

ORDINANCE NO. 5001

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, SUBSECTION (N), ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THERETO CERTAIN COUNTY RIGHT-OF-WAY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF MESA.

ANNEXATION CASE A10-01

WHEREAS, the City of Mesa, a municipal corporation ("City"), the Town of Gilbert, a municipal corporation ("Gilbert"), and Maricopa County ("County"), a public body, together are desirous for new improvements to Power Road, lying between Baseline Road and Guadalupe Road (a Maricopa County roadway) and being contiguous to the Mesa City Limits; and

WHEREAS, the Mesa City Council adopted Resolution No. 8665, on February 6, 2006, authorizing the City Manager to execute an Intergovernmental Agreement with the County and Gilbert pertaining to said improvements to Power Road; and

WHEREAS, the Maricopa County Board of Supervisors on April 5, 2006, approved the Intergovernmental Agreement with the City and Gilbert pertaining to the responsibilities of the City, Gilbert and the County for the cost sharing of the improvements to Power Road (between Baseline Road and Guadalupe Road), and the responsibilities for subsequent annexation and maintenance of the completed roadway improvements by the City; and

WHEREAS, said executed Intergovernmental Agreement between the County, the City and Gilbert was recorded in the Office of the County Recorder of Maricopa County, Arizona on September 20, 2006, under Docket No. 06-1243602; and

WHEREAS, the Mayor and Council of the City of Mesa are desirous of complying with the annexation requirement of said executed Intergovernmental Agreement by extending and increasing the corporate limits of the City of Mesa to include the County right-of-way for Power Road between Baseline Road and Guadalupe Road; and

WHEREAS, the provisions of Section 9-471, Subsection (N), Arizona Revised Statutes provides for annexation of county right-of-way when contiguous to the corporate limits of a city by mutual consent of the governing bodies of the Town and/or City adjacent to the subject annexed property.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF MESA, COUNTY OF MARICOPA, STATE OF ARIZONA, AS FOLLOWS;

SECTION 1: That the following described territory be and the same is hereby annexed to the City of Mesa and that the present corporation limits be and the same hereby are extended and increased to include the following described territory contiguous to the present Mesa City Limits:

A PARCEL OF LAND LYING WITHIN THE EASTERN HALF OF SECTION 1 AND THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 1 SOUTH, RANGE 6 EAST AND ALSO WITHIN THE WESTERN HALF OF SECTION 6 AND THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COUNTY OF MARICOPA, STATE OF ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6, SAID POINT BEING A MARICOPA COUNTY BRASS CAP IN HAND HOLE FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 6 BEARS SOUTH 00°49'04" EAST A DISTANCE OF 2592.61 FEET, SAID POINT ALSO BEING A MARICOPA COUNTY BRASS CAP IN HAND HOLE, SAID COURSE BEING THE BASIS OF BEARING HEREON;

THENCE SOUTH 00°49'04" EAST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 65.00 FEET TO A POINT ON SAID WEST LINE. SAID POINT ALSO BEING THE **POINT OF BEGINNING** OF THIS DESCRIPTION;

THENCE NORTH 89°10'56" EAST LEAVING SAID WEST LINE, A DISTANCE OF 75.00 FEET;

THENCE SOUTH 00°49'04" EAST PARALLEL WITH AND 75.00 FEET EASTERLY OF SAID WEST LINE, A DISTANCE OF 568.48 FEET;

THENCE SOUTH 89°10'56" WEST, A DISTANCE OF 10.00 FEET TO A POINT 65.00 FEET EAST OF SAID WEST LINE;

THENCE SOUTH 00°49'04" EAST PARALLEL WITH AND 65.00 FEET EASTERLY OF SAID WEST LINE, A DISTANCE OF 1,959.13 FEET TO A POINT, SAID POINT ALSO BEING A POINT OF DEFLECTION;

THENCE SOUTH 00°48'45" EAST PARALLEL WITH AND 65.00 FEET EASTERLY OF THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 2,324.01 FEET;

THENCE NORTH 89°11'15" EAST, A DISTANCE OF 10.00 FEET TO A POINT 75.00 FEET EAST OF SAID WEST LINE;

THENCE SOUTH 00°48'45" EAST PARALLEL WITH AND 75.00 FEET EASTERLY OF SAID WEST LINE, A DISTANCE OF 238.59 FEET;

THENCE SOUTH 89°11'15" WEST, A DISTANCE OF 5.00 FEET TO A POINT 70.00 EAST OF SAID WEST LINE;

THENCE SOUTH 00°48'45" EAST PARALLEL WITH AND 70.00 FEET EASTERLY OF SAID WEST LINE, A DISTANCE OF 76.42 FEET TO A POINT, SAID POINT ALSO BEING A POINT OF DEFLECTION;

THENCE SOUTH 00°49'45" EAST PARALLEL WITH AND 70.00 FEET EASTERLY OF THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 7, A DISTANCE OF 1,308.79 FEET;

THENCE SOUTH 89°10'15" WEST, A DISTANCE OF 70.00 FEET TO A POINT ON SAID WEST LINE; SAID POINT ALSO BEING ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 12;

