

**ORDINANCE NO. 5797**

AN ORDINANCE DECREASING THE CORPORATE LIMITS OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, PURSUANT TO ARIZONA REVISED STATUTES SECTIONS 9-471.02 AND 9-471.03, BY DE-ANNEXING CERTAIN PUBLIC RIGHT-OF-WAY TO MARICOPA COUNTY, SUBJECT TO APPROVAL BY THE MARICOPA COUNTY BOARD OF SUPERVISORS.

WHEREAS, A.R.S. §§ 9-471.02 and 9-471.03 provide that a public right-of-way partially located within a city and partially located within an unincorporated area of a county may be de-annexed from the city and returned to the county; and

WHEREAS, Maricopa County ("County") has requested that the City of Mesa ("City") de-annex and return to the County the public right-of-way located within the 3800 to 3900 blocks of South Power Road, legally described in Section 1 below and depicted on the map attached hereto as Exhibit A ("Right-of-Way"); and

WHEREAS, the Right-of-Way is partially located within the City and partially located within the unincorporated area of the County; and

WHEREAS, the Mesa City Council desires to comply with the request of the County and to de-annex the Right-of-Way to the County.

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

**Section 1:** Pursuant to A.R.S. §§ 9-471.02 and 9-471.03, the Mesa City Council desires to de-annex the right-of-way depicted on the map attached hereto as Exhibit A and legally described below ("Right-of-Way") to Maricopa County:

A PARCEL OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 7 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 18, A 3-INCH MARICOPA COUNTY BRASS CAP IN HANDHOLE, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION, A 3-INCH MARICOPA COUNTY BRASS CAP IN HANDHOLE, BEARS NORTH 00°58'58" WEST (BASIS OF BEARING), A DISTANCE OF 2631.98 FEET;

**THENCE** ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION, SOUTH 89°37'48" EAST, A DISTANCE OF 55.02 FEET, TO THE EAST LINE OF THE WEST 55 FEET OF SAID SECTION AND THE **POINT OF BEGINNING**; **THENCE** LEAVING SAID MID-SECTION LINE, ALONG SAID EAST LINE, NORTH 00°58'58" WEST, A DISTANCE OF 958.46 FEET, TO THE SOUTH LINE OF THE NORTH 1672.96 FEET OF SAID

SECTION;

**THENCE** LEAVING SAID EAST LINE, ALONG SAID SOUTH LINE, SOUTH 89°34'27" EAST, A DISTANCE OF 10.00 FEET, TO THE EAST LINE OF THE WEST 65 FEET OF SAID SECTION;

**THENCE** LEAVING SAID SOUTH LINE, ALONG SAID EAST LINE, SOUTH 00°58'58" EAST, A DISTANCE OF 958.45 FEET, TO SAID EAST-WEST MID-SECTION LINE;

**THENCE** LEAVING SAID EAST LINE, ALONG SAID MID-SECTION LINE, NORTH 89°37'48" WEST, A DISTANCE OF 10.00 FEET, TO THE **POINT OF BEGINNING**.

Containing 9,585 square feet or 0.2200 acres, more or less.

**Section 2:** Upon fulfillment of all the conditions set forth in A.R.S. § 9-471.03, which includes adoption of an ordinance by the Maricopa County Board of Supervisors approving the de-annexation and severing from the City of Mesa and returning to Maricopa County the Right-of-Way, the Right-of-Way is de-annexed and returned to Maricopa County, and the current corporate limits of the City of Mesa are hereby decreased to exclude the Right-of-Way.

**Section 3:** Pursuant to A.R.S. § 9-471.02, a copy of the order of the Maricopa County Board of Supervisors ordering the de-annexation of the Right-of-Way, certified by the Clerk of the Maricopa County Board of Supervisors, shall be filed with the Maricopa County Recorder’s Office. The record, or a copy of the order or decree, certified by the Clerk of the Maricopa County Board of Supervisors, shall be proof of the deannexation of the Right-of-Way.

**Section 4:** The recitals above and the exhibits attached hereto are fully incorporated into this Ordinance by reference.

**Section 5:** The City Clerk is hereby authorized and directed to forward a copy of this Ordinance and the map attached hereto as Exhibit A to the Maricopa County Board of Supervisors.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, this 10<sup>th</sup> day of July 2023.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk