

**ORDINANCE NO. 2014-30**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF FLAGSTAFF, COCONINO COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARIZONA REVISED STATUTES, BY ANNEXING CERTAIN LAND TOTALING APPROXIMATELY 3.14 ACRES LOCATED AT 2701 S. WOODY MOUNTAIN ROAD, WHICH LAND IS CONTIGUOUS TO THE EXISTING CORPORATE LIMITS OF THE CITY OF FLAGSTAFF, AND ESTABLISHING CITY ZONING FOR SAID LAND AS RR, RURAL RESIDENTIAL**

**RECITALS:**

WHEREAS, petitioners have a purchase agreement to buy a certain 36.94 acre parcel of land located at 2701 S. Woody Mountain Road, 3.14 acres of which are located within Coconino County, Arizona, as property adjacent to the boundaries of the City of Flagstaff, and described in Exhibits A and B attached to and made a part hereof; and

WHEREAS, a petition in writing ("Petition") accompanied by a map or plot of said Property, having been filed and presented to the Mayor and Council of the City of Flagstaff, Arizona, signed by the owners of one-half or more in value of the real property and more than one-half of the persons owning real and personal property as would be subject to taxation by the City of Flagstaff in the event of annexation of the territory and land hereinafter described as shown by the last assessment of said Property, which said territory is contiguous to the City of Flagstaff and not now embraced within its corporate limits, asking that the Property be annexed to the City of Flagstaff, and that the corporate limits of the City of Flagstaff be extended and increased so as to embrace the same; and

WHEREAS, the Mayor and Council of the City of Flagstaff, Arizona, are desirous of complying with said Petition and extending and increasing the corporate limits of the City of Flagstaff to include said territory, as described in Exhibits A and B; and

WHEREAS, said Petition set forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed to the City of Flagstaff, and had attached thereto at all times 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 had been signed by an owner of real and personal property in such territory; and

WHEREAS, the provisions of Section 9-471, Arizona Revised Statutes, and amendments thereto, have been fully observed; and

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file in the office of the City Clerk of the City of Flagstaff, Arizona, together with a true and correct copy of the original Petition referred to herein, which is on file in the office of the Coconino County Recorder; and

WHEREAS, the development of the Property will be controlled by the conditions of approval of the annexation application, other relevant provisions of the Zoning Code, and various other City codes regulating the development of the Property; and

WHEREAS, the Council finds that the proposed annexation for the Property has been considered by the Planning and Zoning Commission and that the City staff and the Commission have each recommended that the Council proceed with the annexation at this time; and

WHEREAS, the Council has reviewed the Staff Summary Report, which discusses the proposed annexation, and now finds that the annexation of the Property would be consistent with the objectives and policies of the Flagstaff Area Regional Land Use and Transportation Plan enacted in November, 2001 ("Regional Plan"); that the annexation of the Property would not be detrimental to the majority of the persons or property in the surrounding area or to the community in general; that the proposed annexation would not require any current expenditures in the City's capital improvement program because the Petitioner will enter into a development and annexation agreement concurrent with their requested rezoning of the Property which determines the allocation of infrastructure costs; and the Council specifically further finds that:

The annexation of the Property and the existing and proposed uses thereon will further the objectives of the Regional Plan.

**ENACTMENTS:**

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

SECTION 1. That the following described territory be, and the same hereby is, annexed to the City of Flagstaff, and that the present corporate limits be, and the same hereby are, extended and increased to include the following described territory contiguous to the present City of Flagstaff corporate limits:

See attached Exhibits A and B which are incorporated herein by this reference.

SECTION 2. That the territory described in Exhibits A and B is annexed to the City of Flagstaff subject to the following conditions:

1. That a copy of this Ordinance, together with an accurate map of the territory hereby annexed to the City of Flagstaff, certified by the Mayor of said City of Flagstaff, be forthwith filed and recorded in the office of the County Recorder of Coconino County, Arizona.

SECTION 3. That, pursuant to the provisions of Section 9-471(L), Arizona Revised Statutes, upon this Ordinance becoming final under the provisions of Section 9-471(D), Arizona Revised Statutes, the municipal zoning designation for the Property under the Zoning Code shall be RR (Rural Residential).

SECTION 4. The Community Development Department of the City of Flagstaff 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.

SECTION 5. That the Flagstaff City Clerk shall provide a copy of the adopted annexation ordinance to the Clerk of the Coconino County Board of Supervisors within sixty days of the annexation becoming final.

SECTION 6. This Ordinance shall become effective thirty days after adoption by the Flagstaff City Council.

PASSED AND ADOPTED by the Mayor and City Council of the City of Flagstaff, Arizona, this 18th day of November, 2014.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY

EXHIBIT A

The following is a description of a parcel of land, being portions of that parcel described in Instrument 3546194, Coconino County Records, situate in section 19, Township 21 North, Range 7 East, G. & S.R.M., Flagstaff, Coconino County, Arizona being more particularly described as follows:

Commence at the northwest corner of said parcel, which is a point on the north boundary of the "Presidio West Tract" as described in Instrument 3229602 and is a point on the south Right-of-Way line of U.S. Highway 66; thence South 85°15'51" East along said north boundary a distance of 183.66 feet to the Point of Beginning;

Thence continue South 85°15'51" East along said north boundary a distance of 599.30 feet to the northeast corner of Instrument 3546194 which is a point on the centerline of Woody Mountain Road;

Thence South 00°18'32" East along said centerline a distance of 195.77 feet;

Thence South 88°04'25" West a distance of 589.73 feet;

Thence North 01°55'35" West a distance of 265.22 feet to the True Point of Beginning;

Said Parcel contains 136,639 sq. ft. or 3.14 acres of land more or less as shown on the attached Exhibit B which by this reference is made a part hereof.



Annex

City File Number \_\_\_\_\_

Descriptive Title \_\_\_\_\_

ANNEXATION MAP  
A PORTION OF  
INSTRUMENT 3546194

COCONINO COUNTY RECORDS LOCATED IN  
SECTION 19, T 21 N, R 7 E, FLAGSTAFF,  
COCONINO COUNTY, ARIZONA

SCALE: 1"=100'

Found 1/2" Rebar w/  
Plastic Cap Illegible  
Marked

NW  
corner  
183.66'  
Ins. 3546194

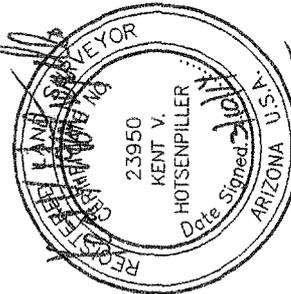
U.S. HIGHWAY 66

N85°15'51"W 782.96'

South R.O.W. Hwy 66  
599.30'

Found 1/2" Rebar  
Bent

NE  
corner  
Ins. 3546194



Expires on 3/31/15

Survey was performed in March of 2014.  
City Limit boundary as determined by COF  
GIS. Information shown hereon is true and  
correct to the best of my knowledge.

Annexed Area  
136,639 sq.ft.  
3.14 acres

Future  
Right-of-Way

WOODY MOUNTAIN  
ROAD

N00°18'32"W  
195.77'

County  
City

N88°04'25"E  
589.73'

INSTRUMENT 3546194

HORIZONTAL SCALE: 1"=100'

VERTICAL SCALE:

DESIGNED/DRAWN BY: kvh

PROJECT NO. 12992

DATE: 3/10/14

EXHIBIT B  
ANNEXATION  
MAP

**Mogollon**  
ENGINEERING  
& SURVEYING

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