

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 December 14, 2020, 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, 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 January 11, 2021; 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 completely surrounded by 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 313-25-859C; and

WHEREAS, the Assessor parcel numbers have pre-annexation Maricopa County zoning classification of IND-2 and 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 completely surrounded by 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:

Area 1:

A portion of land being situated within Section 34 and the West Half of Section 35, Township 1 South, Range 7 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a 3 inch Maricopa County DOT brass cap in hand hole accepted as the Northwest corner of said Section 34, from which a 3 inch Maricopa County DOT brass cap flush accepted as the West Quarter corner thereof bears South 01°09'59" East, 2640.78 feet;

Thence South 01°09'59" East, 396.98 feet along the west line of the Northwest Quarter of said Section 34;

Thence leaving said west line, North 88°50'01" East, 60.00 feet to the POINT OF BEGINNING;

Thence South 46°15'28" East, 14.12 feet;

Thence North 88°39'03" East, 460.56 feet to the beginning of a tangent curve, concave southerly, having a radius of 1230.00 feet;

Thence easterly along said curve, through a central angle of 04°37'56", an arc length of 99.44 feet to a non-tangent line;

Thence South 03°16'59" West, 10.00 feet to a non-tangent curve, concave southwesterly, having a radius of 1220.00 feet, the center of which bears South 03°16'59" West;

Thence southeasterly along said curve, through a central angle of 35°59'45", an arc length of 766.46 feet to a non-tangent line;

Thence South 50°43'16" East, 283.00 feet to the beginning of a tangent curve, concave northeasterly, having a radius of 1090.00 feet;

Thence southeasterly along said curve, through a central angle of 68°30'25", an arc length of 1303.28 feet to a tangent line;

Thence North 60°46'19" East, 202.36 feet;

Thence South 28°54'47" East, 137.83 feet to the southerly right of way line of SR 24 described within the Order of Immediate Possession filed as Document No.2019-0309832, Maricopa County Records;

THENCE THE FOLLOWING THREE (3) COURSES ALONG SAID SOUTHERLY RIGHT OF WAY LINE:

Thence North 62°24'04" East, 333.41 feet;

Thence North 67°38'39" East, 120.37 feet;

Thence North 62°24'04" East, 168.55 feet to the southwesterly line of a proposed electrical easement;

THENCE THE FOLLOWING THREE (3) COURSES ALONG SAID SOUTHWESTERLY LINE:

Thence South 42°18'10" East, 793.39 feet;

Thence South 60°22'57" East, 824.06 feet;

Thence South 64°14'29" East, 489.96 feet;

Thence leaving said southwesterly line, South 06°41'37" East, 158.81 feet;

Thence South 89°40'28" East, 190.67 feet;

Thence South 00°23'45" West, 943.31 feet;

Thence South 89°18'06" West, 1161.37 feet;

Thence North 07°47'39" West, 655.99 feet;

Thence North 58°43'43" West, 539.48 feet;

Thence South 00°00'00" East, 1754.09 feet;

Thence North 89°34'13" West, 2692.11 feet to the easterly line of the Restricted Use Easement described within Docket 12949, Page 199, Maricopa County Records;

Thence North 44°34'12" West, 1358.41 feet along said easterly line;

Thence leaving said easterly line, North 01°10'02" West, 228.88 feet along a line which is 60.00 feet east of and parallel with the west line of the Southwest Quarter of said Section 34;

Thence leaving said parallel line, North 01°09'59" West, 2245.44 feet along a line which is 60.00 feet east

of and parallel with the west line of the Northwest Quarter of said Section 34 to the POINT OF BEGINNING.

EXCEPT THAT PARCEL HEREIN DESCRIBED AS EXCEPTION A:

A portion of land being situated within the Southwest Quarter of Section 34 Township 1 South, Range 7 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a 3 inch Maricopa County DOT brass cap in hand hole accepted as the West Quarter corner of said Section 34, from which a 3 inch Maricopa County DOT brass cap flush accepted as the Southwest corner thereof bears South 01°10'02" East, 2640.88 feet;

Thence South 01°10'02" East, 235.80 feet along the west line of the Southwest Quarter of said Section 34;

Thence leaving said west line, North 88°49'58" East, 65.00 feet to the POINT OF BEGINNING;

Thence North 01°10'02" West, 31.89 feet along a line being 65.00 feet east of and parallel with said west line;

Thence leaving said parallel line, North 88°49'58" East, 92.00 feet;

Thence South 01°10'02" East, 75.00 feet along a line being 157.00 feet east of and parallel with said west line;

Thence leaving said parallel line, South 88°49'58" West, 51.23 feet to the easterly line of the Restricted Use Easement described within Docket 12949, Page 199, Maricopa County Records;

Thence North 44°34'12" West, 59.33 feet along said easterly line to the POINT OF BEGINNING.

