

ORDINANCE NO. 5029

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, INCREASING THE CORPORATE LIMITS OF THE CITY OF CHANDLER (CHANDLER HEIGHTS ROAD RIGHT-OF-WAY BETWEEN VAL VISTA DRIVE AND 148TH STREET) COMPRISING APPROXIMATELY 3.3 ACRES, PURSUANT TO THE PROVISIONS OF ARIZONA REVISED STATUTES TITLE 9, CHAPTER 4, ARTICLE 7, BY ANNEXING THERETO TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF CHANDLER, CONTINGENT UPON IT BEING DEANNEXED BY THE TOWN OF GILBERT.

WHEREAS, the Town of Gilbert desires to de-annex contiguous territory now within its corporate limits, pursuant to the provisions of A.R.S § 9-471.02 as amended; and

WHEREAS, the City of Chandler has requested that the Town of Gilbert de-annex and sever the territory from its corporate limits, and has notified the Town of Gilbert of its desire to adopt an ordinance to annex the territory; 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 § 9-471.02;

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 § 9-471.02, and contingent upon approval of the Maricopa County Board of Supervisors, the territory described in Exhibit A to this Ordinance is annexed into the City of Chandler contingent upon it being de-annexed from the Town of Gilbert in the manner provided in A.R.S § 9-471.02; and

That the present corporate limits of the City of Chandler are hereby modified and increased to add the territory described in Exhibit A, which is contingent upon the fulfillment of the conditions of Section 2 of this Ordinance;

Section 2. That a copy of this Ordinance, together with an accurate map of the territory hereby annexed into the City of Chandler, certified by the Mayor of the City of Chandler, be forthwith filed with the Clerk of the Maricopa County Board of Supervisors. Additionally, City of Chandler staff is hereby authorized and directed to notify by certified mail, return receipt requested, the owners of any real property in the territory to be annexed at least twenty (20) days before the hearing by the Maricopa County Board of Supervisors. Such notification shall contain the information as more specifically set forth in A.R.S § 9-471.02.

Section 3. The land annexed, as more particularly described in Exhibit A, shall not be exempt from the payment of any taxes lawfully assessed against it for the purpose of paying

any indebtedness lawfully contracted by the City of Chandler and remains unpaid, and for the payment of which such land could be lawfully taxed.

Section 4. The Clerk is hereby instructed to file and record a copy of this Ordinance, together with documentation of approval by Maricopa County Board of Supervisors and an accurate map of the territory to be de-annexed from the City of Chandler, certified by the Mayor, in the Office of the County Recorder of Maricopa County, Arizona.

Section 5. The Development Services Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of the Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this 22 day of September 2022.

ATTEST:

Dana R. DeLong
CITY CLERK

Kevin Harthe
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this 24 day of October, 2022.

ATTEST:

Dana R. DeLong
CITY CLERK

Kevin Harthe
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 5029 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 24 day of october, 2022, and that a quorum was present thereat.

Dana R. D'Long

CITY CLERK

APPROVED AS TO FORM:

Sharon Allen

CITY ATTORNEY *TA*



Published: in the Arizona Republic on: November 11, and November 18, 2022.

REFERENCED EXHIBIT(S) AND/OR ATTACHMENT(S) ON FILE AT THE CITY CLERK'S OFFICE.

Annexation Legal Description
Exhibit A

THAT PORTION OF THE SOUTHEAST QUARTER SECTION 20, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 20, BEING MARKED BY AN ALUMINUM CAP FLUSH, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 20, BEING MARKED BY A BRASS CAP FLUSH, BEARS NORTH 00 DEGREES 19 MINUTES 11 SECONDS WEST, 2636.89 FEET;

THENCE SOUTH 89 DEGREES 37 MINUTES 42 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 94.95 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING SOUTH 89 DEGREES 37 MINUTES 42 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 2559.88 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 20, BEING MARKED BY AN ALUMINUM CAP FLUSH;

THENCE DEPARTING SAID SOUTH LINE, NORTH 00 DEGREES 01 MINUTE 31 SECONDS WEST, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 20, 85.20 FEET;

THENCE DEPARTING SAID NORTH-SOUTH MID-SECTION LINE, NORTH 89 DEGREES 58 MINUTES 29 SECONDS EAST, 33.01 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF S. 148TH STREET, AS SHOWN ON THE "HAMSTRA DAIRY – PHASE 1", A REPLAT, RECORDED IN BOOK 1500, PAGE 23 OF MARICOPA COUNTY RECORDS (M.C.R.);

THENCE SOUTH 45 DEGREES 11 MINUTES 54 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, 42.30 FEET TO THE NORTH RIGHT-OF-WAY LINE OF E. CHANDLER HEIGHTS ROAD, AS SHOWN ON SAID REPLAT;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, NORTH 89 DEGREES 37 MINUTES 42 SECONDS EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 1848.71 FEET TO THE WEST RIGHT-OF-WAY LINE OF S. FLINT ROAD, AS SHOWN ON SAID REPLAT;

THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE, NORTH 44 DEGREES 37 MINUTES 42 SECONDS EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, 35.33 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE, NORTH 89 DEGREES 36 MINUTES 41 SECONDS EAST, 50.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID S. FLINT STREET;

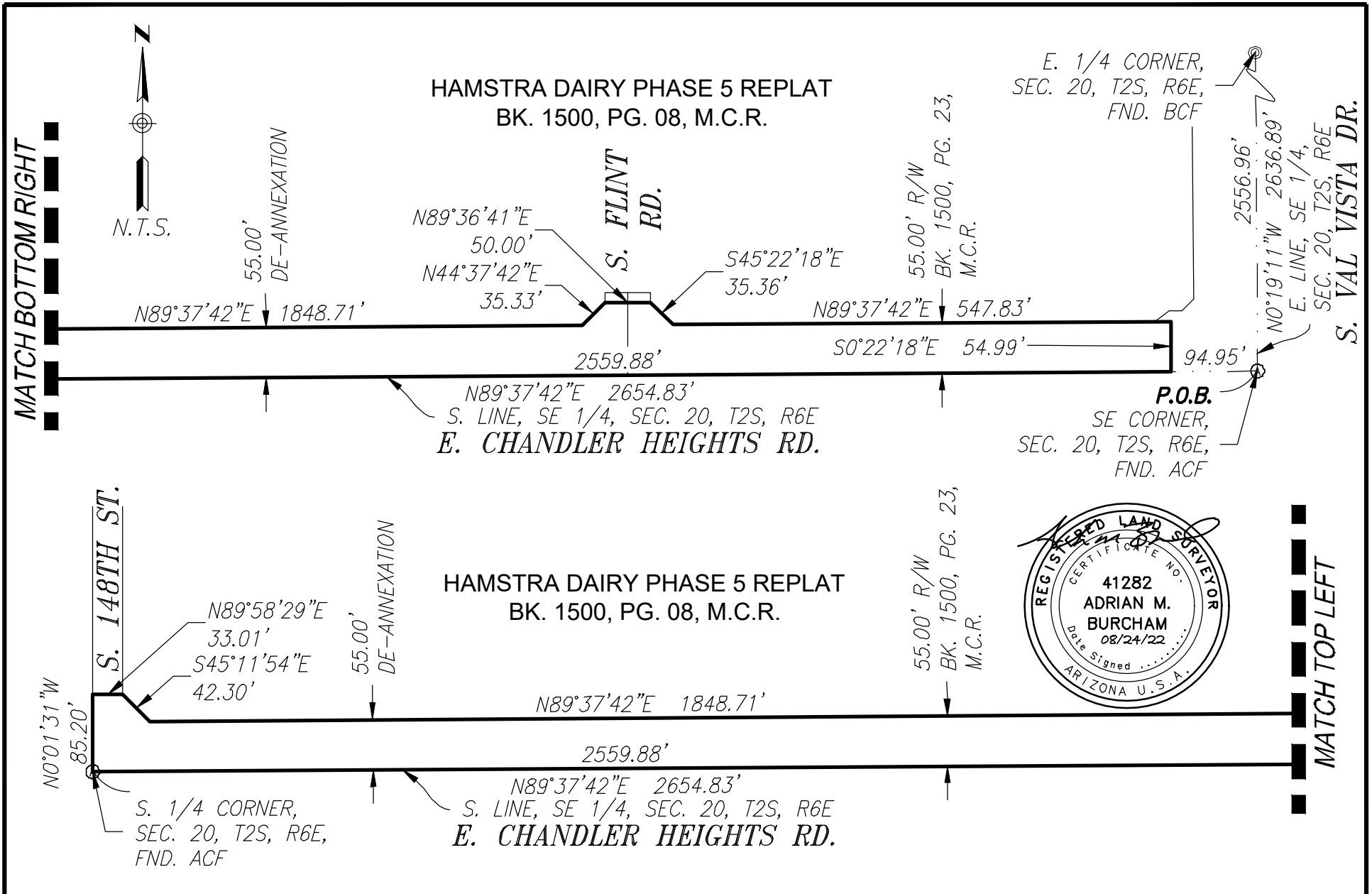
THENCE SOUTH 45 DEGREES 22 MINUTES 18 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, 35.36 FEET TO SAID NORTH RIGHT-OF-WAY LINE OF E. CHANDLER HEIGHTS ROAD;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, NORTH 89 DEGREES 37 MINUTES 42 SECONDS EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE AND ITS EASTERLY PROLONGATION, 547.83 FEET;

THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE AND ITS EASTERLY PROLONGATION, SOUTH 00 DEGREES 22 MINUTES 18 SECONDS EAST, 54.99 FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SAID SECTION 20 AND THE **POINT OF BEGINNING**;

SAID PARCEL CONTAINS 144,099 SQ. FT. OR 3.3081 ACRES, MORE OR LESS.





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ENGINEERING

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Chandler Heights Road
ANNEXATION
EXHIBIT "A"
Town of Gilbert, Arizona

Project No.
22139

Date
08/24/22

Project Manager
ADRIAN BURCHAM

Sht: 1 of 1