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SEP 12 2013

Chandler

All-America City

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Chandler · Arizona

Where Values Make The Difference

MEMORANDUM **Transportation & Development – CC Memo No. 13-091**

DATE: SEPTEMBER 12, 2013

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER RD
MARSHA REED, ASSISTANT CITY MANAGER MR
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR RJZ
JEFF KURTZ, PLANNING ADMINISTRATOR
KEVIN MAYO, PLANNING MANAGER KM

FROM: DAVID DE LA TORRE, PRINCIPAL PLANNER DDLT

SUBJECT: ANNEXATION – NORTH OF THE NORTHWEST CORNER OF SUNRISE PLACE AND GILBERT ROAD
Introduction and Tentative Adoption of Ordinance No. 4484

Request: Annexation of approximately 0.25 acres

Location: North of the northwest corner of Sunrise Place (1/2 mile south of Queen Creek Road) and Gilbert Road

Applicant: Jeremy Ramsdell; Ashton Woods Homes

BACKGROUND

The subject site is a narrow 17-foot wide strip of land that is part of Belmont Estates subdivision, which received Planned Area Development (PAD) zoning and Preliminary Development Plan (PDP) approval by Council on November 5, 2012. At the time, when the property for Belmont Estates was annexed, the subject parcel was thought to have been previously annexed into the city in 2003 when the Santana Ridge Condominiums property to the north was annexed. However, after consulting with Maricopa County and thoroughly reviewing the legal description, staff found that the 2003 annexation did not include the subject site and thus left the narrow strip of land in the County's jurisdiction.

The requested annexation can be considered 'housekeeping' as it is needed to complete the Belmont Estates development and will not modify nor add anything new to the previous approvals. The subject parcel is located at the northeastern corner of the future subdivision and abuts the Santana Ridge Condominium property to the north.

Council held a public hearing for the subject site at their August 15, 2013, meeting. The request has been processed in compliance with State Statutes governing annexations. Staff has received the signed petition from the property owner and recommends approval of this annexation request.

PLANNING STAFF COMMENTS

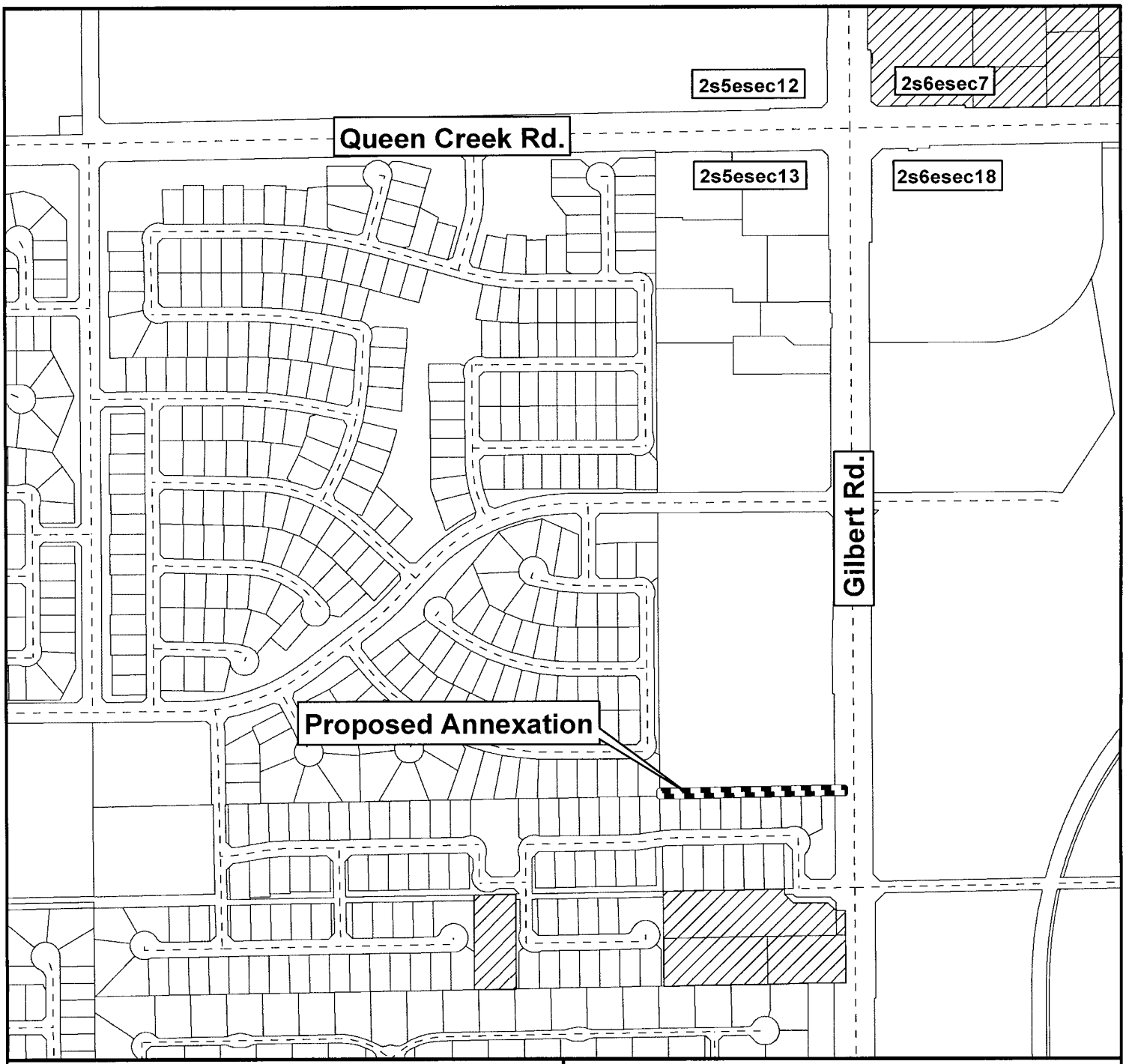
Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

