUING ALONG SAID WEST LINE OF THE EAST HALF OF THE EAST HALF NORTH 0 DEGREES 15 MINUTES 19 SECONDS WEST 69.22 FEET TO A FOUND REBAR WITH CAP STAMPED

24532, BEING A POINT ON THE SOUTH LINE OF THE NORTH 888.00 FEET OF SAID EAST HALF OF THE EAST HALF;

**THENCE** ALONG SAID SOUTH LINE NORTH 89 DEGREES 54 MINUTES 51 SECONDS EAST 300.28 FEET TO A FOUND REBAR WITH CAP STAMPED 24532, SAID POINT ALSO BEING ON THE WEST LINE OF THE EAST 30.00 FEET OF SAID SOUTHWEST QUARTER TO SOUTHEAST QUARTER;

**THENCE** ALONG SAID WEST LINE OF EAST 30.00 FEET SOUTH 00 DEGREES 15 MINUTES 25 SECONDS EAST 69.28 FEET TO THE NORTHEAST CORNER OF THE PARCEL DESCRIBED IN SAID EXHIBIT A;

**THENCE** ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN EXHIBIT A SOUTH 89 DEGREES 55 MINUTES 46 SECONDS WEST 300.28 FEET TO THE TRUE **POINT OF BEGINNING**:

SAID PARCEL CONTAINING 20,791.00 SQUARE FEET OR 0.47730 ACRES OF LAND, MORE OR LESS.