

MAR 14 2013

**ORDINANCE NO. 4435**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL (AG-1) TO PLANNED AREA DEVELOPMENT (DVR12-0027 KYRENE 202 BUSINESS PARK) 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 from AG-1 to PAD, subject to the following conditions:

1. Development shall be in substantial conformance with the attached Development Booklet, entitled "KYRENE 202 BUSINESS PARK", kept on file in the City of Chandler Planning Services Division, in File No. DVR12-0027, except as modified by condition herein. The Development Booklet provides that building layout, architecture and design for future development of individual parcels, and related onsite site layout related to such future development of individual parcels, will be reviewed and approved administratively.

**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4435 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.

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

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY *CAJ*

PUBLISHED:

**LEGAL DESCRIPTION**  
**EXHIBIT 'A'**

PARCEL NO.1:

THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 33;

THENCE NORTH 00 DEGREES 06 MINUTES 55 SECONDS WEST, AND ALONG THE EAST LINE OF SAID SECTION 33, 331.10 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33;

THENCE SOUTH 89 DEGREES 54 MINUTES 49 SECONDS WEST, AND ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33, 670.24 FEET TO THE NORTHWEST CORNER THEREOF;

THENCE SOUTH 00 DEGREES 14 MINUTES 05 SECONDS EAST, MEASURED (SOUTH 00 DEGREES 13 MINUTES 06 SECONDS EAST RECORD) ALONG THE WEST LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33, 330.32 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33;

THENCE NORTH 89 DEGREES 58 MINUTES 50 SECONDS EAST, MEASURED (NORTH 89 DEGREES 58 MINUTES 56 SECONDS EAST RECORD) ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33, 669.55 FEET TO THE POINT OF BEGINNING;

EXCEPT THE EAST 65 FEET.

PARCEL NO.2:

THAT PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 33;

THENCE NORTH 00 DEGREES 06 MINUTES 55 SECONDS WEST, ALONG THE EAST LINE OF SAID SECTION 33, 331.10 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33, AND SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE CONTINUING NORTH 00 DEGREES 06 MINUTES 55 SECONDS WEST, ALONG SAID EAST LINE, 165.55 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DOCKET 10248, PAGE 588, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 89 DEGREES 52 MINUTES 50 SECONDS WEST, AND ALONG THE SOUTH LINE OF SAID PARCEL 1,291.17 FEET TO THE EAST LINE OF THE WEST 50 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 33;

THENCE SOUTH 00 DEGREES 21 MINUTES 17 SECONDS EAST, AND ALONG THE EAST LINE OF SAID 50 FEET, 494.40 FEET MEASURED (494.31 FEET RECORD) TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33;

THENCE NORTH 89 DEGREES 58 MINUTES 50 SECONDS EAST, MEASURED (NORTH 89 DEGREES 58 MINUTES 56 SECONDS EAST RECORD) 619.55 FEET MEASURED (619.06 FEET RECORD) TO THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33;

THENCE NORTH 00 DEGREES 14 MINUTES 05 SECONDS WEST, MEASURED (NORTH 00 DEGREES 13 MINUTES 06 SECONDS WEST RECORD) AND ALONG THE WEST LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33, 330.32 FEET TO THE NORTHWEST CORNER THEREOF;

THENCE NORTH 89 DEGREES 54 MINUTES 49 SECONDS EAST, AND ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33, 670.24 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THE EAST 65 FEET.