THENCE LEAVING SAID EAST LINE AND CONTINUING SOUTH 89°10'15" WEST, A DISTANCE OF 70.00 FEET TO A POINT 70.00 FEET WEST OF SAID EAST LINE;

THENCE NORTH 00°49'45" WEST PARALLEL WITH AND 70.00 FEET WESTERLY OF SAID EAST LINE, A DISTANCE OF 1308.81 FEET TO A POINT, SAID POINT ALSO BEING A POINT OF DEFLECTION;

THENCE NORTH 00°48'45" WEST PARALLEL WITH AND 70.00 FEET WESTERLY OF THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 55.01 FEET;

THENCE SOUTH 89°11'15" WEST, A DISTANCE OF 5.00 FEET TO A POINT 75.00 WEST OF SAID EAST LINE;

THENCE NORTH 00°48'45" WEST PARALLEL WITH AND 75.00 FEET WESTERLY OF SAID EAST LINE, A DISTANCE OF 725.72 FEET;

THENCE SOUTH 20°31'21" EAST, A DISTANCE OF 29.65 FEET TO A POINT 65.00 FEET WEST OF SAID EAST LINE;

THENCE NORTH 00°48'45" WEST PARALLELL WITH AND 65.00 FEET WESTERLY OF SAID EAST LINE, A DISTANCE OF 210.33 FEET;

THENCE SOUTH 89°11'15" WEST, A DISTANCE OF 10.00 FEET TO A POINT 75.00 FEET WEST OF SAID EAST LINE;

THENCE NORTH 00°48'45" WEST PARALLEL WITH AND 75.00 FEET WESTERLY OF SAID EAST LINE, A DISTANCE OF 1,667.71 FEET TO A POINT, SAID POINT ALSO BEING A PONT OF DEFLECTION;

THENCE NORTH 00°49'04" WEST PARALLEL WITH AND 75.00 FEET WESTERLY OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 96.06 FEET;

THENCE NORTH 51°41'34" EAST, A DISTANCE OF 12.61 FEET TO A POINT 65.00 FEET WEST OF SAID EAST LINE;

THENCE NORTH 00°49'04" EAST PARALLEL WITH AND 65.00 FEET WESTERLY OF SAID EAST LINE, A DISTANCE OF 2,432.06 FEET;

THENCE NORTH 89°10'56" EAST, A DISTANCE OF 65.00 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1 TO THE POINT OF BEGINNING AND THE POINT OF TERMINUS OF THIS DESCRIPTION, SAID POINT BEING SOUTH 00°49'04" EAST, 65.00 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 1.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 20.40 ACRES MORE OR LESS.

PASSED AND ADOPTED by the Council of the City of Mesa, this 27th day of September 2010.

APPROVED:

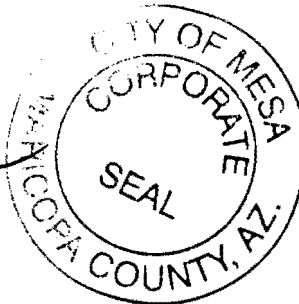


MAYOR

ATTEST:



City Clerk



EFFECTIVE DATE: October 27, 2010

CERTIFICATE OF MAYOR

I, Scott Smith, the duly elected and qualified and acting Mayor of the City of Mesa, Maricopa County, Arizona, do hereby certify that the attached copy of Ordinance No. 5001, entitled:

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, PURSUANT TO THE PROVISIONS OF ARTICLE 7, CHAPTER 4, TITLE 9, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THERETO CERTAIN TERRITORY LYING ADJACENT TO THE EXISTING CITY LIMITS OF THE CITY OF MESA


is true, correct and compared copy of the original of record on file in the office of the City Clerk of the City of Mesa, Maricopa County, Arizona.

That the ordinance was introduced at the September 13, 2010 Council Meeting and adopted on the 27th day of September, 2010, and that the attached map is an accurate map of the territory annexed.

