

Memo No. TDE17-001
July 28, 2016
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PROPOSED MOTION: Staff recommends City Council pass and adopt Resolution No. 4960 authorizing the transfer of certain County right-of-way on Gilbert Road between Queen Creek Road and Riggs Road contingent upon the approval of the Maricopa County Board of Supervisors.

ATTACHMENTS:
Resolution No. 4960
Exhibit A Maps
Exhibit A Legal

RESOLUTION NO. 4960

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING THE TRANSFER OF CERTAIN COUNTY RIGHT-OF-WAY ON GILBERT ROAD BETWEEN QUEEN CREEK ROAD AND RIGGS ROAD 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 RESOLVED by the City Council of the City of Chandler, Maricopa County, 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 and consent to 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 County 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 City Council of the City of Chandler, Maricopa County, Arizona, this ___ day of _____, 2016.

ATTEST:

CITY CLERK

MAYOR

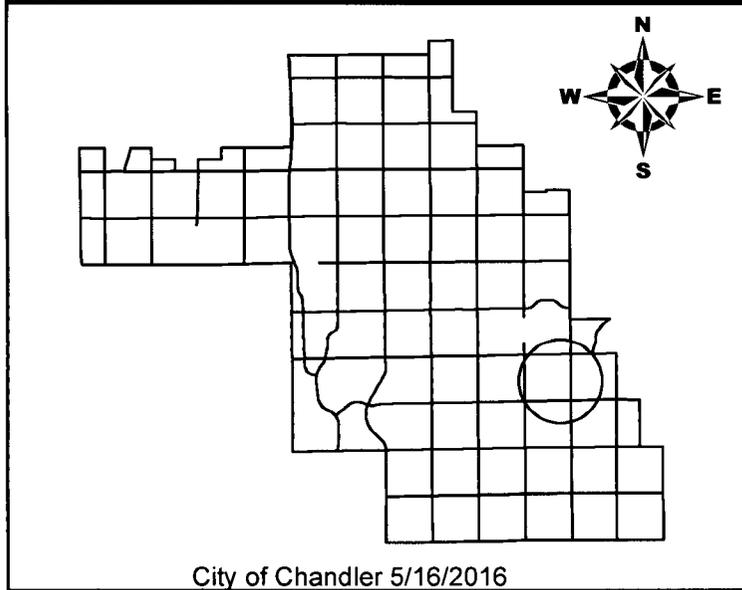
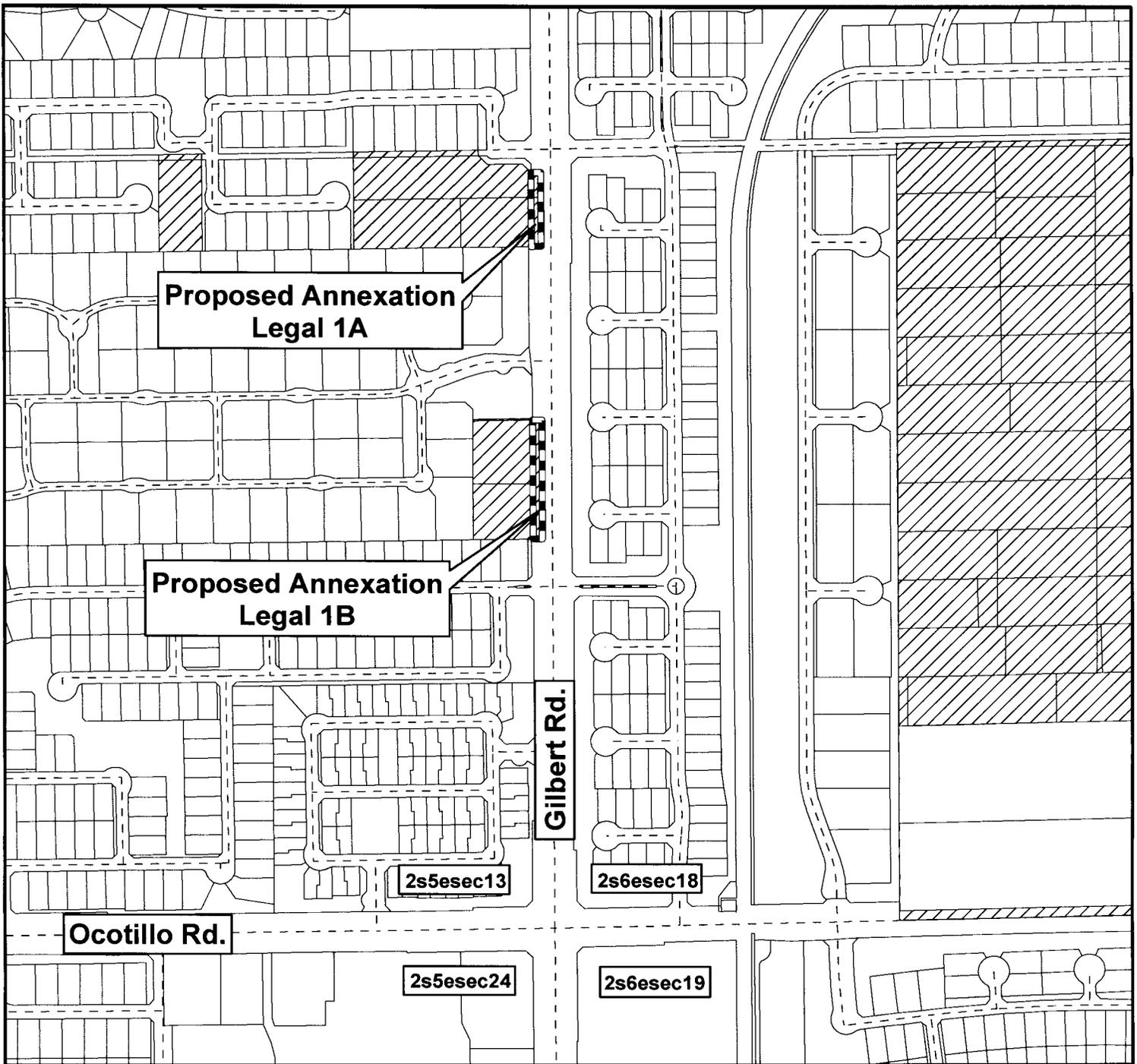
CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4960 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ___ day of _____, 2016, and that a quorum was present thereat.