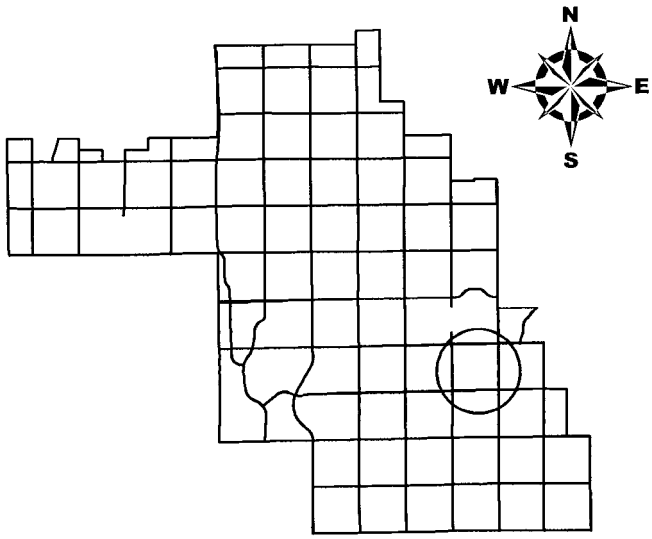
RECOMMENDATION

Move to introduce and tentatively adopt Ordinance No. 4484, annexing approximately 0.25 acres of land described in said Ordinance, also known as NORTH OF THE NORTHWEST CORNER OF SUNRISE PLACE AND GILBERT ROAD, as recommended by Planning Staff.

Attachments

1. Annexation Map
2. Ordinance No. 4484





City of Chandler 7/18/2013

Annexation Map

Proposed Annexation
North of the Northwest Corner of Sunrise Place and Gilbert Road

Incorporated Area

Unincorporated Area

0 162.5 325 650 975 1,300 Feet

Exhibit A

ORDINANCE NO. 4484

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, (NORTH OF THE NORTHWEST CORNER OF SUNRISE PLACE AND GILBERT ROAD) 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 July 24, 2013 with the County Recorder, that a Public Hearing was held on August 15, 2013 after proper notice was given, that the thirty day waiting period ended on August 23, 2013 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', Annexation Map and Legal Description

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 Transportation & 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 of the City of Chandler, Maricopa County, Arizona, this _____ day of _____, 2013.