PARCEL N0.3:

THAT PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 33;

THENCE SOUTH 00 DEGREES 06 MINUTES 55 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 33, 1821.79 FEET;

THENCE SOUTH 89 DEGREES 52 MINUTES 50 SECONDS WEST 647 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE CONTINUING SOUTH 89 DEGREES 52 MINUTES 50 SECONDS WEST 645.55 FEET TO A POINT 50 FEET EAST OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 33;

THENCE SOUTH 00 DEGREES 21 MINUTES 17 SECONDS EAST, ALONG A LINE PARALLEL, AND 50 FEET EAST OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 33, 330.34 FEET;

THENCE NORTH 89 DEGREES 52 MINUTES 50 SECONDS EAST 644.17 FEET;

THENCE NORTH 00 DEGREES 06 MINUTES 55 SECONDS WEST 330.34 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL N0.4:

THAT PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND-MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS,

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 33;

THENCE SOUTH 00 DEGREES 06 MINUTES 55 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 33, 1821.79 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 33, AND THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE CONTINUING SOUTH 00 DEGREES 06 MINUTES 55 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 33, 330.34 FEET TO A POINT BEING 496.65 FEET NORTH OF THE EAST QUARTER CORNER OF SAID SECTION 33;

THENCE SOUTH 89 DEGREES 52 MINUTES 50 SECONDS WEST, 647 FEET TO A POINT BEING 694.17 FEET EAST OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 33;

THENCE NORTH 00 DEGREES 06 MINUTES 55 SECONDS WEST 330.34 FEET;

THENCE NORTH 89 DEGREES 52 MINUTES 50 SECONDS EAST 647 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 33, AND THE TRUE POINT OF BEGINNING;

EXCEPT THE EAST 65 FEET.

PARCEL NO.5:

A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 33;

THENCE SOUTH 0 DEGREES 06 MINUTES 55 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 33, A DISTANCE OF 1491.45 FEET;

THENCE SOUTH 89 DEGREES 52 MINUTES 50 SECONDS WEST 647 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE CONTINUING SOUTH 89 DEGREES 52 MINUTES 50 SECONDS WEST 646.93 FEET TO A POINT, 50 FEET EAST OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 33;

THENCE SOUTH 0 DEGREES 21 MINUTES 17 SECONDS EAST, ALONG A LINE PARALLEL TO AND 50 FEET EAST OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 33, A DISTANCE OF 330.34 FEET;

THENCE NORTH 89 DEGREES 52 MINUTES 50 SECONDS EAST 645.55 FEET;

THENCE NORTH 0 DEGREES 06 MINUTES 55 SECONDS WEST 330.34 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION LYING WITHIN GILA SPRINGS PLACE AS SHOWN ON THE PLAT OF PALOMA KYRENE BUSINESS COMMUNITY, RECORDED IN BOOK 904 OF MAPS, PAGE 11.

SAID PARCEL NO. 5 IS NOW KNOWN AS LOT 4, PALOMA KYRENE BUSINESS COMMUNITY, ACCORDING TO BOOK 904 OF MAPS, PAGE 11, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO.6:

A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 33;

THENCE SOUTH 00 DEGREES 06 MINUTES 55 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 33, A DISTANCE OF 1491.45 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 33, AND THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE CONTINUING SOUTH 00 DEGREES 06 MINUTES 55 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 33, 330.34 FEET;

THENCE SOUTH 89 DEGREES 52 MINUTES 50 SECONDS WEST 647 FEET;

THENCE NORTH 00 DEGREES 06 MINUTES 55 SECONDS WEST 330.34 FEET;

THENCE NORTH 89 DEGREES 52 MINUTES 50 SECONDS EAST 647 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 33 AND THE TRUE POINT OF BEGINNING;

EXCEPT THE EAST 65 FEET THEREOF; AND

EXCEPT THAT PORTION LYING WITHIN GILA SPRINGS PLACE AS SHOWN ON THE PLAT OF PALOMA KYRENE BUSINESS COMMUNITY, RECORDED IN BOOK 904 OF MAPS, PAGE 11.

SAID PARCEL NO. 6 IS NOW KNOWN AS LOT 3, PALOMA KYRENE BUSINESS COMMUNITY, ACCORDING TO BOOK 904 OF MAPS, PAGE 11, RECORDS OF MARICOPA COUNTY, ARIZONA.