

RESOLUTION NO. 4894

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, REPEALING RESOLUTION NO. 4865.

WHEREAS, on June 11, 2015, the Chandler City Council passed and adopted Resolution No. 4865, which approved the transfer by Maricopa County (the "County") to the City of Chandler (the "City"), pursuant to A.R.S. §9-471(N), of certain County right-of-way or roadway as legally described in Exhibit A attached and incorporated into Resolution No. 4865; and

WHEREAS, on June 24, 2015, said Resolution No. 4865 was recorded with the Maricopa County Recorder as Document No. 2015-0450218; and

WHEREAS, it has been found that the legal description of the right-of-way or roadway included as part of attached Exhibit A to Resolution No. 4865 is incorrect; and

WHEREAS, because both the City and the County have taken action to cause the transfer to occur using an erroneous legal description, it is necessary to repeal Resolution No. 4865 and, thereafter, pass and adopt a new resolution with a correct legal description of the right-of-way or roadway intended to be transferred pursuant to A.R.S. §9-471(N) from the County to the City;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Maricopa County, Arizona, as follows:

Section 1. Resolution No. 4865 is hereby repealed and shall be considered null, void and of no further effect.

Section 2. The original or a certified copy of this Resolution No. 4894 shall be recorded by the Chandler City Clerk in order to assure that public records maintained by the Maricopa County Recorder properly show the repeal of Resolution No. 4865.

Section 3. A record copy of this Resolution No. 4894 shall be submitted to the Clerk of the Maricopa County Board of Supervisors to evidence the action taken by the City in repealing Resolution No. 4865.

PASSED AND ADOPTED by the City Council of the City of Chandler, Maricopa County, Arizona, this ___ day of _____, 2015.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4894 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2015, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY GAB

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20150450218,06/24/2015 11:07,
ELECTRONIC RECORDING
Res4865-5-1-1--,N

When Recorded, return to:

Chandler City Clerk
Mail Stop 606
PO Box 4008
Chandler, AZ 85244-4008

CAPTION HEADING:

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.

DO NOT REMOVE

This is part of the official document

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 & 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.

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this 11th day of June 2015.

ATTEST:


