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MEMORANDUM **Planning Division – CC Memo No. 14-109**

DATE: OCTOBER 23, 2014

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER RD
MARSHA REED, ASSISTANT CITY MANAGER MR
JEFF KURTZ, PLANNING ADMINISTRATOR DDT for JK
KEVIN MAYO, PLANNING MANAGER DDT for KM

FROM: DAVID DE LA TORRE, AICP, PRINCIPAL PLANNER DDT

SUBJECT: ANNEXATION – SOUTHWEST CORNER OF OCOTILLO ROAD AND UNION PACIFIC RAILROAD
Introduction and Tentative Adoption of Ordinance No. 4559

Request: Annexation of approximately 0.36 acres consisting of railroad property, existing right-of-way, and a future City well site.

Location: The intersection of and the southwest corner of Ocotillo Road and Union Pacific Railroad

Applicant: City of Chandler

BACKGROUND

The requested annexation will 'clean up' the City limits at the intersection of Ocotillo Road and the Union Pacific Railroad. Specifically, the annexation consists of three contiguous parcels. There is a railroad-owned parcel, which is half in the public right-of-way, existing Ocotillo Road right-of-way, and a future City well site located south and west of the intersection.

A public hearing for this annexation was held at the August 14, 2014, Council meeting. Staff has not received any comments from residents or other members of the public regarding this annexation. Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

This annexation request has been processed in accordance with Arizona Revised Statutes, which requires a Public Hearing to annex property that is not public right-of-way and is subject to taxation.

RECOMMEDATION

Planning Staff recommends approval of Ordinance No. 4559, annexing approximately 0.36 acres of land as presented in case SOUTHWEST CORNER OF OCOTILLO ROAD AND UNION PACIFIC RAILROAD.

PROPOSED MOTION

Move to introduce and tentatively adopt Ordinance No. 4559, annexing approximately 0.36 acres of land described in said Ordinance, also known as SOUTHWEST CORNER OF OCOTILLO ROAD AND UNION PACIFIC RAILROAD, as recommended by Planning Staff.

Attachments

1. Ordinance No. 4559
2. Annexation Map
3. Legal Description
4. Parcel Map

ORDINANCE NO. 4559

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, (SOUTHWEST CORNER OF OCOTILLO ROAD AND UNION PACIFIC RAILROAD) 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 23, 2014 with the County Recorder, that a Public Hearing was held on August 14, 2014 after proper notice was given, that the thirty day waiting period ended on August 23, 2014 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 _____, 2014.

ATTEST:

_____ _____
CITY CLERK MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this _____ day of _____, 2014.

ATTEST:

_____ _____
CITY CLERK MAYOR

CERTIFICATION

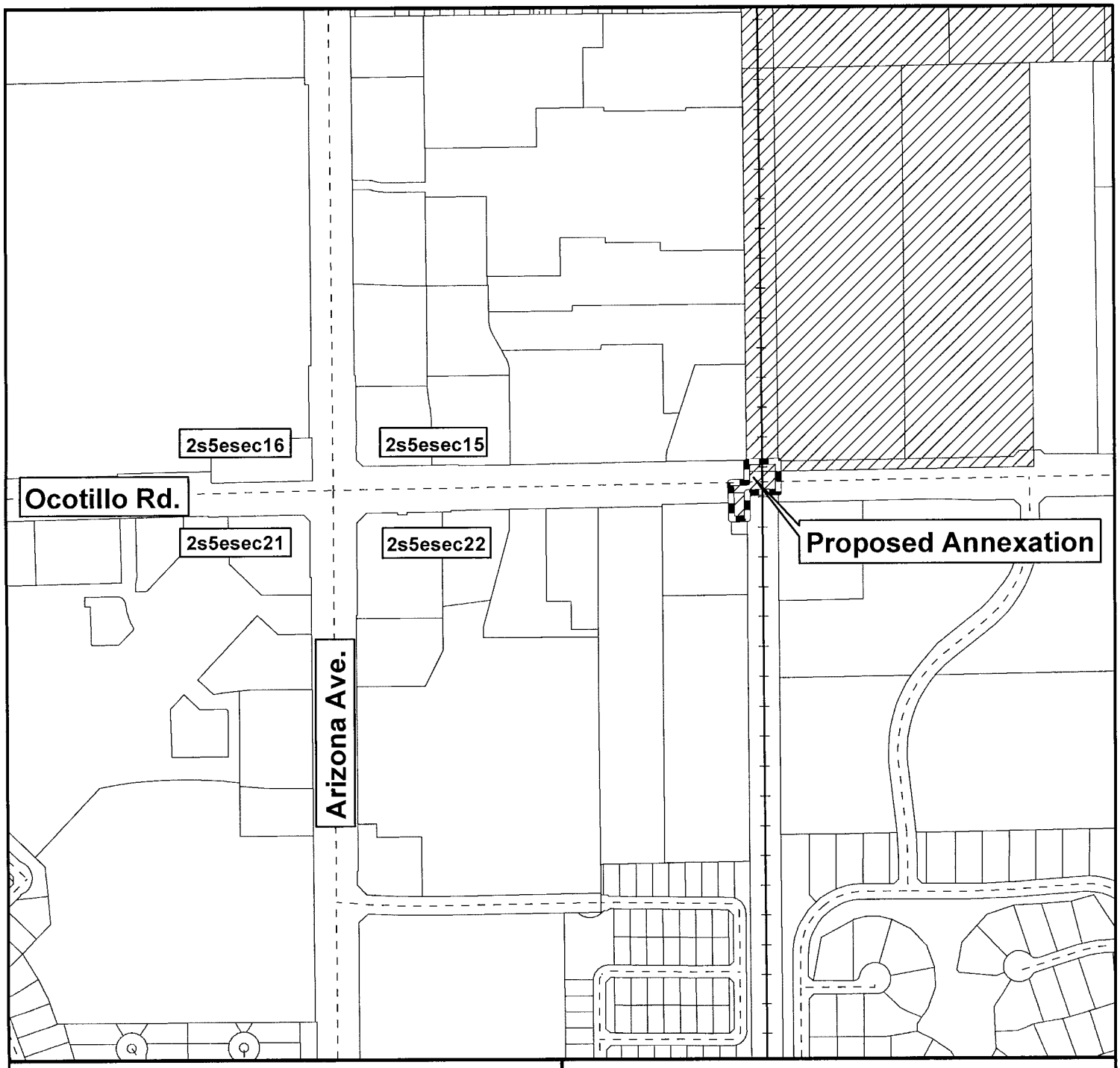
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4559 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2014, and that a quorum was present thereat.