CITY CLERK

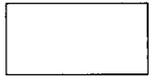
APPROVED AS TO FORM:

CITY ATTORNEY *GAB*



Annexation Map

Resolution No. 4960

	Proposed Annexation Certain County Rights-of-Way on Gilbert Road between Queen Creek Road and Ocotillo Road
	Incorporated Area
	Unincorporated Area

0 125 250 500 750 1,000 Feet

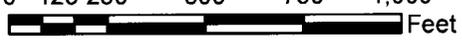
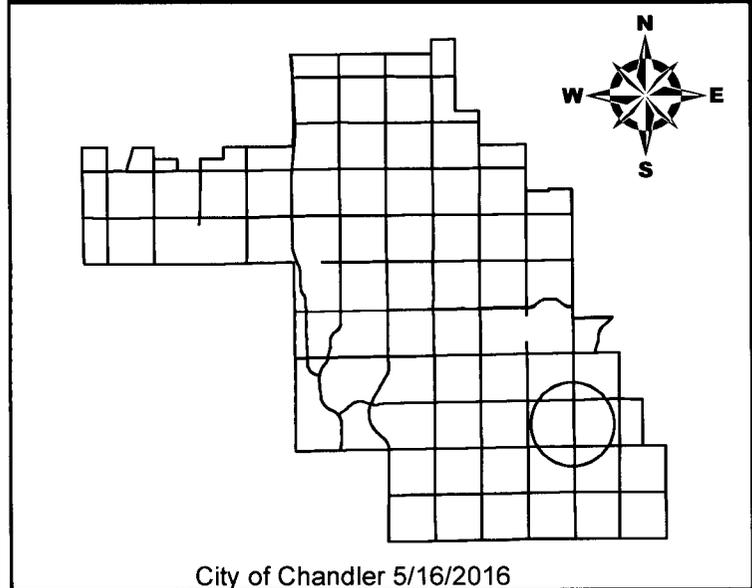
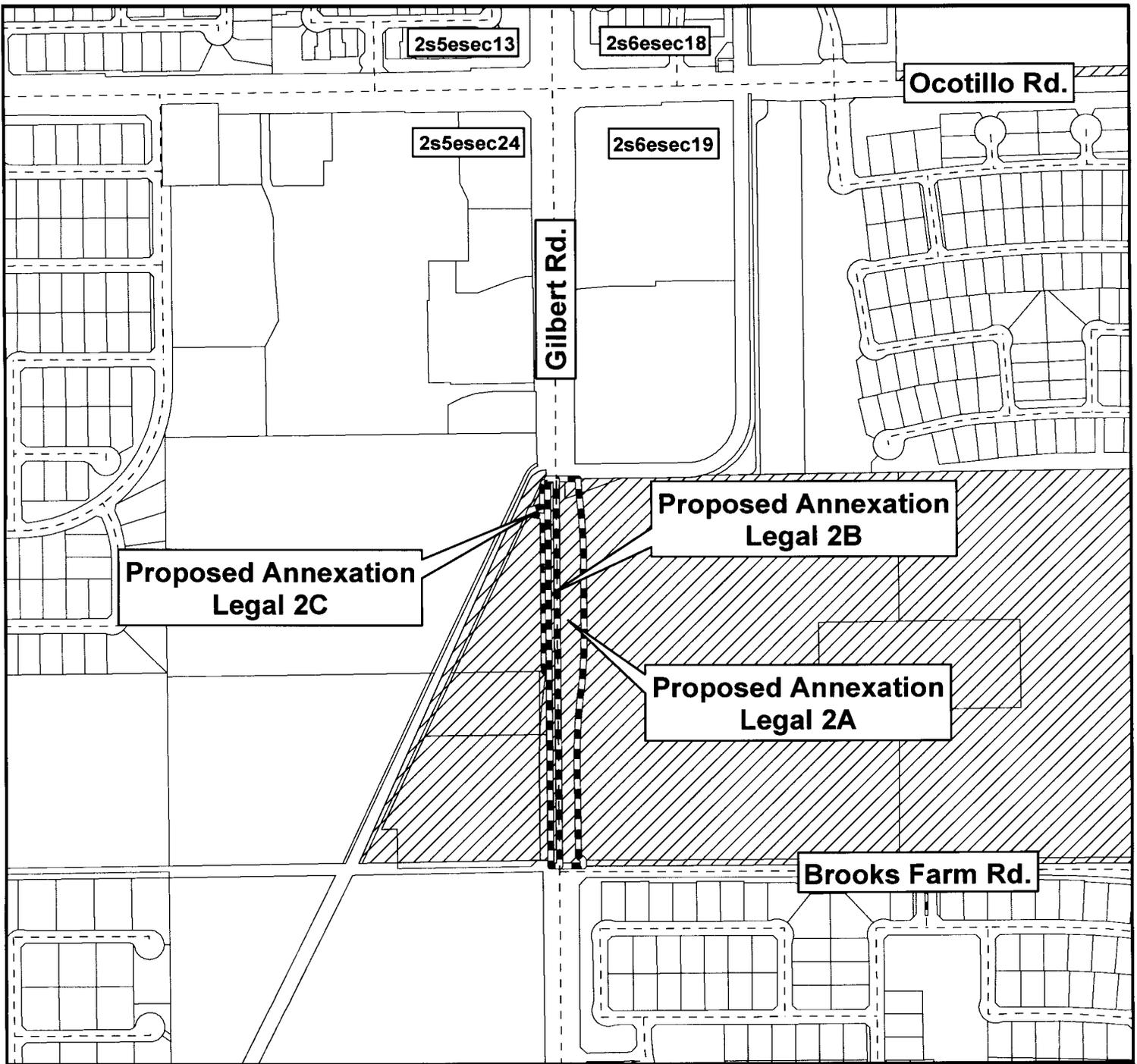


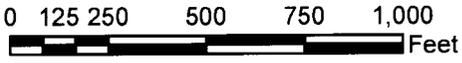
Exhibit A



Annexation Map

Resolution No. 4960

	Proposed Annexation Certain County Rights-of-Way on Gilbert Road between Ocotillo Road and Chandler Heights Road
	Incorporated Area
	Unincorporated Area



0 125 250 500 750 1,000 Feet

Exhibit A



**Proposed Annexation
Legal 3A**

Gilbert Rd.

