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MEMORANDUM Planning and Development - Staff Memo No. CC 07-102

DATE: MAY 3, 2007

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER *[Signature]*
 DOUG BALLARD, PLANNING AND DEVELOPMENT DIRECTOR *[Signature]*
 JEFF KURTZ, ASSISTANT PLANNING AND DEVELOPMENT DIRECTOR *[Signature]*
 BOB WEWORSKI, PLANNING MANAGER *[Signature]*

FROM: RON MARTIN, INTERIM PLANNER *[Signature]*

SUBJECT: ANNEXATION NORTH HALF QUEEN CREEK ROAD RIGHT-OF-WAY
 BETWEEN LINDSAY ROAD AND THE EASTERN CANAL
 Introduction and Tentative Adoption of Ordinance No. 3911

RECOMMENDATION

Staff recommends approval of Ordinance No. 3911 annexing the north half of the right-of-way of Queen Creek Road between Lindsay Road and the Eastern Canal.

BACKGROUND / DISCUSSION

A.R.S. 9-471(N) allows county right-of-way with no taxable real property to be annexed to an adjacent city by mutual consent of the city's governing body and the county's board of supervisors.

The Queen Creek Road right-of-way, running east from the Eastern Canal to Lindsay Road, is partly within Chandler's city limits (south-half) and partly within the jurisdiction of Maricopa County (north-half). The subject property consists of a single parcel that constitutes the north half of the right-of-way between the Eastern Canal and Lindsay Road and is adjacent to the City of Chandler along its entire length. The annexation of this parcel will result in the inclusion of the full right-of-way of Queen Creek Road between the two referenced points within Chandler's control and responsibility.

The annexation process available under A.R.S. 9-471(N) requires that the City adopt an "ordinance of intent" to annex the right-of-way. If approved by the City, a request for annexation, together with a copy of the ordinance, will appear as a published agenda item at a regular meeting of the Maricopa County Board of supervisors. If the County approves annexation, the right-of-way parcel will be annexed into the City.

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FINANCIAL IMPLICATIONS:

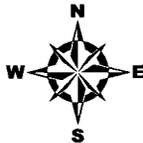
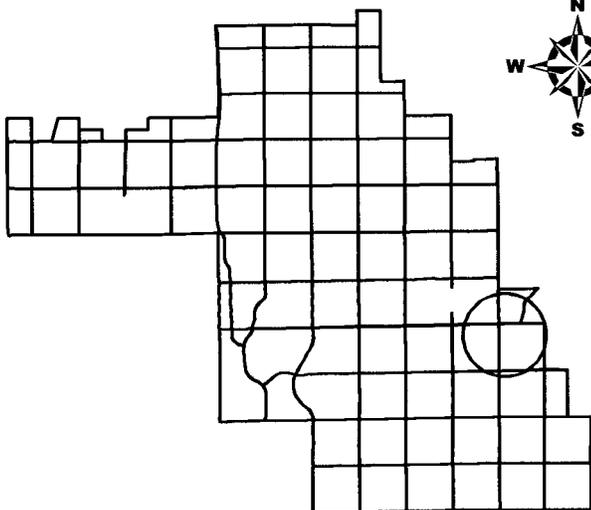
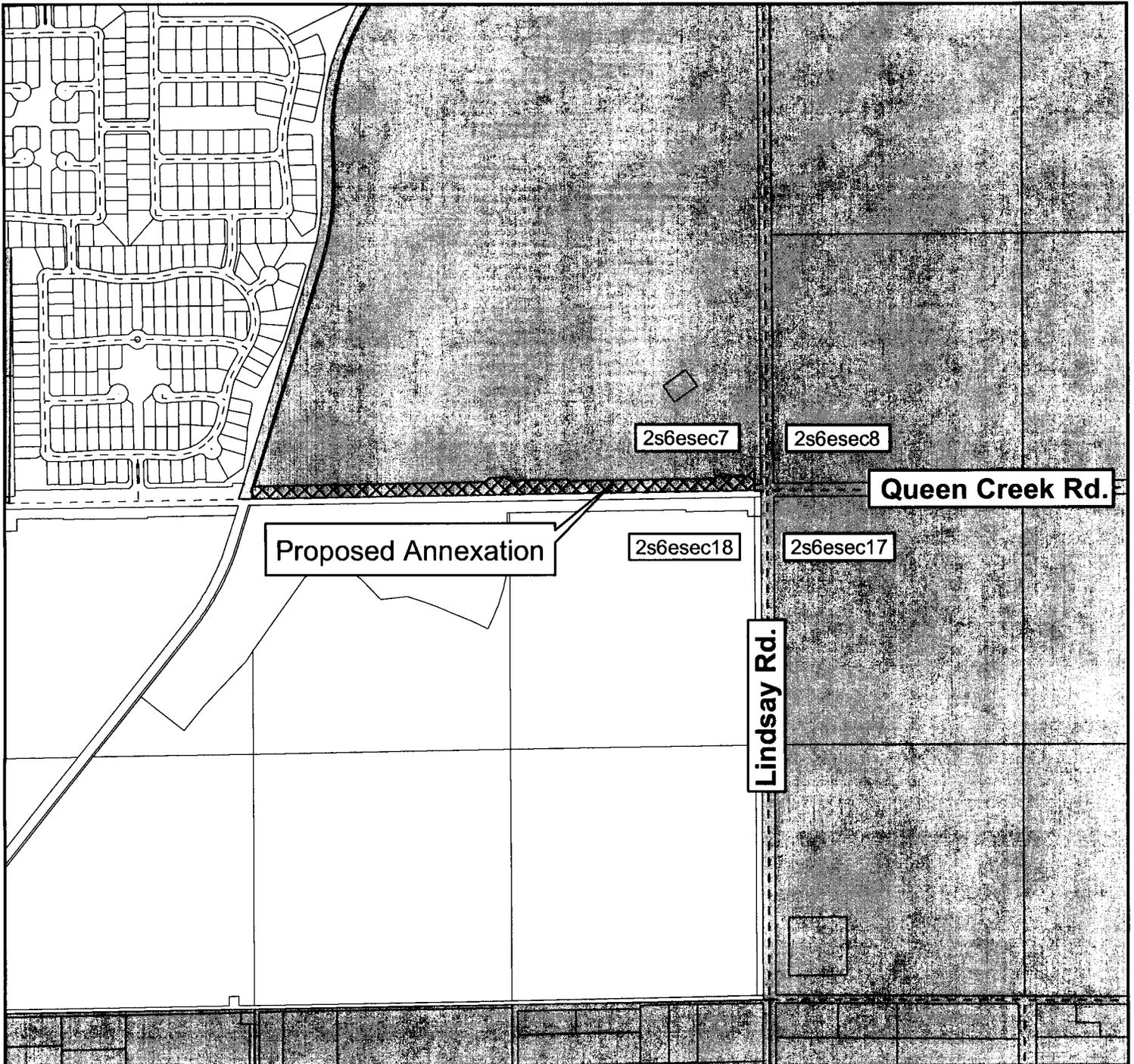
No direct cost for annexation.