ATTEST:

_____ _____
CITY CLERK MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this _____ day of _____, 2013.

ATTEST:

_____ _____
CITY CLERK MAYOR

CERTIFICATION

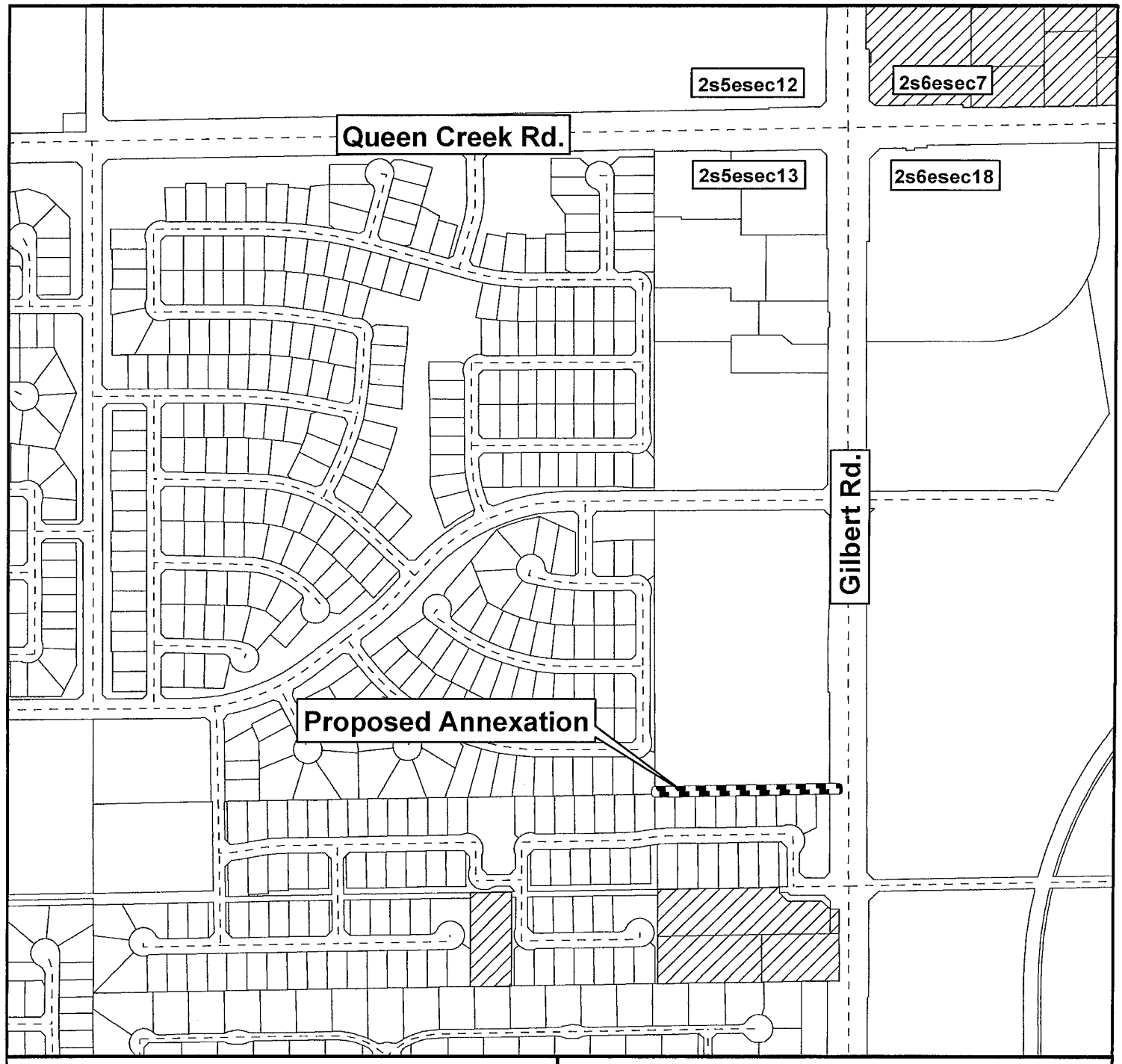
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4484 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2013, and that a quorum was present thereat.

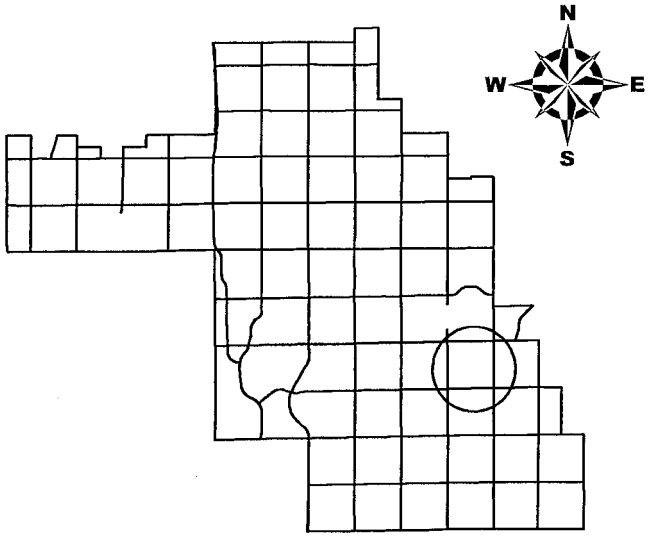
_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY GAB