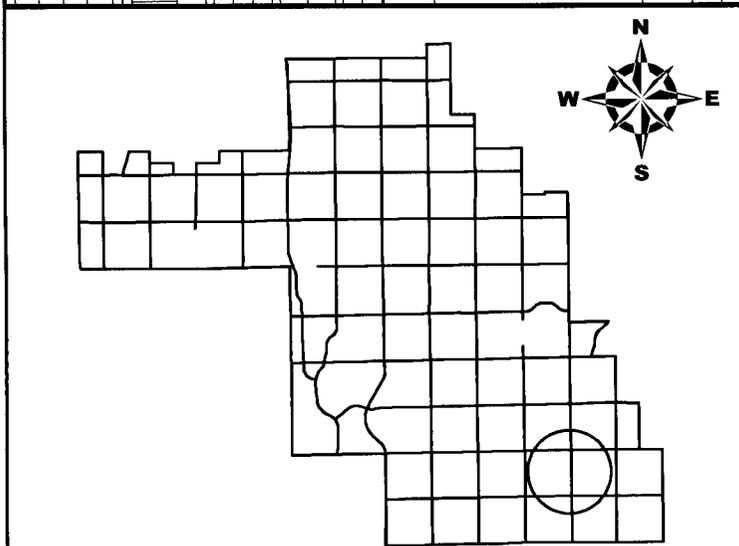
Riggs Rd.

2s5esec25

2s6esec30

2s5esec36

2s6esec31



Annexation Map

Resolution No. 4960

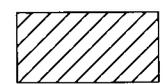


Proposed Annexation

Certain County Rights-of-Way on Gilbert Road between Chandler Heights Road and Riggs Road



Incorporated Area



Unincorporated Area

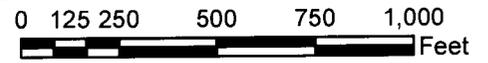


EXHIBIT "A"

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

The West 32 feet of the East 65 feet of the South 165.67 feet of the North 331.46 feet of the Northeast Quarter of the Southeast Quarter of Section 13, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

The West 32 feet of the East 65 feet of the South 86.09 feet of the North 165.68 feet of the Northeast Quarter of the Southeast Quarter of Section 13, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

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

The West 32 feet of the East 65 feet of the South 404.02 feet of the Northeast Quarter of the Southeast Quarter of Section 13, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**LEGAL DESCRIPTION
FOR TRANSFER OF PARCEL 2A
MARICOPA COUNTY RIGHT-OF-WAY TO THE CITY OF CHANDLER**

The West 33 feet of the South half of the Northwest Quarter of Section 19, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

The East 47 feet of the West 80 feet of the South 20 feet of the Northwest Quarter of Section 19, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

That portion of land conveyed to the City of Chandler via special warranty deed recorded in Document # 2013-0578008 and more particularly described as follows:

That portion of a parcel of land as described in Document #2009-0388510, records of Maricopa County, Arizona, located in the Northwest Quarter of Section 19, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 19, being monumented with a Brass Cap in hand hole, from which the South Quarter corner of said Section 19, being monumented

with a Brass Cap flush, bears North 89° 51' 18" East a distance of 2453.52 feet, said line being the South line of said Southwest Quarter of Section 19 and the basis of bearing for this description;

Thence along the West line of said Southwest Quarter, North 00° 16' 50" West a distance of 2650.04 feet to the calculated position for the West Quarter corner of said Section 19;

Thence along the West line of said Northwest Quarter of Section 19, North 00° 18' 16" West a distance of 50.00 feet to a point on a line parallel with and 50.00 feet Northerly, measured at right angles, from the South line of said Northwest Quarter of Section 19;

Thence along said parallel line, North 89° 52' 10" East, a distance of 33.00 feet to a point on the existing East right of way line on Gilbert Road, said point being the POINT OF BEGINNING;

Thence along said existing East right of way line of Gilbert Road, North 00° 18' 16" West a distance of 1266.15 feet to a point on the North deed line of said parcel of land as described in Document #2009-0388510;

Thence along said North line, North 89° 12' 19" East a distance of 189.87 feet to a point;

Thence South 70° 35' 24" West a distance of 155.13 feet to a point on a non-tangent curve concave Easterly and having a radius bearing North 83° 09' 36" East a distance of 1735.00 feet;

Thence Southerly along said curve, through a central angle of 01° 06' 35" an arc length 33.60 feet to a point of reverse curvature with a curve concave Westerly and having a radius of 1865.00 feet;

