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NOV 17 2014

**ORDINANCE NO. 4577**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PLANNED AREA DEVELOPMENT (PAD) FOR COMMERCIAL TO PAD FOR AN ASSISTED LIVING MEMORY CARE FACILITY IN CASE DVR14-0017 (CHANDLER PATHWAYS OF ARIZONA) 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 Exhibit 'A'

Said parcel is hereby rezoned from Planned Area Development (PAD) for commercial and to PAD for an assisted living memory care facility, subject to the following conditions:

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

2. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The

aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).

4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

5. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

6. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

7. Development shall be in substantial conformance with the Development Booklet, entitled "CHANDLER PATHWAYS" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0017, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

SECTION III. The Planning Division 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.

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. 4577 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 (KSM)

PUBLISHED:

EXHIBIT 'A'

LEGAL DESCRIPTION
CHANDLER PATHWAYS

PARCEL NO. 1:
The South half of the North half of the South half of the Southeast quarter of the Southeast quarter of Section 19, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT any portion lying within the following described property conveyed in Deed recorded in Document No. 2004-1310137, described as follows:

COMMENCING at the Southeast corner of said Section 19, being marked by a 1/2 inch bar;

THENCE North 89 degrees 51 minutes 40 seconds West, (basis of bearings) along the Southerly line of the said Southeast quarter of Section 19, a distance of 531.20 feet to the TRUE POINT OF BEGINNING;

THENCE continuing North 89 degrees 51 minutes 40 seconds West, 789.55 feet to the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 19 and from which point the South quarter corner of said Section 19, being marked by a Maricopa County brass cap, bears North 89 degrees 51 minutes 40 seconds West, 1320.75 feet distant therefrom;

THENCE North 00 degrees 38 minutes 04 seconds East, 496.62 feet to the Northwest corner of the South half of the North half of the South half of the Southeast quarter of the Southeast quarter of said Section 19;

THENCE South 89 degrees 51 minutes 12 seconds East, along the Northerly line of the said South half of the North half of the South half of the Southeast quarter of the Southeast quarter of Section 19, a distance of 789.55 feet to a point from which the Northeast corner of the said South half of the North half of the South half of the Southeast quarter of the Southeast quarter of Section 19 bears South 89 degrees 51 minutes 12 seconds East, 533.24 feet distant therefrom;

THENCE South 00 degrees 38 minutes 04 seconds West, being parallel with the Westerly line of the said Southeast quarter of the Southeast quarter of Section 19, a distance of 496.51 feet to the TRUE POINT OF BEGINNING; AND

EXCEPT any portion lying within the following land conveyed in Deed recorded in Document No. 2005-0672589, described as follows:

COMMENCING at the Southeast corner of said Section 19, being marked by a 1/2 inch rebar;

THENCE North 89 degrees 51 minutes 40 seconds West (basis of bearings) along the Southerly line of the Southeast quarter of Section 19, a distance of 509.20 feet to the TRUE POINT OF BEGINNING;

THENCE continuing North 89 degrees 51 minutes 40 seconds West, 22.00 feet to a point from which the South quarter corner of said Section 19, being marked by a Maricopa County brass cap, bears North 89 degrees 51 minutes 40 seconds West, 2110.30 feet distant therefrom;

THENCE North 00 degrees 38 minutes 04 seconds East, being parallel with the Westerly line of the Southeast quarter of the Southeast quarter of said Section 19, a distance of 496.51 feet to a point on the Northerly line of the South half of the North half of the South half of the Southeast quarter of the Southeast quarter of said Section 19 and from which point the Northwest corner of the said South half of the North half of the South half of the Southeast quarter of the Southeast quarter of Section 19 bears North 89 degrees 51 minutes 12 seconds West, 789.55 feet distant therefrom;

THENCE South 89 degrees 51 minutes 12 seconds East, 22.00 feet to a point from which the Northeast corner

of the said South half of the North half of the South half of the Southeast quarter of the Southeast quarter of Section 19 bears South 89 degrees 51 minutes 12 seconds East, 511.24 feet distant therefrom;

THENCE South 00 degrees 38 minutes 04 seconds West, 496.51 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 2:
The South half of the South half of the Southeast quarter of the Southeast quarter of Section 19, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT that part of the Southeast quarter of said Section 19, described as follows:

BEGINNING at the Southeast corner of Section 19;

THENCE West (assumed bearing) along the South line of said Section 19, a distance of 306.60 feet;

