

ORDINANCE NO. 2015-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF FLAGSTAFF, COCONINO COUNTY, STATE OF ARIZONA, BY ANNEXING CERTAIN LAND TOTALING APPROXIMATELY 44.01 ACRES LOCATED AT 3200 W. ROUTE 66, AND ESTABLISHING CITY ZONING FOR SAID LAND AS RURAL RESIDENTIAL (RR); PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, petitioner, City of Flagstaff, owns a certain 44.01-acre parcel of land located at 3200 W. Route 66 (the "Property"), all of which is 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 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 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 the 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, the Petition sets 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 the Petition had been signed by an owner of real or personal property in such territory; and

WHEREAS, the provisions of Section 9-471 of the 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, which is on file in the office of the Coconino County Recorder; and

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

WHEREAS, the Council finds that the proposed annexation of the Property has been considered by the Planning and Zoning Commission and that 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 Regional Plan 2030 enacted in May, 2014 ("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; 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 Rural Residential (RR).

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. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 7. The City Clerk is hereby authorized to correct typographical and grammatical errors, as well as errors of wording and punctuation, as necessary related to this ordinance as amended herein, and to make formatting changes needed for purposes of clarity and form, or consistency, within thirty (30) days following adoption by the City Council.

SECTION 8. This Ordinance shall become effective thirty (30) days after adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this _____ day of _____, 20____.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

LEGAL DESCRIPTION
APN: 112-01-001D
ANNEXATION Exhibit 'A'
#14065
9/17/2015

A parcel of land lying within the north half of Section 19, Township 21 North, Range 7 East, of the Gila Salt River Meridian, Coconino County, Arizona, described as follows:

Beginning at the northeast corner of that parcel of land as shown on Instrument #3396969 (R1) and Book 11, Page 19, Official Records of Coconino County, a ½" rebar with aluminum cap "PE 971 LS 4321", from which a ½" rebar with aluminum cap "PE 971 LS 4321" at the southeast corner of said parcel bears South 00°19'42" West, 1322.85 feet (Basis of Bearing, R1);

Thence along the east line of said parcel, South 00°19'42" West, 341.97 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing along said east line, South 00°19'42" West, 980.88 feet to said southeast corner;

Thence along the south line of said parcel, South 89°44'28" West, 649.41 feet to a ½" rebar with aluminum cap "PE 971 LS 4321";

Thence continuing along said south line, South 89°44'57" West, 1293.89 feet to a ½" rebar with plastic cap "RLS 18215";

Thence leaving said south line, North 00°00'00" East, 989.46 feet;

Thence North 90°00'00" East, 1948.91 feet to the **TRUE POINT OF BEGINNING**;

Containing 44.01 acres, more or less.

See exhibit 'B' attached hereto and made a part hereof.

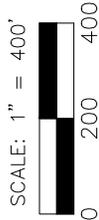
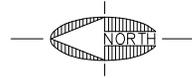
This legal description was prepared by Aaron D. Borling, RLS 48756, on behalf of and at the request of Shephard-Wesnitzer, Inc., Flagstaff, Az.



ANNEXATION MAP - EXHIBIT 'B'

A PORTION OF THE NORTH HALF OF SECTION 19,
TOWNSHIP 21 NORTH, RANGE 7 EAST

GILA AND SALT RIVER MERIDIAN, COCONINO COUNTY, ARIZONA



NE COR.
SEC. 19

N89°36'21"E 2641.04'(R1)

N 1/4 COR.
SEC. 19

BNSF RAILWAY

APN: 112-01-001E

P.O.B.
EXHIBIT 'A'

N90°00'00"E 1948.91'

N00°00'00"E 989.46'

APN: 112-01-001D
INST. #3708686

APN: 112-01-002
INST. #3106795
PARCEL NO. 2

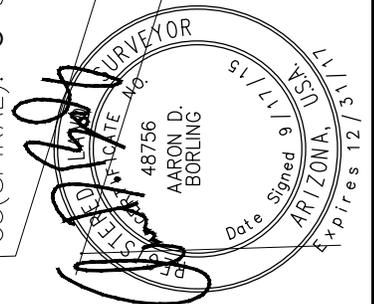
S89°44'57"W 1293.89'

W. ROUTE 66

S89°44'28"W 649.41'

- C1(SPIRAL): \ominus -3°00'00", L=297.00
- C2: Δ -6°30'00", R=2798.79', L=317.50
- C3(SPIRAL): \ominus -3°00'00", L=297.00

980.88'
S 00°19'42" W 1322.85'
BASIS OF BEARING



110 West Dale Ave
Flagstaff, Az 86001
928.773.0354
928.774.8934 fax

Shephard & Wesnitzer, Inc. www.swiaz.com

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|----------|-----------|
| JOB NO: | 14065 |
| DATE: | 9/17/2015 |
| SCALE: | 1" = 400' |
| DRAWN: | ADB |
| DESIGN: | |
| CHECKED: | ADB |

McALLISTER RANCH

COCONINO COUNTY
ARIZONA

SHEET

2

OF 2