PUBLISHED:





City of Chandler 7/18/2013

Annexation Map

Proposed Annexation
North of the Northwest Corner of Sunrise Place and Gilbert Road

Incorporated Area

Unincorporated Area

0 162.5 325 650 975 1,300 Feet

Exhibit A

JULY 15, 2013
PROJECT # 9601

LEGAL DESCRIPTION

A PARCEL OF LAND SITUATE IN THE NORTHEAST QUARTER **(NE1/4)** OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER **(E1/4)** CORNER OF SAID SECTION 13, MONUMENTED WITH A FOUND BRASS CAP FLUSH, FROM WHICH THE NORTHEAST CORNER THEREOF, MONUMENTED WITH A FOUND BRASS CAP IN A HANDHOLE, BEARS NORTH 00°02'54" EAST, A DISTANCE OF 2,648.72 FEET;

THENCE NORTH 00°02'54" EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER **(NE1/4)** OF SECTION 13, A DISTANCE OF 331.09 FEET TO THE INTERSECTION OF SAID EAST LINE AND THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER **(S1/2, S1/2, S1/2, NE1/4)** OF SAID SECTION 13, AS CALLED IN DOCUMENT #2004-0074557 **(R1)**, MARICOPA COUNTY RECORDS **(MCR)**;

THENCE SOUTH 89°22'22" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 33.00 FEET TO THE INTERSECTION OF SAID NORTH LINE WITH THE WESTERLY RIGHT-OF-WAY OF GILBERT ROAD AS DEDICATED IN DOCUMENT #2011-0941687 **(R2)**, MCR AND **THE POINT OF BEGINNING**;

THENCE CONTINUING, SOUTH 89°22'22" WEST, ALONG SAID NORTH LINE AND DEPARTING SAID RIGHT-OF-WAY, A DISTANCE OF 640.77 FEET TO A POINT ON A LINE DESCRIBED IN **(R1)** AND A POINT ON THE EAST LINE OF "ABRALEE MEADOW" RECORDED IN BOOK 652 OF MAPS, PAGE 23 **(R3)**, MCR;

THENCE, DEPARTING SAID NORTH LINE, NORTH 00°03'48" EAST, ALONG SAID DESCRIBED **(R1)** AND EAST LINE **(R3)**, A DISTANCE OF 16.93 FEET TO A POINT ON A LINE DESCRIBED IN **(R1)** AND THE INTERSECTION OF SAID EAST LINE **(R3)** AND THE SOUTH LINE OF "SANTANA RIDGE CONDOMINIUM" RECORDED IN BOOK 809 OF MAPS, PAGE 14 **(R4)**, MCR;