Then Southerly along last-mentioned curve, through a central angle of 07° 38' 42" an arc length of 248.85 feet to a point of tangency on a parallel with and 97.00 feet Easterly, measure at right angles, from the West line of said Northwest Quarter;

Thence along last mentioned parallel line, South 00° 18' 16" East a distance of 158.02 feet to the beginning of a tangent curve concave Westerly and having a radius of 1865.00 feet;

Thence Southerly along said curve, through a central angle of 07° 38' 42" an arc length of 248.85 feet to a point of reverse with a curve concave Easterly and having a radius of 1735.00 feet;

Thence Southerly along last-mentioned curve, through a central angle of 07° 38' 42" an arc length of 231.50 feet to a point of tangency on a line parallel with and 65.00 feet Easterly, measured at right angles, from said West line of the Northwest Quarter;

Thence along last-mentioned parallel line, South 00° 18' 16" East a distance of 298.69 feet to a point on said parallel line 50.00 feet Northerly, measured at right angles, from the South line of said Northwest Quarter of Section 19;

Thence along last-mentioned parallel line, South 89° 52' 10" West a distance of 32.00 feet to the POINT OF BEGINNING.

Containing an area of 64,536 square feet or 1.482 acres, more or less.

Except a portion of Northwest Quarter of Section 19, Township 2 South, Range 6 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the West Quarter Corner of said Section 19;

Thence North along the West line of the Northwest Quarter of Section 19, for a distance of 1240.47 feet to the POINT OF BEGINNING;

Thence continuing North along West line, for a distance of 75.29 feet to a point on the South line of the RWCD Extension Canal right of way as recorded in Book 191 of Deeds, page 377, office records of Maricopa County, Arizona;

Thence East along the South line of the RWCD Extension Canal right of way for a distance of 222.87 feet;

Thence Southwesterly 235.85 feet to the POINT OF BEGINNING.

Except the West 33 feet thereof.

1. See below for legal description obtained from RWCD Easement recorded in document 2015-0288551 (Exhibit B).

A portion of Northwest Quarter of Section 19, Township 2 South, Range 6 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at a brass cap in a hand hole at the Southwest corner of said section 19, from which a brass cap in a hand hole at the South Quarter corner of Section 24, Township 2 South, Range 5 East bears South 89° 16' 29" West (an assumed bearing) at a distance of 2628.60 feet;

Thence North 00° 16' 50" West, along the West line of the Southwest Quarter of said Section 19, for a distance of 2650.04 feet to the West Quarter corner of said Section 19;

Thence North 00° 18' 16" West, along the West line of the Northwest Quarter of said Section 19, for a distance of 1240.47 feet to the POINT OF BEGINNING;

Thence continuing North 00° 18' 16" West along said West line for a distance of 75.29 feet to a point on the South line of the RWCD Extension Canal Right of Way as described in Book 191 of Deeds, Page 377, Official Records of Maricopa County;

Thence North 89° 10' 51" East, along said South line, for a distance of 71.32 feet to a point on a non-tangent curve, concave to the East, the center of which bears North 84° 48' 12" East, at a distance of 1735.00;

Thence Southerly along the arc of said curve, through a central angle of 01° 38' 36" for a distance of 49.76 feet;

Thence South 70° 35' 24" West, not tangent to said curve, for a distance of 80.72 feet to the POINT OF BEGINNING.

An area containing 4,633 square feet or 0.1063 acres, more or less.

Except the West 33 feet thereof.

2. That portion of land conveyed to the City of Chandler via Special Warranty recorded in Document #2013-0578009 described as follows:

That portion of a parcel of land as described in Document #2009-0388510, records of Maricopa County, Arizona, located in the Northwest Quarter of Section 19, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 19, being monumented with a brass cap in hand hole, from which the South Quarter corner of said Section 19, being monumented with a brass cap flush, bears North $89^{\circ} 51' 18''$ East a distance of 2453.52 feet, said line being the South line of said Southwest Quarter of Section 19 and the basis of bearings for this description;

Thence along the West line of said Southwest Quarter, North $00^{\circ} 16' 50''$ West a distance of 2650.04 feet to the calculated position for the West Quarter corner of said Section 19;

Thence along the West line of said Northwest Quarter of Section 19, North $00^{\circ} 18' 16''$ West a distance of 20.00 feet to a point on a line parallel with and 20.00 feet distant from the East-West mid-section line of said Northwest Quarter of Section 19;

