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JAN 25 2007

ORDINANCE NO. 3875

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD TO PAD (DVR06-0059 VILLAS AT LONE TREE) LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, place and date of public hearing; and

WHEREAS, a notice of such hearing was posted on the property at least seven (7) days prior to said public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION I. A legal description of the property affected by this Ordinance is attached as Attachment 'A'.

SECTION II. Said property is hereby rezoned to delete Condition No. 6 of Ordinance No. 2879 requiring all lines under water pressure shall be copper.

Said parcel is hereby rezoned from PAD to PAD, subject to the following conditions:

1. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a well site. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a well site, and the disclosure shall state that such a use is legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

Attachment 'A'

LEGAL DESCRIPTION LONETREE OVERALL PROPERTY

A portion of the Northeast Quarter of Section 31, Township 2 South, Range 6 East, Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

COMMENCING at the Northeast Corner of Section 31, from which the North Quarter Corner of Section 31 bears South 89 degrees 56 minutes 19 seconds West, a distance of 2642.27 feet;

THENCE South 00 degrees 24 minutes 29 seconds East, along the East line of the Northeast quarter of said Section, a distance of 94.61 feet to the **POINT OF BEGINNING**;

THENCE continuing South 00 degrees 24 minutes 29 seconds East, along said East line, a distance of 1200.03 feet, from which the East Quarter Corner of Section 31 bears South 00 degrees 24 minutes 29 seconds East, a distance of 1352.52 feet;

THENCE departing said East line, South 89 degrees 35 minutes 31 seconds West, a distance of 505.00 feet to the Northwest Corner of the City of Chandler Water Production Facility, according to Special Warranty Deed, Document No. 2000-0625311, Maricopa County Records;

THENCE North 00 degrees 24 minutes 31 seconds West, a distance of 5.68 feet to the Northerly line of Springfield Lakes Block 3, Book 575, Page 42, Maricopa County Records;

THENCE along said Northerly line the following three (3) courses:

THENCE South 89 degrees 35 minutes 31 seconds West, a distance of 95.00 feet;

THENCE North 00 degrees 24 minutes 29 seconds West, a distance of 70.23 feet to the beginning of a 50.00 foot radius tangent curve, concave Southerly;

THENCE Northwesterly along said curve, through a central angle of 140 degrees 23 minutes 51 seconds, an arc length of 122.52 feet to the Easterly line of Tract GC-2, Springfield Lakes Unit One, Book 534, Page 17, Maricopa County Records;

THENCE along said Easterly line the following three (3) courses:

THENCE North 50 degrees 48 minutes 36 seconds West, a distance of 25.67 feet;

THENCE North 04 degrees 51 minutes 02 seconds West, a distance of 631.27 feet;

THENCE North 30 degrees 13 minutes 50 seconds West, a distance of 259.37 feet to the Easterly line of Tract BMF-2, Springfield Lakes Unit One, Book 534, Page 17, Maricopa County Records, and the beginning of a non-tangent curve, from which the radius point bears North 32 degrees 56 minutes 56 seconds West, a distance of 114.00 feet;

THENCE along last said Easterly line the following two (2) courses:

THENCE Northeasterly along said curve, through a central angle of 57 degrees 06 minutes 45 seconds, an arc length of 113.64 feet;

THENCE North 00 degrees 03 minutes 41 seconds West, a distance of 160.73 feet to the Northerly line of Tract BMF-1, Springfield Lakes Unit One, Book 534, Page 17, Maricopa County Records;

THENCE along said Northerly line the following four (4) courses:

THENCE North 89 degrees 56 minutes 19 seconds East, a distance of 442.62 feet;

THENCE South 00 degrees 03 minutes 41 seconds East, a distance of 10.00 feet;

THENCE North 89 degrees 56 minutes 19 seconds East, a distance of 305.00 feet;

THENCE South 45 degrees 14 minutes 05 seconds East, a distance of 28.37 feet;

THENCE North 89 degrees 35 minutes 31 seconds East, a distance of 65.00 feet to the **POINT OF BEGINNING.**

Containing 928,197 square feet or 21.31 acres, more or less.