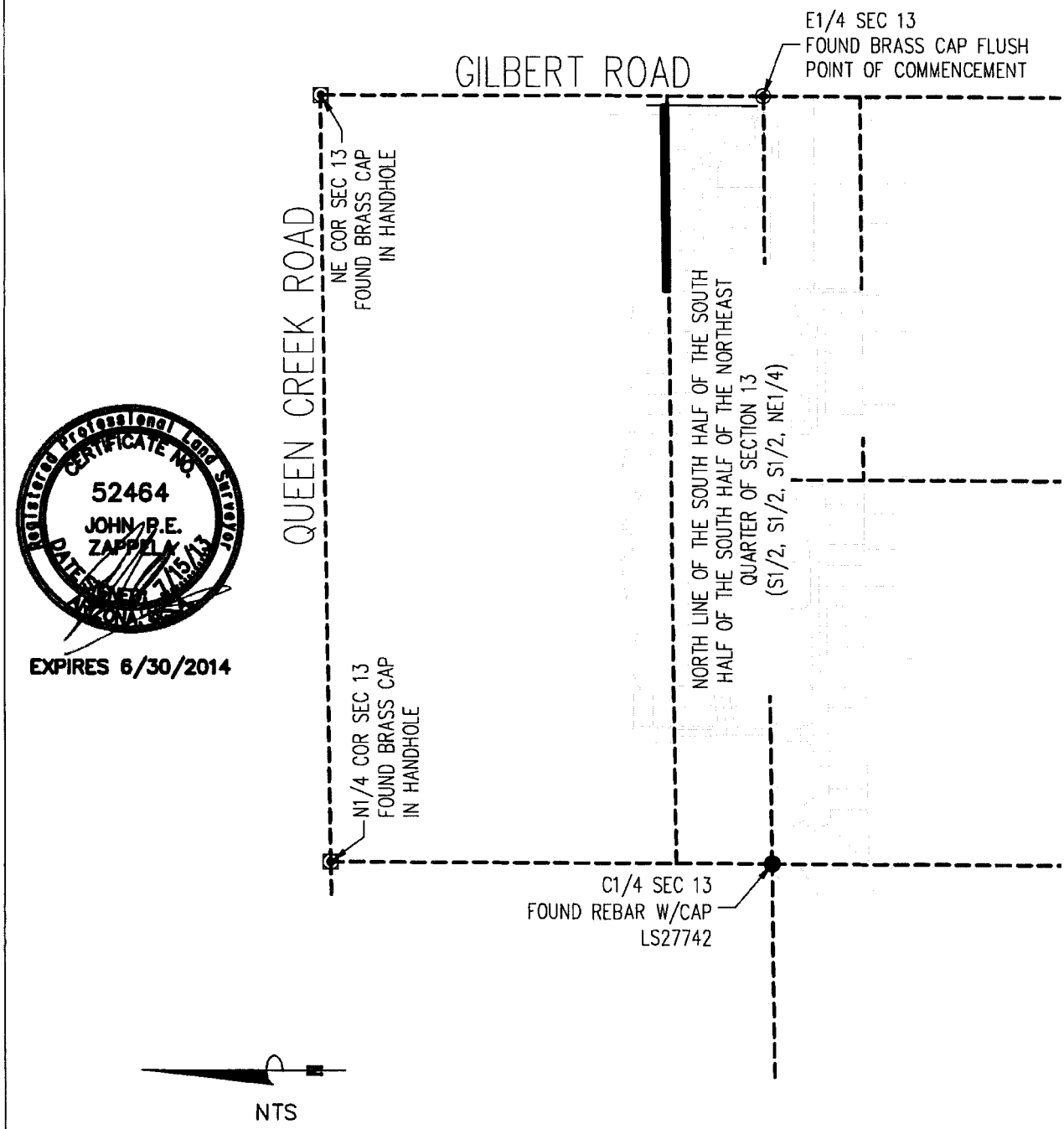
THENCE NORTH 89°22'01" EAST, ALONG SAID DESCRIBED **(R1)** AND SOUTH LINE **(R4)**, A DISTANCE OF 640.77 FEET TO A POINT ON SAID 33 FOOT WESTERLY RIGHT-OF-WAY OF GILBERT ROAD **(R2)**;

THENCE SOUTH 00°02'54" WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 17.00 FEET TO THE **POINT OF BEGINNING.**

SAID PARCELS CONTAIN 10,869 SQUARE FEET OR 0.2495 ACRES, MORE OR LESS

Registered Professional Land Surveyor
CERTIFICATE NO.
52464
JOHN P.E.
ZAPPELA
Date Signed 7-15-13
ARIZONA, U.S.A.
Exp. 6-30-14

File: P:\9601 - Gilbert Rd & Appleby Rd\9601-01-002 (SUR)\Survey\DWG\LEGALS\LG_9601_ANNEX_130715jz.dwg Plot: 2013, Jul 15



Registered Professional Land Surveyor
CERTIFICATE NO.
52464
JOHN P.E.
ZAPPELA
DATE SIGNED 7/15/13
ARIZONA

EXPIRES 6/30/2014

LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 13,
TOWNSHIP 02 SOUTH, RANGE 05 EAST, G&SRM
MARICOPA COUNTY, PHOENIX, ARIZONA

SHEET 1 OF 2	DATE: 05/07/13	ANNEXATION EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION	
		BY: JZ	CHK: JD	QC: JZ	
		BCG PROJECT NO: 9601 CLIENT REF NO:	TASK: 007	

Bowman CONSULTING
3010 S Priest Dr, #103
Tempe, Az 85282
Phone: (480) 629-8830
Fax: (480) 629-8841
www.bowmanconsulting.com

