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MEMORANDUM Transportation & Development – Memo No. TDE17-003

DATE: OCTOBER 13, 2016

TO: MAYOR AND COUNCIL

THRU: MARSHA REED, CITY MANAGER *MR*
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *DJR*
DANIEL W. COOK, CITY ENGINEER *DJR*

FROM: DARYL RACZ, DEVELOPMENT PROJECT ADMINSTRATOR *DR*

SUBJECT: RESOLUTION NO. 4979 AUTHORIZING THE TRANSFER OF CERTAIN COUNTY RIGHT-OF-WAY ON MCQUEEN ROAD, BETWEEN QUEEN CREEK AND RIGGS ROADS, AND CONTINGENT UPON THE APPROVAL OF THE MARICOPA COUNTY BOARD OF SUPERVISORS

RECOMMENDATION: Staff recommends City Council pass and adopt Resolution No. 4979 authorizing the transfer of certain County right-of-way on McQueen Road, between Queen Creek and Riggs roads, and contingent upon the approval of the Maricopa County Board of Supervisors.

BACKGROUND/DISCUSSION: Council previously adopted Resolution No. 4584, an Intergovernmental Agreement (IGA) with the Maricopa County Department of Transportation, for cost sharing for improvements to McQueen Road from Queen Creek to Riggs roads. In conformance with the IGA approval, the City is required to annex (transfer) the portion of McQueen Road that is currently under the jurisdiction of Maricopa County.

The Annexation Map, attached to the Resolution, depicts the entire area to be annexed. A.R.S. 9-471(N) allows for an alternate annexation procedure where a county right-of-way or roadway may be transferred to an adjacent city by mutual consent of the governing bodies of the county and city if the property transferred is adjacent to the receiving city, and if the city and county each approve the proposed transfer as a published agenda item at a regular public meeting of their governing bodies.