Thence along said parallel line, North $89^{\circ} 52' 10''$ East a distance of 30.00 feet to a point on the existing East right of way line of Gilbert Road, said point being the POINT OF BEGINNING;

Thence along said existing East right of way line of Gilbert Road, North $00^{\circ} 18' 16''$ West a distance of 30.00 feet to a point;

Thence North $89^{\circ} 45' 38''$ East a distance of 35.00 feet to a point;

Thence South $00^{\circ} 18' 11''$ East a distance of 14.98 feet to a point;

Thence South $45^{\circ} 03' 18''$ East a distance of 21.31 feet to a point on said line parallel with and 20.00 feet distant from the East-West mid-section line;

Thence along said parallel line, South $89^{\circ} 52' 10''$ West a distance of 50.00 feet to the POINT OF BEGINNING.

Except the West 3.00 feet thereof.

LEGAL DESCRIPTION
FOR TRANSFER OF PARCEL 2B
MARICOPA COUNTY RIGHT-OF-WAY TO THE CITY OF CHANDLER

The East 33.00 feet of that portion of land lying South of the South line of the RWCD Extension Canal right of way as described in Book 191 of Deeds, page 377, official records of Maricopa County (1315.76 +/- feet) of the Southeast Quarter of the Northeast Quarter of Section 24, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

LEGAL DESCRIPTION
FOR TRANSFER OF PARCEL 2C
MARICOPA COUNTY RIGHT-OF-WAY TO THE CITY OF CHANDLER

That portion of land conveyed to Maricopa County via Warranty Deed recorded in Document # 2009-0760418 in the Official Records of Maricopa County described as follows:

That portion of the Northeast Quarter of Section 24, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows;

COMMENCING at a brass cap found and accepted as the East Quarter corner of said Section 24 from which a pk nail, found and accepted as the Northeast corner of said Section, bears North 00° 08' 02" East a distance of 2647.88 feet;

Thence along the East line of said Northeast Quarter, North 00° 08' 02" East a distance of 661.64 feet to the South line of the North half of said Northeast Quarter;

Thence departing said East line and along said South line, South 89° 51' 58" West a distance of 33.00 feet to a point on the existing right of way line of Gilbert Road and the POINT OF BEGINNING;

Thence departing said right of way line and continuing along said South line, South 89° 36' 26" West a distance of 12.00 feet to the West line of the East 45.00 feet of said Northeast Quarter;

Thence departing said South line and along said West line, North 00° 08' 02" East a distance of 634.89 feet to the Southeasterly right of way line of the Eastern canal according to Document No. 95-0252440, Maricopa County Records;

Thence departing said West line and along said Southeasterly right of way line, North 25° 40' 37" East (North 25° 31' 04" record) a distance of 6.84 feet to a tangent curve concave Southeasterly and having a radius of 5.00 feet;

Thence continuing along said Southeasterly right of way line and along said curve through a central angle of 63° 54' 25", an arc length of 5.58 feet;

Thence continuing along said Southeasterly right of way line, North 89° 35' 02" East (North 89° 25' 29" East record) a distance of 4.59 feet (4.58 feet record) to the West line of the East 33.00 feet of said Northeast Quarter, being the existing right of way line of Gilbert Road;

Thence departing said Southeasterly right of way line and along last said West line, South 00° 08' 02" West a distance of 643.85 feet to the POINT OF BEGINNING.

The above described parcel contains a computed area of 7,705 square feet (0.18 Acres) more or less and is subject to any easements, restrictions, or rights of way of record or otherwise.

LEGAL DESCRIPTION
FOR TRANSFER OF PARCEL 2D
MARICOPA COUNTY RIGHT-OF-WAY TO THE CITY OF CHANDLER

That portion of land conveyed to the City of Chandler via General Warranty Deed recorded in Document #2013-0181330 in the records of Maricopa County and more particularly described as follows:

That portion of a parcel of land as described in Document #1999-0611987, records of Maricopa County, Arizona, located in the Northeast Quarter of Section 24, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the Southeast corner of said Section 24, being monumented with a Brass Cap in hand hole, from which the South Quarter corner of said Section 24, being monumented with a Brass Cap in hand hole, bears South 89° 16' 29" West a distance of 2628.60 feet, said line being the South line of said Southeast Quarter of Section 24 and the basis of bearings for this description;

Thence along said East line of said Southeast Quarter, North 00° 16' 50" West a distance of 2650.04 feet to the calculated position for the East Quarter corner of said Section 24;

Thence along the East line of said Northeast Quarter, North 00° 18' 16" West a distance of 1,189.14 feet to a point;

Then South 89° 41' 44" West a distance of 45.00 feet to a point on the existing West right of way line of Gilbert Road as defined in Document #2009-0760418 of the Maricopa County Recorder, said point being the POINT OF BEGINNING.