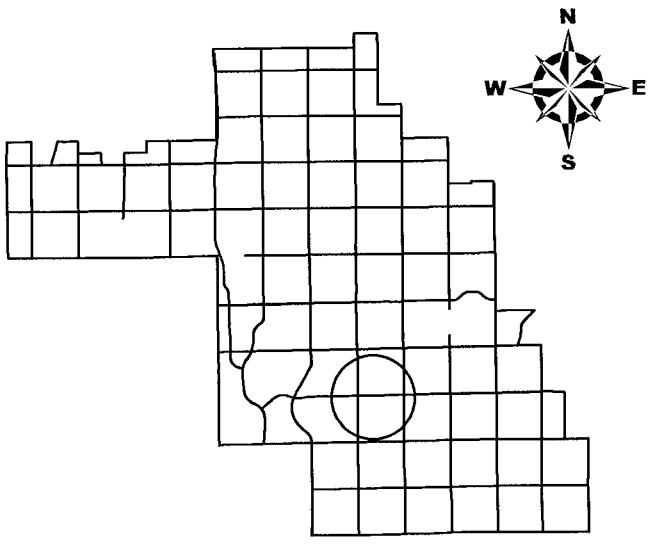
_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY SAB

PUBLISHED:





City of Chandler 7/17/2014

Annexation Map

Ordinance No. 4559

Proposed Annexation

Southwest Corner of Ocotillo Road and the Union Pacific Railroad

Incorporated Area

Unincorporated Area

0 137.5275 550 825 1,100 Feet

Exhibit A

EXHIBIT "A"

ORDINANCE NO. 4559

LEGAL DESCRIPTION
FOR TRANSFER OF PARCEL 1A

That portion of a parcel of land described in the Records of Maricopa County, Arizona located in the Northwest quarter of Section 22, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

The North 33.00 feet of the West 100.00 feet of the Northeast quarter of the Northwest quarter of said Section 22.

Containing an area of 3,280.83 square feet or 0.08 acres more or less.

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

LEGAL DESCRIPTION
FOR TRANSFER OF PARCEL 1B

That portion of a parcel of land described in the Records of Maricopa County, Arizona located in the Southwest quarter of Section 15, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

The South 65.00 feet of the West 100.00 feet of the Southeast quarter of the Southwest quarter of said Section 15.

Containing an area of 6,517.29 square feet or 0.15 acres more or less.

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

Combined area of PARCEL 1 equals 9,798.12 Square Feet or 0.22 acres, more or less.