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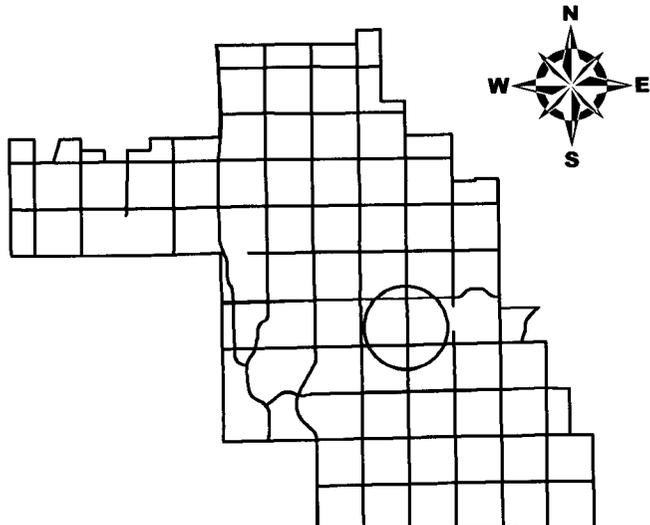
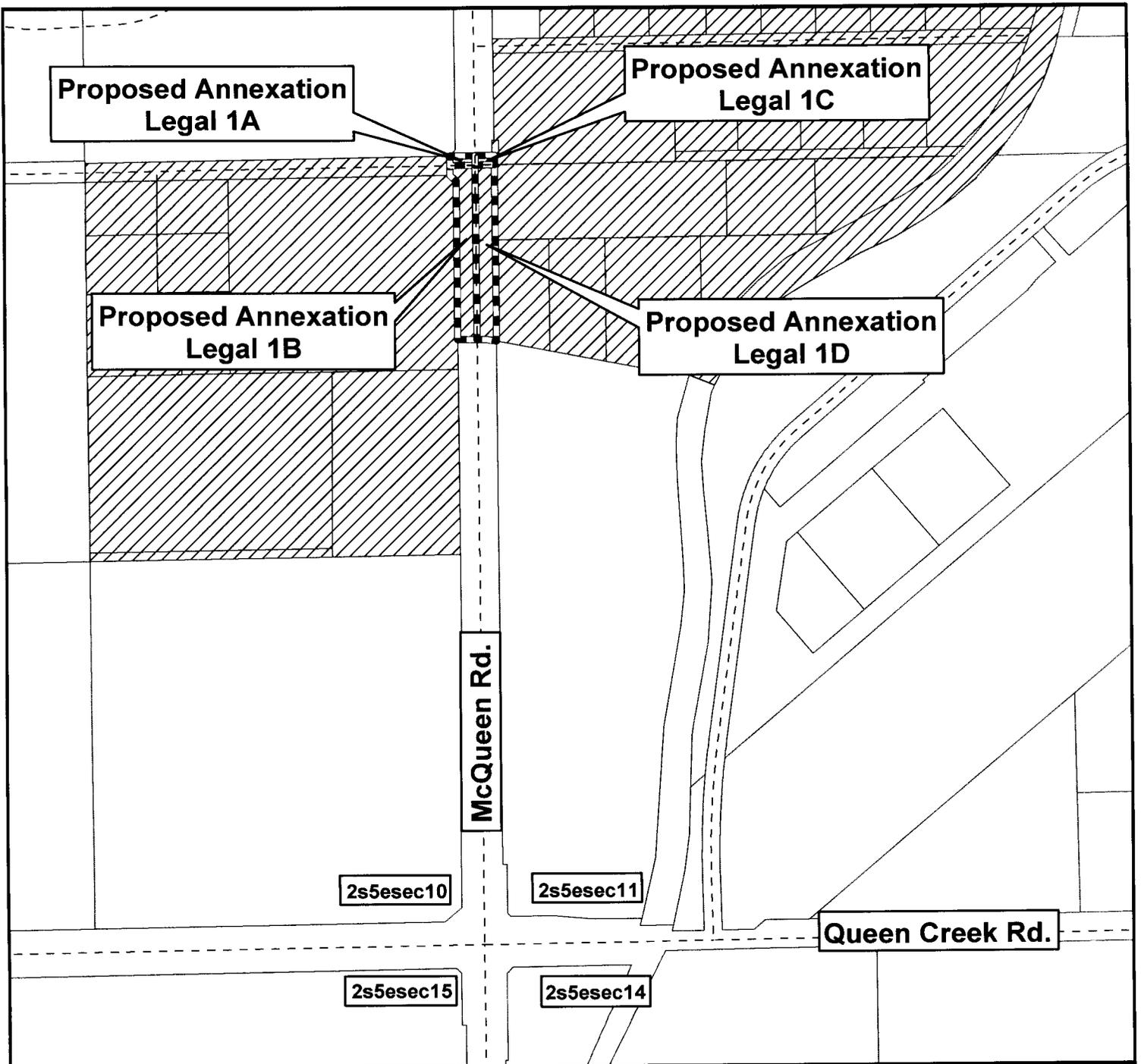
FINANCIAL IMPLICATIONS: No direct cost for annexation; however, the City will be responsible for ongoing maintenance of annexed roadways.

PROPOSED MOTION: Staff moves City Council pass and adopt Resolution No. 4979 authorizing the transfer of certain County right-of-way on McQueen Road, between Queen Creek and Riggs roads, and contingent upon the approval of the Maricopa County Board of Supervisors.

ATTACHMENTS:

Resolution No. 4979

Annexation Maps



Annexation Map

Resolution No. 4979



Proposed Annexation

Certain County Rights-of-Way on McQueen Road between Germann Road and Queen Creek Road



