

RESOLUTION NO. 2013-29

**A RESOLUTION OF THE CITY OF FLAGSTAFF, ARIZONA APPROVING A
PRE-ANNEXATION AGREEMENT BETWEEN THE CITY OF FLAGSTAFF
AND THE GRAND CANYON TRUST**

RECITALS:

WHEREAS, the Grand Canyon Trust, an Arizona non-profit corporation ("Owner"), owns approximately 1.15 acres of real property at 2601 North Fort Valley Road in Coconino County, Arizona, legally described and depicted in Exhibit "A", attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, although Owner desires to annex the Property into the City of Flagstaff, annexation is not legally permissible at this time as the Property, though it adjoins the existing boundary of the City, does not meet the dimensional prerequisites for annexation found in A.R.S. § 9-471(H); and

WHEREAS, Owner and the City of Flagstaff wish to enter into a Pre-Annexation Agreement, a copy of which is attached to the Staff Summary Report submitted in support of this Resolution, in order to facilitate the eventual annexation of the Property and to address issues related to the Property's future development within the City's municipal boundaries; and

WHEREAS, A.R.S. § 9-500.05 authorizes municipalities to enter into development agreements for the purpose of addressing issues related to annexation.

ENACTMENTS:

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS
FOLLOWS:**

SECTION 1. The Pre-Annexation Agreement proposed by City staff and the Owner and submitted as an attachment to the Staff Summary Report for the Council meeting of November 19, 2013, is hereby approved, and the Mayor is authorized and directed to execute the Agreement on behalf of the City of Flagstaff.

SECTION 2. That City staff is hereby authorized to take such other and further measures and actions as are necessary and appropriate to carry out the terms, provisions, and intents of this Resolution, including, but not limited to, the recording of any necessary documents in the Office of the Coconino County Recorder .

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this _____ day of _____, 2013.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

EXHIBIT A

Legal Description for APN 111-01-012C Grand Canyon Trust

Sixteenth: SE Quarter: SW Section: 04 Township: 21N Range: 07E BEG S4 COR SEC 4; TH N 89-57-47 E 36.08'; TH N 32-35-30 W 611.76' TO TPOB; TH N 32-35-30 W 179'; TH S 59-01-12 W 279.86'; TH S 32-35-30 E 179'; TH N 59-01-12 E 279.86' TO TPOB LESS THE FOLLOWING DESC TRACT; COMMENCING AT SE COR SEC 4 21N-07E; TH ALNG S LINE OF SEC 4, S 89-54-33 W 2644.36' TO EXISTING R/W CENTERLINE OF US 180; TH ALNG R/W CENTERLINE N 32-38-45 W 632.02'; TH ALNG SAID R/W CENTERLINE ALNG A CURVE RIGHT 146.01'; TH S 59-32-39 W 33' TO EXISTING WLY R/W OF US 180 AND THE POB; TH S 59-32-39 W 7'; TH N 29.34.19 W 32.39' TO NLY LINE OF ABOVE DESC PROP; TH ALNG NLY PROP LINE N 58-57-57 E 6.64' TO SAID EXISTING WLY R/W LINE; TH ALNG EXISTING WLY R/W ALNG CURVE LEFT 32.46' TO POB.