

ORDINANCE NO. _____

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

WHEREAS, on July 22, 2019, the City of Mesa filed in the office of the Maricopa County Recorder a blank petition setting forth a description and an accurate map of the entire area to be annexed, showing the exterior boundaries of territory contiguous to the City of Mesa, and showing any county rights-of-way and roadways within or contiguous to the exterior boundaries; and

WHEREAS, a notice and copy of the filing was given to the Clerk of the Maricopa County Board of Supervisors and to the Maricopa County Assessor; and

WHEREAS, notice of public hearing to consider the proposed annexation was given as required by A.R.S. Section 9-471(A) (3) and the public hearing was held on August 19, 2019; and

WHEREAS, at least thirty (30) days have elapsed since the filing of the blank petition with the Maricopa County Recorder's Office; and

WHEREAS, a written petition has been filed in the office of the Maricopa County Recorder and signed by the owners of one-half or more in value of the real and personal property and more than one-half of the persons owning real and personal property that would be subject to taxation by the City of Mesa in the event of annexation within the territory and land hereinafter described as shown by the last assessment of said property; and

WHEREAS, the petition was circulated and filed in the office of the County Recorder within one (1) year after the last day of the thirty (30) day waiting period under the statute; and

WHEREAS, an affidavit was filed with the County Recorder along with said petition verifying that no part of the territory for which the filing is made is already subject to an earlier filing for annexation; and

WHEREAS, said territory is contiguous to the corporate limits of the City of Mesa and is not currently embraced within its limits, and the petition is asking that the property more particularly hereinafter described be annexed to the City of Mesa, and that the corporate limits of the City of Mesa be extended and increased so as to embrace said territory; and

WHEREAS, the Mayor and Council of the City of Mesa desire to comply with said petition and extend and increase the corporate limits of the City of Mesa to include said territory; and

WHEREAS, said petition sets forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed to the City of Mesa, and has attached to it an accurate map of the territory desired to be annexed; and

WHEREAS, no alterations increasing or reducing the territory sought to be annexed have been made after said petition was signed by a property owner; and

WHEREAS, no state lands were encompassed in this annexation except for state land utilized as state rights-of-way; and

WHEREAS, said annexation consists of Maricopa County Assessor parcel numbers 141-21-005P, 141-21-005R and 141-21-005Y; and

WHEREAS, the Assessor parcel numbers have pre-annexation Maricopa County zoning classification of RU-43; and

WHEREAS, the City of Mesa zoning classification and zoning entitlements for the territory annexed by this ordinance permit densities and uses that are no greater than those permitted by Maricopa County immediately before annexation; and

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file with the City of Mesa together with the original petition referred to herein.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA, ARIZONA, AS FOLLOWS:

SECTION 1: That the following described territory is annexed into the City of Mesa and that the present corporate limits are extended and increased to include the following described territory contiguous to the present City of Mesa limits, as shown on the petition and map of the boundaries, attached hereto as Exhibit A, and as legally described below:

THAT PART OF THE SOUTH HALF OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 29, SAID POINT BEING A BRASS CAP IN HAND HOLE LS#33861, LYING SOUTH 89°53'07" EAST (BASIS OF BEARINGS) 2627.48 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 29, SAID POINT BEING A BRASS CAP IN HAND HOLE;

THENCE NORTH 89°53'07" WEST ALONG THE SOUTH LINE OF SAID SECTION 29, 2247.44 FEET;

THENCE NORTH 00°54'04" EAST 40.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 89°53'07" WEST PARALLEL WITH AND 40.00 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 29, A DISTANCE OF 478.80 FEET;

THENCE NORTH 01°14'27" EAST, 331.98 FEET;

THENCE SOUTH 88°45'33" EAST, 18.89 FEET;

THENCE NORTH 32°22'43" EAST, 8.95 FEET;

THENCE NORTH 01°14'27" EAST, 45.45 FEET TO A POINT ON A 7389.44 FOOT RADIUS CURVE CONCAVE TO THE SOUTH, A RADIAL TO SAID POINT BEARS NORTH 08°08'51" WEST;

THENCE EASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°15'49" AN ARC DISTANCE OF 420.91 FEET;

THENCE NORTH 88°10'32" EAST 35.67 FEET;

THENCE SOUTH 00°54'04" WEST 434.39 FEET TO THE POINT OF BEGINNING. NET AREA IS 195,799 S.F. OR 4.4949 ACRES MORE OR LESS.

SECTION 2: On the effective date of this Ordinance, the zoning of the annexed territory shall be zoned City of Mesa RS-43.

PASSED AND ADOPTED by the City Council of the City of Mesa, Arizona, this 26th day of August, 2019.

APPROVED:

MAYOR

ATTEST:

City Clerk

EFFECTIVE DATE: September 26, 2019