THENCE North 00 degrees 26 minutes 00 seconds East and parallel to the East line of said Section 19, a distance of 166.18 feet;

THENCE North 47 degrees 13 minutes 30 seconds East, a distance of 202.80 feet;

THENCE East and parallel to the South line of said Section 19, a distance of 158.77 feet to a point on the East line of said Section 19;

THENCE South 00 degrees 26 minutes 00 seconds West along said line, 303.89 feet to the POINT OF BEGINNING; AND

EXCEPT any portion lying within the following described property conveyed in Deed recorded in Document No. 2004-1310137, described as follows:

COMMENCING at the Southeast corner of said Section 19, being marked by a 1/2 inch bar;

THENCE North 89 degrees 51 minutes 40 seconds West, (basis of bearings) along the Southerly line of the said Southeast quarter of Section 19, a distance of 531.20 feet to the TRUE POINT OF BEGINNING;

THENCE continuing North 89 degrees 51 minutes 40 seconds West, 789.55 feet to the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 19 and from which point the South quarter corner of said Section 19, being marked by a Maricopa County brass cap, bears North 89 degrees 51 minutes 40 seconds West, 1320.75 feet distant therefrom;

THENCE North 00 degrees 38 minutes 04 seconds East, 496.62 feet to the Northwest corner of the South half of the North half of the South half of the Southeast quarter of the Southeast quarter of said Section 19;

THENCE South 89 degrees 51 minutes 12 seconds East, along the Northerly line of the said South half of the North half of the South half of the Southeast quarter of the Southeast quarter of Section 19, a distance of 789.55 feet to a point from which the Northeast corner of the said South half of the North half of the South half of the Southeast quarter of the Southeast quarter of Section 19 bears South 89 degrees 51 minutes 12 seconds East, 533.24 feet distant therefrom;

THENCE South 00 degrees 38 minutes 04 seconds West, being parallel with the Westerly line of the said Southeast quarter of the Southeast quarter of Section 19, a distance of 496.51 feet to the TRUE POINT OF BEGINNING; AND

EXCEPT any portion lying within the following land conveyed in Deed recorded in Document No. 2005-

0672589, described as follows:

COMMENCING at the Southeast corner of said Section 19, being marked by a 1/2 inch rebar;

THENCE North 89 degrees 51 minutes 40 seconds West (basis of bearings) along the Southerly line of the Southeast quarter of Section 19, a distance of 509.20 feet to the TRUE POINT OF BEGINNING;

THENCE continuing North 89 degrees 51 minutes 40 seconds West, 22.00 feet to a point from which the South quarter corner of said Section 19, being marked by a Maricopa County brass cap, bears North 89 degrees 51 minutes 40 seconds West, 2110.30 feet distant therefrom;

THENCE North 00 degrees 38 minutes 04 seconds East, being parallel with the Westerly line of the Southeast quarter of the Southeast quarter of said Section 19, a distance of 496.51 feet to a point on the Northerly line of the South half of the North half of the South half of the Southeast quarter of the Southeast quarter of said Section 19 and from which point the Northwest corner of the said South half of the North half of the South half of the Southeast quarter of the Southeast quarter of Section 19 bears North 89 degrees 51 minutes 12 seconds West, 789.55 feet distant therefrom;

THENCE South 89 degrees 51 minutes 12 seconds East, 22.00 feet to a point from which the Northeast corner of the said South half of the North half of the South half of the Southeast quarter of the Southeast quarter of Section 19 bears South 89 degrees 51 minutes 12 seconds East, 511.24 feet distant therefrom;

THENCE South 00 degrees 38 minutes 04 seconds West, 496.51 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 3:
That part of the Southeast quarter of said Section 19, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the Southeast corner of Section 19;

THENCE West (assumed bearing) along the South line of said Section 19, a distance of 306.60 feet;

THENCE North 00 degrees 26 minutes 00 seconds East and parallel to the East line of said Section 19, a distance of 166.18 feet;

THENCE North 47 degrees 13 minutes 30 seconds East, a distance of 202.80 feet;

THENCE East and parallel to the South line of said Section 19, a distance of 158.77 feet to a point on the East line of said Section 19;

THENCE South 00 degrees 26 minutes 00 seconds West along said line, 303.89 feet to the POINT OF BEGINNING;

EXCEPT the South 33 feet and the East 33 feet thereof.