PROPOSED MOTION

Move to Introduce and Tentatively Adopt Ordinance No. 3911 annexing the north half of the right-of-way of Queen Creek Road between the Eastern Canal and Lindsay Road.

Attachments

Location Map
Ordinance No. 3911



Annexation Map

Ordinance No. 3911

Proposed Annexation

North Half Of The Queen Creek
Road Right-of-Way

Incorporated Area

Unincorporated Area

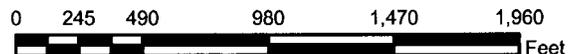


Exhibit A

ORDINANCE NO. 3911

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF CHANDLER, MARICOPA COUNTY, STATE OF ARIZONA, BY ANNEXING CERTAIN COUNTY RIGHTS-OF-WAY ON QUEEN CREEK ROAD BETWEEN LINDSAY ROAD AND THE EASTERN CANAL CONTINGENT UPON APPROVAL BY THE MARICOPA COUNTY BOARD OF SUPERVISORS, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARIZONA REVISED STATUTES.

WHEREAS, A.R.S. 9-471 provides that a county right-of-way with no taxable real property, the entire length of which is adjacent to a city, may be annexed to the city by mutual consent of the governing bodies of the county and city; and

WHEREAS, the property to be annexed is a County right-of-way with no taxable real property and is adjacent to the City of Chandler for the entire length of the annexation; and

WHEREAS, the City consents to and approves of the proposed annexation contingent upon the County's consent to and approval of the proposed annexation pursuant to the provisions of A.R.S. 9-471 (N);

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

SECTION 1. Pursuant to the provisions of A.R.S. 9-471 (N), and contingent upon approval of the Maricopa County Board of Supervisors, the following described County right-of-way, the entire length of which is adjacent to the corporate limits of the City of Chandler, shall be annexed to the City of Chandler, and the City of Chandler corporate limits shall be extended and increased to include the County right-of-way described as follows:

That part of the Southeast Quarter of Section 7, Township 2 South, Range 6 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the Cotton Picker Spindle marking the Southeast Corner of said Section 7, from which the 1" Iron Pipe marking the South Quarter Corner of said Section 7 bears South 89°11'29" West, a distance of 2,659.15 feet;