Incorporated Area



Unincorporated Area

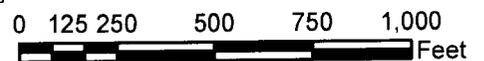
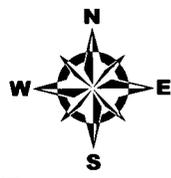
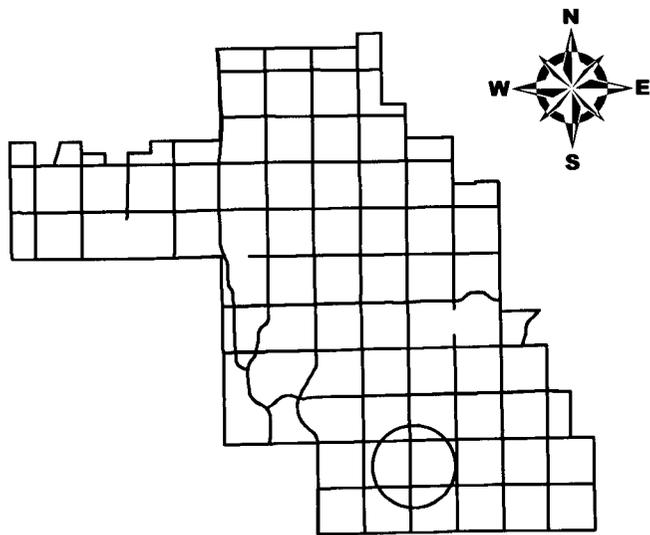
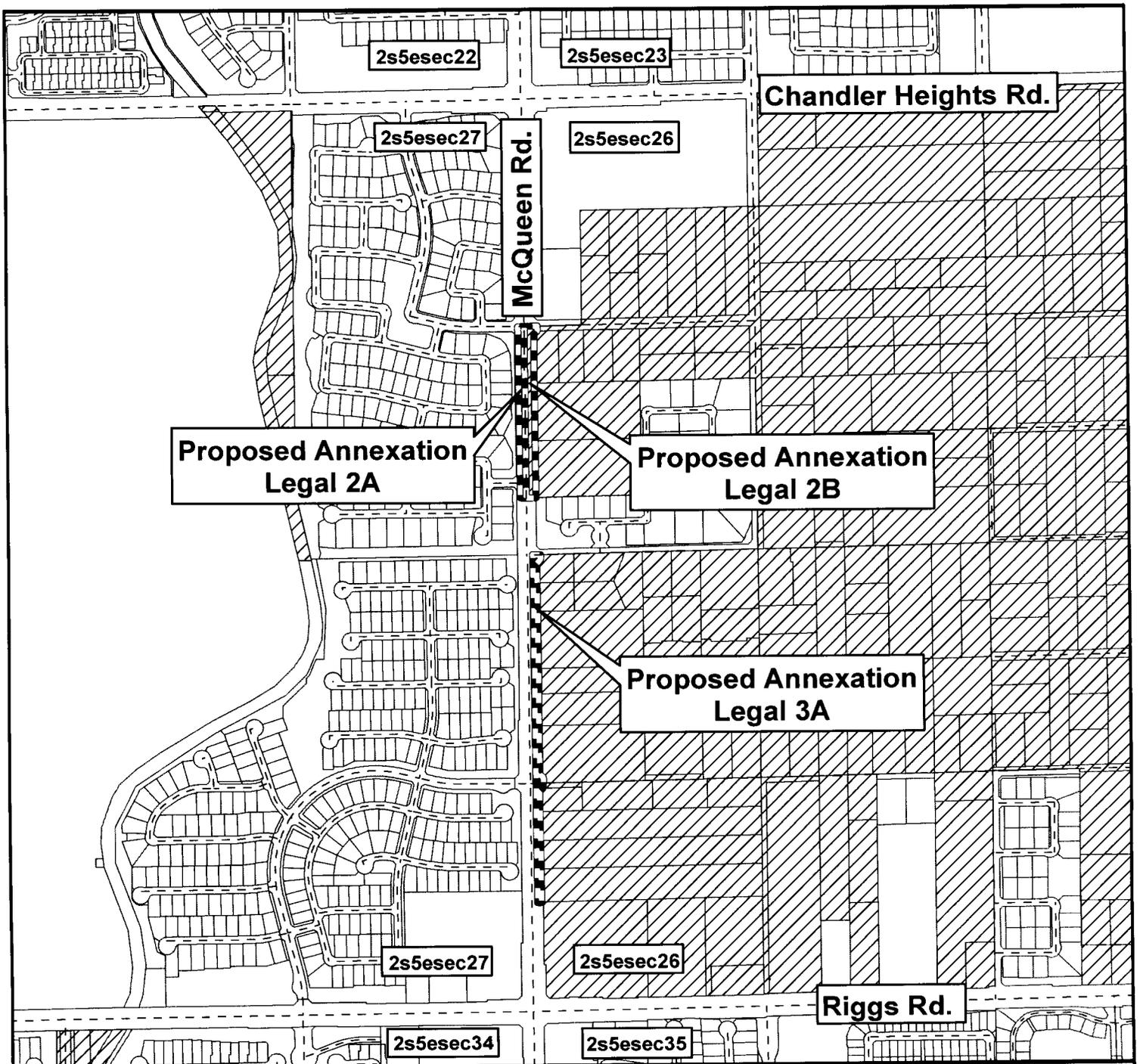