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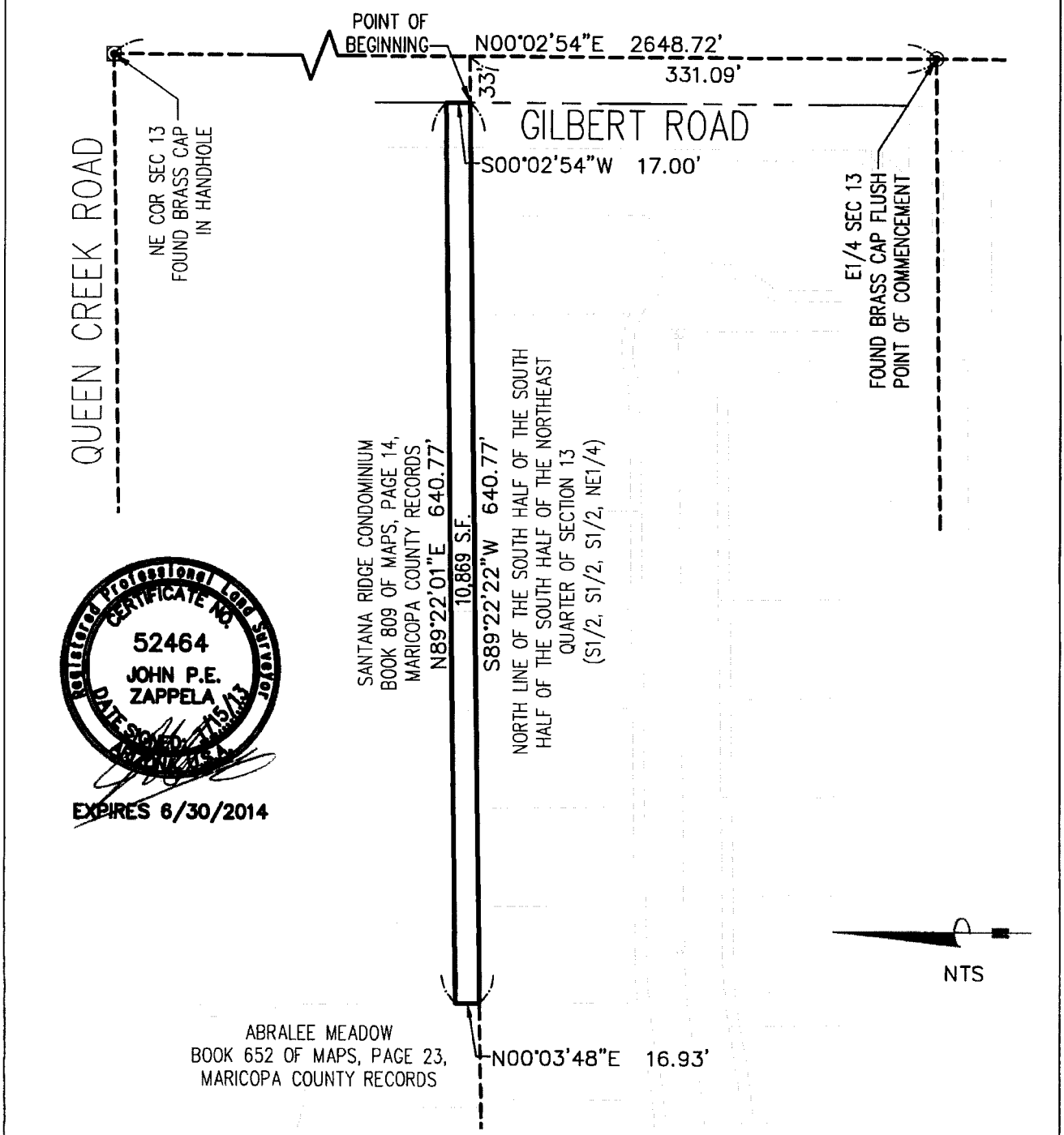

Registered Professional Land Surveyor
CERTIFICATE NO.
52464
JOHN P.E.
ZAPPELA
DATE SIGNED: 7/15/13
ARIZONA U.S.A.
EXPIRES 6/30/2014

LOCATED IN THE SOUTHEAST (SE1/4) OF SECTION 13,
TOWNSHIP 02 SOUTH, RANGE 05 EAST, G&SRM
MARICOPA COUNTY, PHOENIX, ARIZONA

SHEET 2 OF 2	DATE: 05/07/13	ANNEXATION EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION	
		BY: JZ / CHK: JD / QC: JZ	
		BCG PROJECT NO: 9601 CLIENT REF NO:	TASK: 007

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