CITY CLERK


SEAL
CITY OF CHANDLER
CORPORATE
ARIZONA

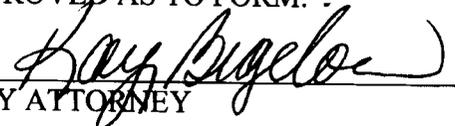

MAYOR

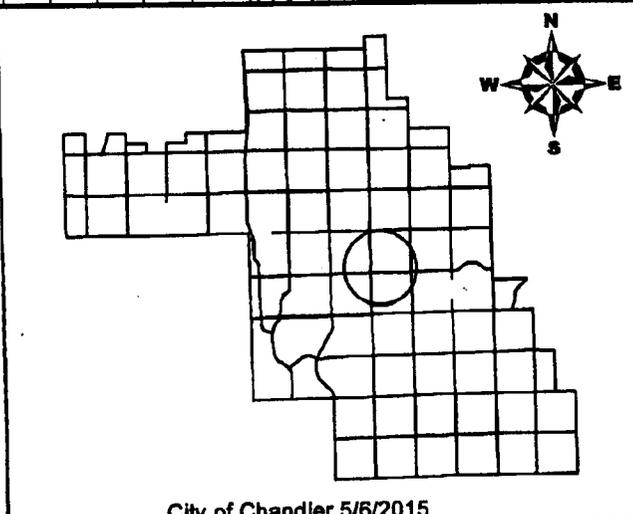
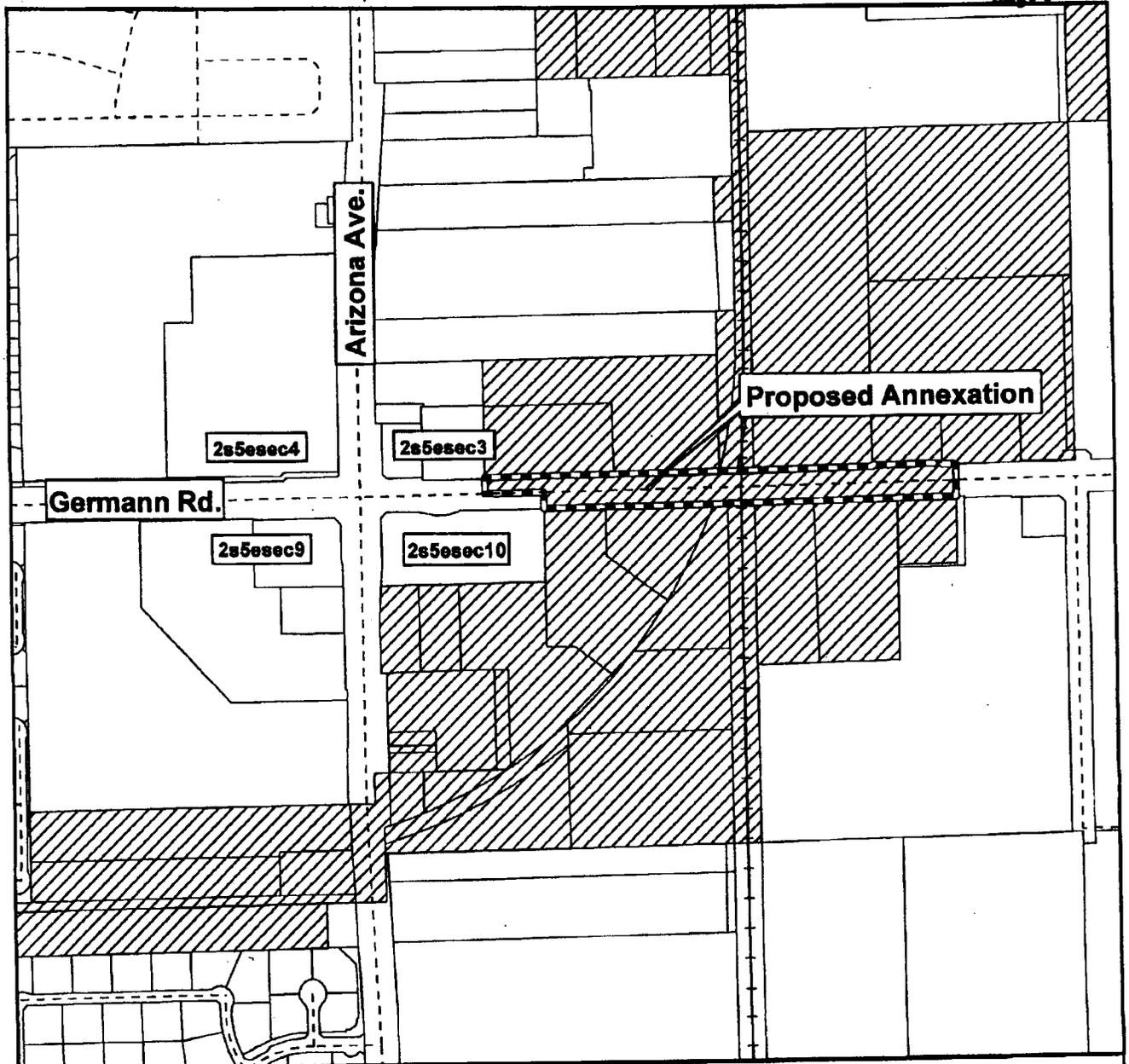
CERTIFICATION

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 the 11th day of June 2015, and that a quorum was present thereat.


CITY CLERK

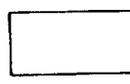
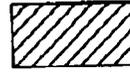
APPROVED AS TO FORM: .


CITY ATTORNEY



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

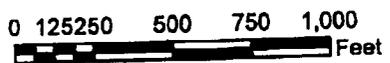


Exhibit A

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.