

Memo No. TDE15-003

June 11, 2015

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FINANCIAL IMPLICATIONS: No direct cost for annexation; however, the City will be responsible for ongoing maintenance of annexed roadways.

PROPOSED MOTION: Staff recommends City Council pass and adopt Resolution No. 4865 authorizing the transfer of certain County rights-of-way on Germann Road between Arizona Avenue and Hamilton Street contingent upon the approval of the Maricopa County Board of Supervisors.

ATTACHMENTS:

Resolution No. 4865

Exhibit A Map

Exhibit A Legal

RESOLUTION NO. 4865

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING THE TRANSFER OF CERTAIN COUNTY RIGHTS-OF-WAY ON GERMANN ROAD BETWEEN ARIZONA AVENUE AND HAMILTON STREET CONTINGENT UPON THE APPROVAL OF THE MARICOPA COUNTY BOARD OF SUPERVISORS.

WHEREAS, A.R.S. §9-471(N) provides that a county right-of-way or roadway may be transferred to an adjacent city or town by mutual consent of the governing bodies of the county and the receiving city or town (a) if the property transferred is adjacent to the receiving city or town and (b) if the city or town and the county each approve the proposed transfer as a published agenda item at a regular public meeting of their governing bodies; and

WHEREAS, pursuant to A.R.S. §9-471(N), such a transfer of property shall be treated by the receiving city or town as if the transferred property was newly annexed territory; and

WHEREAS, the property to be transferred through this resolution is adjacent to the City of Chandler and consists of right-of-way or roadway located in an unincorporated portion of Maricopa County, as described and depicted in the map and legal descriptions attached hereto as Exhibit A, said exhibit being incorporated herein by this reference (hereinafter, the "Roadway"); and

WHEREAS, this resolution has been acted upon as a published agenda item at a regular public meeting of the Chandler City Council;

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

Section 1. Pursuant to the provisions of A.R.S. §9-471(N), and contingent upon approval of the Maricopa County Board of Supervisors, the City of Chandler does hereby approve the transfer by Maricopa County to the City of Chandler of the Roadway, as depicted and legally described in attached Exhibit A.

Section 2. Upon completion of the transfer of the Roadway to the City of Chandler, the Roadway shall be treated by the City of Chandler as if the Roadway was territory newly annexed into the corporate limits of the City of Chandler and made part of the City's roadway system.

Section 3. The City Clerk is hereby instructed to file and record a copy of this resolution, together with documentation of approval by the Maricopa Board of Supervisors and an accurate map of the transferred property, certified by the Mayor of the City of Chandler, in the Office of the County Recorder of Maricopa County, Arizona.

Section 4. The Transportation 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 resolution.

Resolution No. 4865

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PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this _____ day of _____, 2015.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

