

**RESOLUTION NO. 2014-42**

**A RESOLUTION OF THE CITY OF FLAGSTAFF, ARIZONA APPROVING A  
PRE-ANNEXATION AGREEMENT BETWEEN THE CITY OF FLAGSTAFF  
AND THE GOSCH FAMILY LIVING TRUST**

**RECITALS:**

WHEREAS, the Gosch Family Living Trust, an Arizona living trust ("Owner"), owns approximately 6.4 acres of real property located adjacent to Route 66 in Coconino County, Arizona, legally described and depicted in Exhibits "A" and "B" 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 does not meet the contiguity prerequisite 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 its future development after annexation; 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 December 2, 2014 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 2nd day of December, 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'  
LEGAL DESCRIPTION FOR GOSCH PRE-ANNEXATION

LOCATED IN THE northeast one-quarter of Section 24, Township 21 North, Range 6 East (NE/4 Sec. 24, T21N, R6E) of the Gila and Salt River Meridian (G&SRM), Coconino County, Arizona;

BEING ALL THAT portion of land described in Instrument No. 3477525, Coconino County records, a copy of which is attached hereto as reference.

**LEGAL DESCRIPTION**  
**ASSESSOR'S PARCEL NO: 116-04-006**

A PARCEL OF LAND IN THE COUNTY OF COCONINO, STATE OF ARIZONA LYING IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 6 EAST, GILA AND SALT RIVER MERIDIAN, DESCRIBED AS FOLLOWS:

THAT CERTAIN 5.967 ACRE PARCEL OF LAND DESCRIBED IN DEED DATED MAY 22, 1972 FROM SANTA FE LAND IMPROVEMENT COMPANY TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, RECORDED JUNE 12, 1972 IN DOCKET 427, PAGES 354-356 RECORDS OF SAID COUNTY, SAID 5.967 ACRE PARCEL BEING DESCRIBED IN SAID DEED FOR REFERENCE AS FOLLOWS:

"BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, BEING DISTANT SOUTH (BEARINGS ASSUMED FOR PURPOSE OF THIS DESCRIPTION) ALONG THE EASTERLY LINE OF SAID SECTION 24 1317.78 FEET FROM THE NORTHEASTERLY CORNER OF SAID SECTION; THENCE NORTH 88°03'46" WEST ALONG THE SOUTHERLY LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER 713.42 FEET; THENCE NORTH 70°42'46" WEST ALONG A LINE 641.68 FEET TO ITS INTERSECTION WITH THE WESTERLY LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 0°14'16" EAST ALONG SAID WESTERLY LINE 331.83 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY LINE OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY'S 200 FOOT WIDE RIGHT OF WAY AS DESCRIBED IN DEED TO THE SANTA FE LAND IMPROVEMENT COMPANY, DATED AUGUST 21, 1917, RECORDED NOVEMBER 14, 1917, IN BOOK 44 OF DEEDS, PAGES 561 AND 562, RECORDS OF SAID COUNTY; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE, FROM WHENCE A TANGENT BEARS SOUTH 54°07'21" EAST, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1546.12 FEET, THROUGH A CENTRAL ANGLE OF 12°13'14" A DISTANCE OF 329.77 FEET; THENCE SOUTH 66°20'35" EAST (TANGENT TO THE PRECEDING COURSE) 559.01 FEET TO POINT OF TANGENCY; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE, CONCAVE NORTHERLY AND HAVING A RADIUS OF 1049.99 FEET, THROUGH A CENTRAL ANGLE OF 29°01'29" A DISTANCE OF 531.90 FEET TO A POINT IN THE EASTERLY LINE OF SAID SECTION; THENCE SOUTH 96.54 FEET ALONG SAID EASTERLY LINE TO A POINT OF BEGINNING.

"CONTAINING AN AREA OF 5.967 ACRES, MORE OR LESS."

EXHIBIT 'B'  
LEGAL DESCRIPTION FOR GOSCH PRE-ANNEXATION

LOCATED IN THE northeast one-quarter of Section 24, Township 21 North, Range 6 East (NE/4 Sec. 24, T21N, R6E) of the Gila and Salt River Meridian (G&SRM), Coconino County, Arizona;

BEING ALL of Parcel 8 as depicted in Results of Survey recorded in Instrument No. 3651545, Coconino County records.