Exhibit A



Annexation Map

Resolution No. 4979

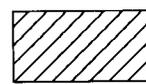


Proposed Annexation

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



Incorporated Area



Unincorporated Area

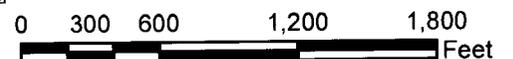


Exhibit A

RESOLUTION NO. 4979

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING THE TRANSFER OF CERTAIN COUNTY RIGHT-OF-WAY ON MCQUEEN 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. 4979 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

EXHIBIT "A"

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

The South 33 feet of the East 85 feet of the Southeast Quarter of the Northeast Quarter of Section 10, Township 2 South, Range 5 East.

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

The East 65 feet of the North 595 feet of the Northeast Quarter of the Southeast Quarter of Section 10 Township 2 South, Range 5 East; and

The West 20 feet of the East 85 feet of the North 33 feet of the Northeast Quarter of the Southeast Quarter of Section 10 Township 2 South, Range 5 East; and

Beginning at a POINT OF INTERSECTION of the South line of the North 33 feet and the West Line of the East 65 feet of said Northeast Quarter of the Southeast Quarter of Section 10 Township 2 South, Range 5 East;

Thence Westerly, a distance of 20 feet along said South line of the North 33 feet to a point;

Thence in a Southeasterly direction to a point on said West line of the East 65 feet that is 20 feet South from said POINT OF INTERSECTION,

Thence Northerly, a distance of 20 feet to the POINT OF INTERSECTION.

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

The South 33 feet of the West 65 feet of the Southwest Quarter of the Northwest Quarter of Section 11, Township 2 South, Range 5 East.

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

The West 33 feet of the North 595 feet and the East 32 feet of the West 65 feet of the North 256.66 feet of the Southwest Quarter of Section 11, Township 2 South, Range 5 East; and

The East 32 feet of the West 65 feet of the following property as described in Exhibit "C" of the Final Order of Condemnation recorded in # 2005-0067956 in the Official Records of Maricopa County and more particularly described as follows:

The West 246 feet as measured along the North line of a parcel of land lying in the North half of the Southwest Quarter of Section 11, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

With THE POINT OF BEGINNING at the point on the West line of the Southwest Quarter of said Section 11, which bears South (assumed bearing) a distance of 256.66 feet from the Northwest corner of the Southwest Quarter;

Thence north 89°27'46" East, a distance of 1198.97 feet parallel with the North line of said Southwest Quarter of Section 11 to a point on the Westerly right of way line of the consolidated canal;

Thence South 62°58'45" West along said Westerly canal right of way line a distance of 115.81 feet;

Thence South 58°32'16" West along said Westerly canal right of way line a distance of 99.78 feet;

Thence South 48°27'15" West along said Westerly canal right of way line a distance of 119.83 feet;

Thence South 42°07'06" West along said Westerly canal right of way line a distance of 101.39 feet;

Thence South 36°56'20" West along said Westerly canal right of way line a distance of 87.16 feet;

Thence South 34°18'23" West along said Westerly canal right of way line a distance of 145.62 feet;

Thence South 09°09'11" West along said Westerly canal right of way line a distance of 31.72 feet;

Thence North 76°54'39" West a distance of 50.00 feet;

Thence South 09°09'11" West a distance of 5.01 feet;

Thence North 76°54'39" West a distance of 681.68 feet to a point on the West line of said Southwest Quarter of Section 11;

Thence North a distance of 308.64 feet to THE POINT OF BEGINNING.

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

The East 33 feet of the North half of the Southeast Quarter of the Northeast Quarter and the East 33 feet of the North half of the North half of the South half of the Southeast Quarter of the Northeast Quarter of Section 27, Township 2 South, Range 5 East.

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

The West 55 feet of the North half of the Southwest Quarter of the Northwest Quarter and the West 55 feet of the North half of the South half of the Southwest Quarter of the Northwest Quarter of Section 26, Township 2 South, Range 5 East; and

The East 20 feet of the West 75 feet of the North 30 feet of the North half of the Southwest Quarter of the Northwest Quarter of Section 26, Township 2 South, Range 5 East.