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EXHIBIT "A"

ORDINANCE NO. 4559

LEGAL DESCRIPTION
FOR TRANSFER OF PARCEL 2

That portion of a parcel of land, as created in Document No. 2012-0894073, described in the Records of Maricopa County, Arizona located in the Northwest quarter of Section 22, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Beginning at a point on the North line of Section 22, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, from which the Northwest corner of said Section 22 bears South 89 degrees 22 minutes 31 seconds West, a distance of 1267.40 feet;

Thence North 89 degrees 22 minutes 31 seconds East a distance of 50.00 feet to the right-of-way line of the Southern Pacific Railroad;

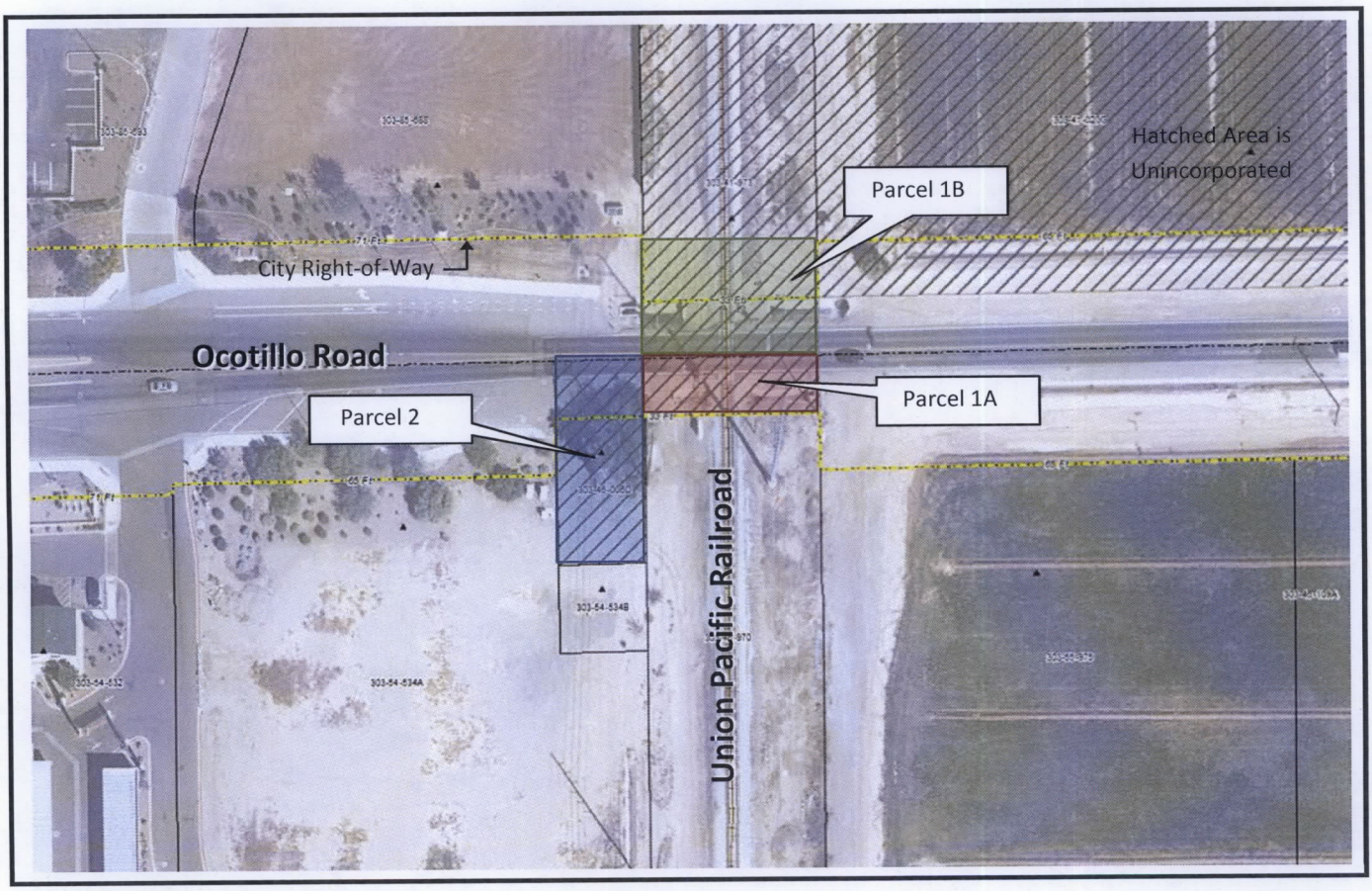
Thence South 00 degrees 01 minutes 10 seconds West along said right-of-way line a distance of 115.00 feet;

Thence South 89 degrees 22 minutes 31 seconds West a distance of 50.00 feet;

Thence North 00 degrees 01 minutes 10 seconds East a distance of 115.00 feet to the Point of Beginning.

Containing an area of 5,830.99 square feet or 0.13 acres more or less.

Combined area of PARCELS 1 and 2 equals 15,629.11 Square Feet or 0.36 acres, more or less.

Parcel Map

Southwest Corner of Ocotillo Road and Union Pacific Railroad