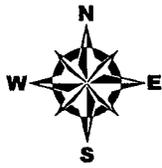
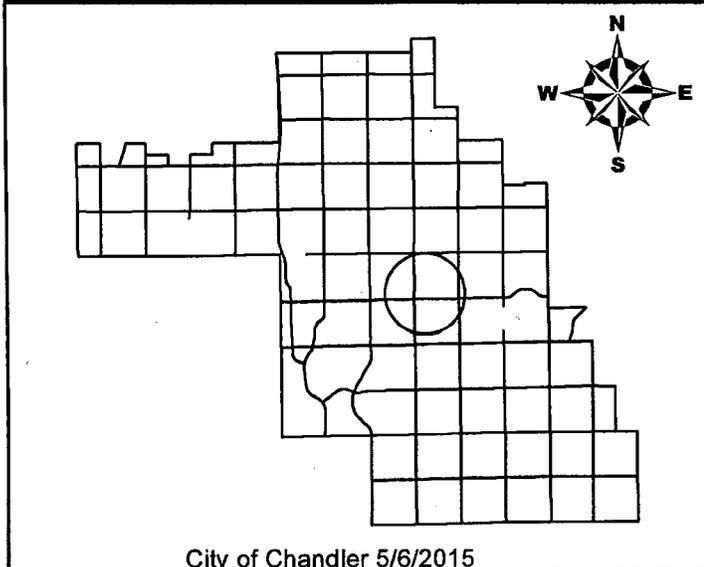
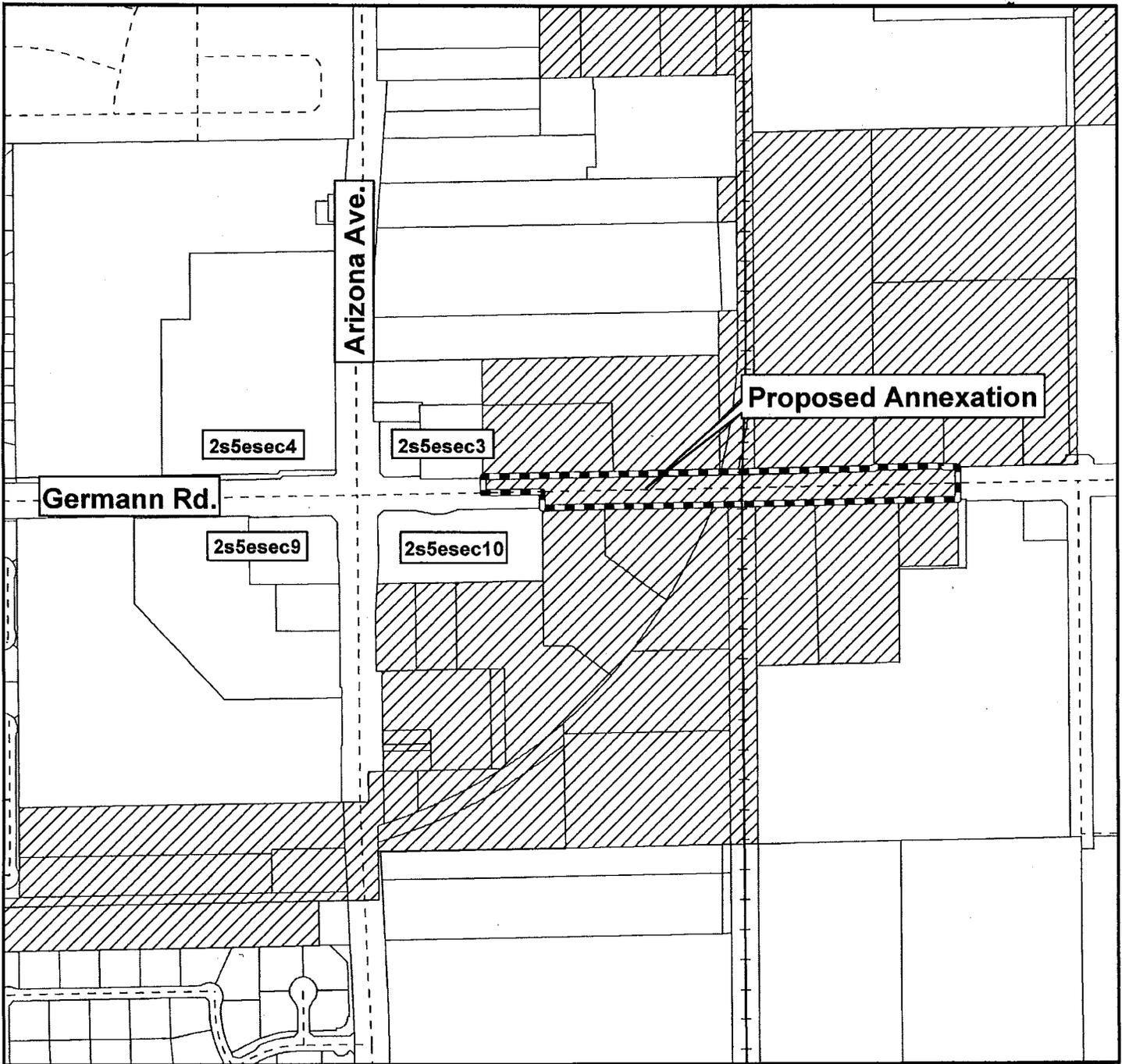
I HEREBY CERTIFY that the above and foregoing Resolution No. 4865 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on _____ day of _____, 2015, and that a quorum was present thereat.

CITY CLERK

PUBLISHED:

APPROVED AS TO FORM:

CITY ATTORNEY GAB



Annexation Map

Resolution No. 4865

Proposed Annexation

Certain County Rights-of-Way on
Germann Road between Arizona
Avenue and Hamilton Street

Incorporated Area

Unincorporated Area

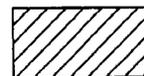
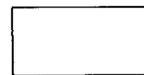


Exhibit A

EXHIBIT A

**LEGAL DESCRIPTION
FOR TRANSFER OF PARCEL 1A
MARICOPA COUNTY RIGHT-OF-WAY TO THE CITY OF CHANDLER**

That portion of a parcel of land described in the Records of Maricopa County, Arizona located in the Southwest quarter of Section 3, 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 60.00 feet of the Southwest quarter of said Section 3. Except the West 438.24' and except the East 487.66'.

Also including the North 5' of the South 65' of the Southwest quarter of said Section 3. Except the West 1924.61' and except the East 490.48'.

Containing an area of 107,151.35 square feet or 2.46 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
MARICOPA COUNTY RIGHT-OF-WAY TO THE CITY OF CHANDLER**

That portion of a parcel of land described in the Records of Maricopa County, Arizona located in the Southwest quarter of Section 10, 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 60.00 feet of the Northwest quarter of said Section 10. Except for the West 688.98' and except for the East 440.56'

Containing an area of 92,968.51 square feet or 2.13 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 200,119.86 Square Feet or 4.59 acres, more or less.