Thence South $89^{\circ}11'29''$ West, along the South line of the Southeast Quarter of said Section 7, a distance of 65.01 feet to the True Point of Beginning;

Thence continuing South $89^{\circ}11'29''$ West, along said South line, a distance of 2,594.14 feet to the 1" Iron Pipe marking the South Quarter Corner of said Section 7;

Thence North $00^{\circ}13'38''$ West, along the West line of the Southeast Quarter of said Section 7, a distance of 21.69 feet to a point on the Easterly right-of-way of the Eastern Canal as recorded in Book 191 of Deeds, Page 382, Maricopa County Records, Document No. 90-251131, Maricopa County Records, and Document 97-218921, Maricopa County Records;

Thence North $17^{\circ}12'25''$ East, along said Easterly right-of-way, a distance of 45.55 feet to a point on a line which is parallel with and 65.00 feet Northerly, as measured at right angles, from the South line of the Southeast Quarter of said Section 7;

Thence North $89^{\circ}11'29''$ East, departing said Easterly right-of-way line along said parallel line, a distance of 1,191.15 feet;

Thence departing said parallel line, North $44^{\circ}11'29''$ East, a distance of 28.28 feet;

Thence North $85^{\circ}00'23''$ East, a distance of 82.22 feet;

Thence South $45^{\circ}48'31''$ East, a distance of 28.28 feet to a point on a line which is parallel with and 71.00 feet Northerly, as measured at right angles, from the South line of the Southeast Quarter of said Section 7;

Thence North $89^{\circ}11'29''$ East, along said parallel line, a distance of 305.00 feet;

Thence South $00^{\circ}48'31''$ East, departing said parallel line, a distance of 6.00 feet to a point on a line which is parallel with and 65.00 feet Northerly, as measured at right angles, from the South line of the Southeast Quarter of said Section 7;

Thence North $89^{\circ}11'29''$ East, along said parallel line, a distance of 562.58 feet;

Thence North $00^{\circ}48'31''$ West, departing said parallel line, a distance of 8.00 feet to a point on a line which is parallel with and 73.00 feet Northerly, as measured at right angles, from the South line of the Southeast Quarter of said Section 7;

Thence North $89^{\circ}11'29''$ East, along said parallel line, a distance of 200.00 feet;

Thence North $00^{\circ}48'31''$ West, departing said parallel line, a distance of 2.00 feet to a point on a line which is parallel with and 75.00 feet Northerly, as measured at right angles, from the South line of the Southeast Quarter of said Section 7;

Thence North $89^{\circ}11'29''$ East, along said parallel line, a distance of 48.90 feet;

Thence North 00°48'31" West, departing said parallel line, a distance of 7.00 feet to a point on a line which is parallel with and 82.00 feet Northerly, as measured at right angles, from the South line of the Southeast Quarter of said Section 7;

Thence North 89°11'29" East, along said parallel line, a distance of 30.00 feet;

Thence South 00°48'31" East, departing said parallel line, a distance of 7.00 feet to a point on a line which is parallel with and 75.00 feet Northerly, as measured at right angles, from the South line of the Southeast Quarter of said Section 7;

Thence North 89°11'29" East, along said parallel line, a distance of 85.96 feet;

Thence North 44°28'41" East, departing said parallel line, a distance of 49.74 feet to a point on a line which is parallel with and 65.00 feet Westerly, as measured at right angles, from the East line of the Southeast Quarter of said Section 7;

Thence South 00°14'07" East, along said parallel line, a distance of 109.24 feet to a point on a line which is parallel with and 65.00 feet Westerly, as measured at right angles, from the East line of the Northeast Quarter of Section 18, Township 2 South, Range 6 East of the Gila and Salt River Meridian;

Thence South 00°02'02" East, along said parallel line, a distance of 0.76 feet to the True Point of Beginning.

Containing 4.063 Acres, more or less.

SECTION 2. The City Clerk is hereby instructed to file and record a copy of this Ordinance, together with documentation of approval by the Maricopa Board of Supervisors and an accurate map of the County right-of-way to be annexed to the City of Chandler, certified by the Mayor of the City of Chandler, in the Office of the County Recorder of Maricopa County, Arizona.

SECTION 3. The Planning and Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City of Chandler, Arizona, this _____ day of _____, 2007.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this _____ day of _____, 2007.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 3911 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on _____ day of _____, 2007, and that a quorum was present thereat.

CITY CLERK

PUBLISHED:

APPROVED AS TO FORM:

CITY ATTORNEY *GAB*