Beginning at a POINT OF INTERSECTION of the South line of the North 30 feet and the East line of the West 55 feet of the North half of the Southwest Quarter of the Northwest Quarter of Section 26, Township 2 South, Range 5 East;

Thence Easterly, a distance of 20 feet along the South line of the North 30 feet to a point;

Thence in a Southwesterly direction, a distance of 28.28 feet to a point on said East line of the West 55 feet;

Thence Northerly, a distance of 20 feet to the POINT OF INTERSECTION.

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

The East 22 feet of the West 55 feet of the Southwest Quarter of Section 26, Township 2 South, Range 5 East;

EXCEPT any portion lying within the property described in document # 1987-026401 recorded in the Official Records of Maricopa County; and

EXCEPT any portion lying within the property described in document #2014-0143573 recorded in the Official Records of Maricopa County; and

EXCEPT any portion lying within the South 330.86 feet of the Northwest Quarter of the Southwest Quarter of Section 26. The North 30 feet of the East 20 feet of the West 75 feet of the Southwest Quarter of the Southwest Quarter of Section 26, Township 2 South, Range 5 East; and

The land described in the Quit Claim Deed recorded in # 2014-0151159 in the Official Records of Maricopa County; and

The land described in the General Warranty Deed recorded in number 2014-0143573 in the Official Records of Maricopa County described as follows;

A Parcel of land being a portion of that tract associated with Maricopa County Assessor Number 303-54-007W and located in the Southwest Quarter of Section 26, Township 2 South, Range 5 East of the Gila & Salt River Meridian, City of Chandler, Maricopa County, Arizona, more particularly described as follows:

Commencing at the West quarter corner of said Section 26 (3" City of Chandler brass cap in hand hole) from which point the southwest corner thereof (3" City of Chandler brass cap in hand hole) bears South 00°17'51" East a distance of 2644.54 feet.

Thence South 00°17'51" East, along the West line of said Southwest Quarter, a distance of 164.80 feet;

Thence North 89°42'09" East, across the right-of-way of McQueen Road, a distance of 33.00 feet to a point on the East line thereof, being the Southwest corner of said tract, the POINT OF BEGINNING.

Thence North 00°17'51" West, along said East right-of-way line, a distance of 165.30 feet to the Northwest corner of said tract;

Thence North 88°50'03" East, along the North line of said tract, a distance of 43.55 feet;

Thence across said tract the following three (3) course and distances:

Thence South 01°09'57" East a distance of 30.00 feet;

Thence South 44°16'06" West a distance of 31.35 feet;

Thence South 00°17'51" East, along a line 22.00 feet East of and parallel to said East right-of-way line, a distance of 113.30 feet;

Thence South 88°50'06" West a distance of 22.00 feet to the POINT OF BEGINNING; and The land described in the Order of Immediate Possession recorded in # 2015-0263973 in the Official Records of Maricopa County and more particularly described as follows:

A parcel of land being a portion of that tract associated with Maricopa County Assessor # 303-54-007E and located in the Southwest Quarter of Section 26, Township 2 South, Range 5 East of the Gila and Salt River Meridian, City of Chandler, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southwest corner of said Section 26 (3' City of Chandler brass cap in hand hole) from which point the West quarter corner thereof (3' City of Chandler brass cap in hand hole) bears North 00°17'514" West a distance of 2644.54 feet;

Thence North 00°17'51" West, along the West line of said Southwest Quarter, a distance of 1325.00 feet;

Thence North 89°42'09" East, across the right-of-way of McQueen Road, a distance of 33.00 feet to the POINT OF BEGINNING;

Thence North 00°17'51" West, along said East right of way line, a distance of 330.86 feet to the Northwest corner of said tract;

Thence North 89°49'41" East, along the North line of said tract, a distance of 22.00 feet;

Thence across said tract the following three (3) courses and distances;

Thence South 00°17'51" East along a line 22.00 feet East of and parallel to said East right-of-way line, a distance of 281.04 feet;

Thence South 45°43'40" East a distance of 27.99 feet;

Thence South 01°09'38" East a distance of 29.87 feet;

Thence South 88°49'41" West a distance of 42.40 feet to POINT OF BEGINNING.