AND EXCEPT THAT PARCEL HEREIN DESCRIBED AS EXCEPTION B:

A portion of land being situated within the Northwest Quarter of Section 34 Township 1 South, Range 7 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a 3 inch Maricopa County DOT brass cap in hand hole accepted as the West Quarter corner of said Section 34, from which a 3 inch Maricopa County DOT brass cap flush accepted as the Northwest corner thereof bears North 01°09'59" West, 2640.78 feet;

Thence North 01°09'59" West, 753.16 feet along the west line of the Northwest Quarter of said Section 34;

Thence leaving said west line, North 88°50'01" East, 65.00 feet to the POINT OF BEGINNING;

Thence North 01°09'59" West, 75.00 feet along a line being 75.00 feet east of and parallel with said west line;

Thence leaving said parallel line, North 88°50'01" East, 92.00 feet;

Thence South 01°09'59" East, 75.00 feet along a line being 157.00 feet east of and parallel with said west line;

Thence leaving said parallel line, South 88°50'01" West, 92.00 feet to the POINT OF BEGINNING.

AND EXCEPT THAT PARCEL HEREIN DESCRIBED AS EXCEPTION C:

A portion of land being situated within the Northwest Quarter of Section 34 Township 1 South, Range 7 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a 3 inch Maricopa County DOT brass cap in hand hole accepted as the West Quarter corner of said Section 34, from which a 3 inch Maricopa County DOT brass cap flush accepted as the Northwest corner thereof bears North 01°09'59" West, 2640.78 feet;

Thence North 01°09'59" West, 1785.24 feet along the west line of the Northwest Quarter of said Section 34;

Thence leaving said west line, North 88°50'01" East, 75.00 feet to the POINT OF BEGINNING;

Thence North 01°09'59" West, 75.00 feet along a line being 75.00 feet east of and parallel with said west line;

Thence leaving said parallel line, North 88°50'01" East, 82.00 feet;

Thence South 01°09'59" East, 75.00 feet along a line being 157.00 feet east of and parallel with said west line;

Thence leaving said parallel line, South 88°50'01" West, 82.00 feet to the POINT OF BEGINNING.

The above described area contains a computed area of 12,865,218 sq. ft. (295.3448 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

## Area 2

A portion of land as described in the Special Warranty Deed recorded in Document No. 2004-0748707, Maricopa County Records, being situated within the East Half of Section 34 and the Southwest Quarter of Section 35, Township 1 South, Range 7 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found 2 inch Aluminum cap accepted as the East Quarter corner of said Section 34 from which a found 3 inch Maricopa County brass cap flush accepted as the Northeast corner thereof bears North 00°41'42" West, 2631.77 feet;

Thence South 89°32'25" East, 159.39 feet along the east-west mid-section line of said Section 35;

Thence leaving said east-west mid-section line, South 00°23'45" West, 341.08 feet to the POINT OF BEGINNING;

Thence South 00°23'45" West, 380.25 feet to the beginning of a tangent curve, concave northwesterly, having a radius of 6065.00 feet;

Thence southwesterly along said curve, through a central angle of 04°27'09", an arc length of 471.31 feet to a non-tangent line;

Thence North 89°34'13" West, 1687.21 feet;

Thence North 00°00'00" East, 1754.09 feet;

Thence South 58°43'43" East, 539.48 feet;

Thence South 07°47'39" East, 655.99 feet;

Thence North 89°18'06" East, 1161.37 feet to the POINT OF BEGINNING.

The above described area contains a computed area of 1,817,347 sq. ft. (41.7205 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

SECTION 2: On the effective date of this Ordinance, the zoning of the annexed territory shall be zoned City of Mesa LI and AG.

PASSED AND ADOPTED by the City Council of the City of Mesa, Arizona, this 5th day of April, 2021.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

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City Clerk

EFFECTIVE DATE: May 6, 2021