Thence North 80° 22' 53" West a distance of 48.03 feet to a point on the Northwesterly deed line of said parcel of land as described in Document #1996-0611987;

Thence along said Northwesterly deed line, North 25° 14' 19" East a distance of 109.72 feet to a point on a line parallel with and 45.00 feet distant Westerly from said East line of the Northeast Quarter, said parallel line being the existing West right of way line of Gilbert Road;

Thence along said existing West right of way line of Gilbert Road, South 00° 18' 16" East a distance of 107.27 feet to the POINT OF BEGINNING.

Containing an area of 2,537 square feet or 0.058 acres, more or less.

Except any portion of the above described property that overlaps the property the City of Chandler conveyed to the Roosevelt Water Conservation District pursuant to the Special Warranty Deed Recorded in Document # 2015-0268081 in the Official Records of Maricopa County.

LEGAL DESCRIPTION
FOR TRANSFER OF PARCEL 3A
MARICOPA COUNTY RIGHT-OF-WAY TO THE CITY OF CHANDLER

That portion of land conveyed to the City of Chandler via Special Warranty Deed recorded in Document #2015-0302898 in the Official Records of Maricopa County and described as follows:

- 1) That portion of a parcel of land described as the Southeast Quarter of Section 25 lying Easterly of the Roosevelt Water Conservation District Canal as described in Deed Book #191, Page 383 and Northerly of a parcel of land as described in Document #1998-0645013 of the records of Maricopa County, Arizona, lying in Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more particularly described as follows:

COMMENCING at the East Quarter corner of said Section 25, being monumented with a Brass Cap flush, from which the Northeast corner of said Section 25, being monumented with a Brass Cap in hand hole, bears North $00^{\circ} 31' 32''$ West a distance of 2641.52 feet, said line being the East line of the Northeast Quarter of said Section 25 and the basis of bearings for this description;

Thence along the East line of said Southeast Quarter, South $00^{\circ} 22' 23''$ East a distance of 1590.81 feet to a point;

Thence South $89^{\circ} 37' 37''$ West a distance of 40.00 feet to a point on the existing West right of way line of Gilbert Road, said point being on the North deed line of said parcel of land as described in Document #1998-0645013, and said point being the POINT OF BEGINNING;

Thence along said North deed line, South $89^{\circ} 10' 05''$ West a distance of 15.00 feet to a point on a line parallel with and 55.00 feet Westerly, measured at right angles, from said East line of the Southeast Quarter;

Thence along said parallel line, North $00^{\circ} 22' 23''$ West a distance of 514.53 feet to a point;

Thence South $89^{\circ} 41' 44''$ West a distance of 4.04 feet to a point;

Then North $00^{\circ} 18' 16''$ West a distance of 34.00 feet to a point;

Thence North $89^{\circ} 41' 44''$ East a distance of 4.00 feet to a point on said parallel line being 55.00 feet Westerly of said East line;

Thence along said parallel line, North $00^{\circ} 22' 23''$ West a distance of 1042.00 feet to the North line of said Southeast Quarter;

Thence along said North line, North $89^{\circ} 12' 33''$ East a distance of 15.00 feet to a point on a line parallel with and 40.00 feet distant from said East line of the Southeast Quarter, said parallel line being the existing West right of way line of Gilbert Road;

Thence along said existing West right of way line of Gilbert Road, South $00^{\circ} 22' 23''$ East a distance of 1590.52 feet to the POINT OF BEGINNING.

Containing an area of 23,994 square feet or 0.551 acres, more or less.

- 2) The West 7 feet of the East 40 of the Southeast Quarter of Section 25, Township 2 South, Range 5 East of the Gila and Salt River Meridian, Maricopa County, Arizona .

Except the South 1051.37 feet thereof (obtained this distance from assessors tax map).