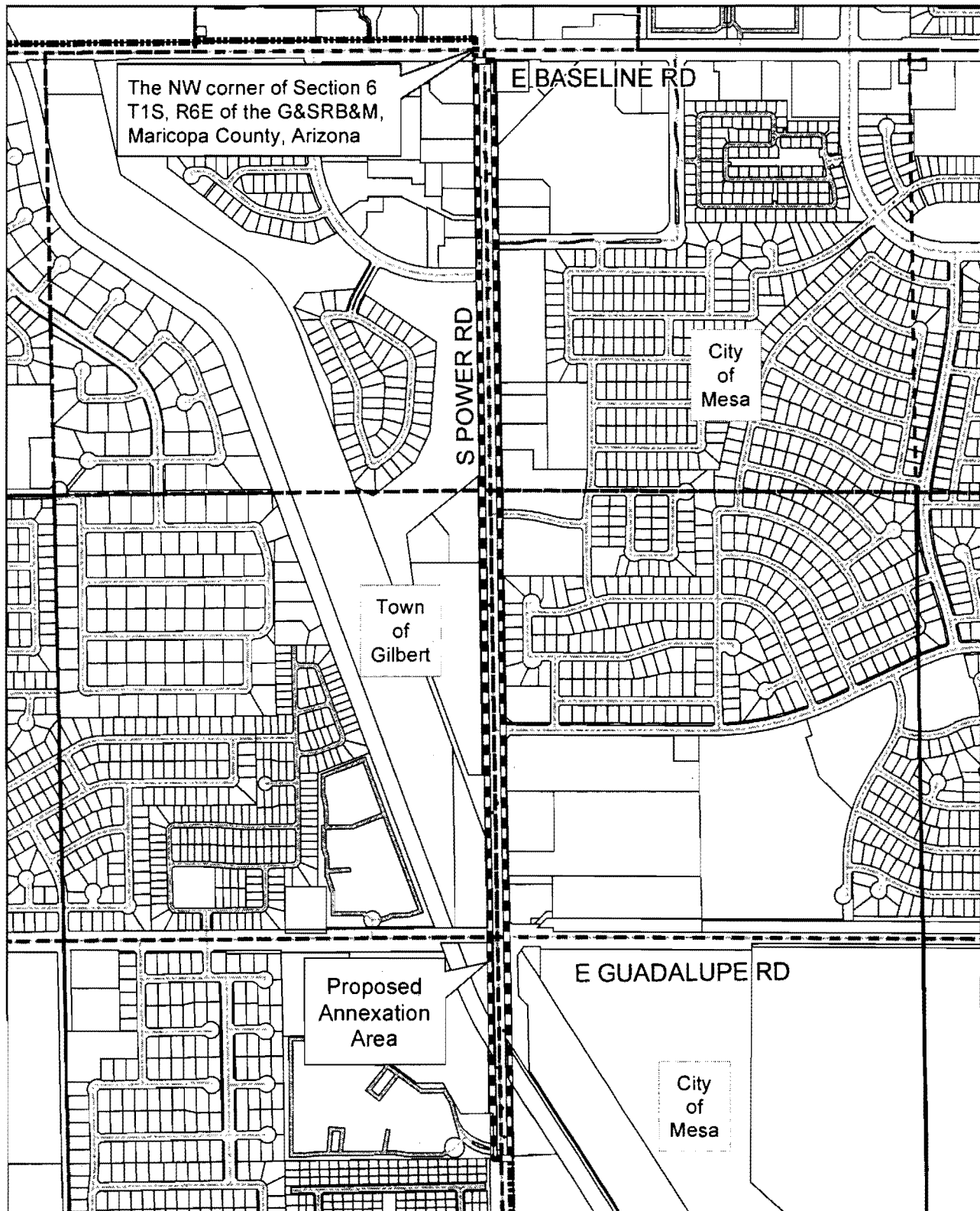
That this certificate is made pursuant to and to comply with the provisions of Section 9-471, Subsection (A)(3), Arizona Revised Statutes.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Mesa, Maricopa County, State of Arizona, this 27th day of September, 2010.





Scott Smith






-  Proposed Annexation Boundary
-  City of Mesa Boundary
-  Quarter Section

EXHIBIT 'A'

CERTIFICATION OF MAP
ANNEXED TERRITORY TO THE CITY OF MESA
ORDINANCE NO. 5001

ANNEXED TERRITORY LOCATED IN TOWNSHIP 1 SOUTH, RANGE 6 EAST
AND RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA

I, Scott Smith, Mayor of the City of Mesa, Arizona, do hereby certify that the attached map identified as Exhibit 'A', is a true and correct map of the territory annexed under and by virtue of the petition of the real and personal property owners in the said territory and by Ordinance No. 5001 on the 27th day of September, 2010, annexing the territory described in Ordinance No. 5001 and as shown on said map as part of the territory to be included within the corporate limits of the City of Mesa, Arizona.



MAYOR

ATTEST:



CITY CLERK



A PARCEL OF LAND LYING WITHIN THE EASTERN HALF OF SECTION 1 AND THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 1 SOUTH, RANGE 6 EAST AND ALSO WITHIN THE WESTERN HALF OF SECTION 6 AND THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COUNTY OF MARICOPA, STATE OF ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THE ABOVE DECRIBED PARCEL OF LAND CONTAINS 20.40 ACRES MORE OR LESS.

THENCE NORTH 89°59'28" WEST ALONG THE CENTERLINE OF PORTOBELLO AVE. AS RECORDED IN THE FINAL PLAT FOR ARIZONA SKYLINE IN BOOK 586, PAGE 41 OFFICIAL RECORDS OF MARICOPA COUNTY, A DISTANCE OF 55.00 FEET TO A POINT ;

THENCE NORTH 00°51'55" WEST PARALLEL TO SAID EAST LINE OF SECTION 9, A DISTANCE OF 1500.34 FEET TO A POINT;

THENCE SOUTH 89°40'15" EAST PARALLEL WITH THE NORTH LINE OF SAID SECTION 9, A DISTANCE OF 55.00 FEET TO THE **TRUE POINT OF BEGINNING AND THE POINT OF TERMINUS OF THIS DESCRIPTION.**

THE ABOVE-DESCRIBED PARCEL OF LAND CONTAINS 3.62 ACRES MORE OR LESS.