ORDINANCE NO. 2822

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF GILBERT, MARICOPA COUNTY ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE TOWN OF GILBERT, MARICOPA COUNTY, ARIZONA, BY ANNEXING CERTAIN RIGHTS-OF-WAY CONSISTING OF APPROXIMATELY 4.02 ACRES OF VAL VISTA DRIVE RIGHT-OF-WAY, GENERALLY LOCATED FROM CLOUD ROAD TO RIGGS ROAD, FROM THE CITY OF CHANDLER CONTINGENT UPON DEANNEXATION OF SAID TERRITORY BY THE CITY OF CHANDLER PURSUANT TO THE PROVISIONS OF A.R.S. §9-471.02; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY

WHEREAS, A.R.S. \S 9-471.02 provides a method for deannexation of land from one municipality and the annexation to another municipality; and

WHEREAS, it is the desire of the Town of Gilbert to annex into the Town certain territory now within the corporate limits of the City of Chandler; and

WHEREAS, the territory proposed to be annexed into the Town of Gilbert is adjacent to the corporate limits of the Town of Gilbert.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the Town of Gilbert, Arizona, as follows:

Section I. In General.

- 1. That portion of Val Vista Road right-of-way generally located between Cloud Road and Riggs Road, consisting of approximately 4.02 acres, as legally described in **Exhibit A** attached hereto and depicted in the accurate maps attached hereto as **Exhibit A** are hereby annexed into the corporate limits of the Town of Gilbert, contingent upon deannexation by the City of Chandler and fulfillment of the provisions and requirements set forth in A.R.S. § 9-471.02.
- 2. A copy of this Ordinance, together with documentation of approval by the Maricopa County Board of Supervisors shall be filed and recorded in the Office of the County Recorder of Maricopa County, Arizona and sent to the Clerk of the Maricopa County Board of Supervisors.

Section II. <u>Providing for Repeal of Conflicting Ordinances.</u>

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section III. Providing for Severability.

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.

PASSED AND ADOPTED by the Common Council of the Town of Gilbert, Arizona, this 12th day of April, 2022, by the following vote:

AIES. Anderson, Koprowski, Pet	terson, September
NAYES:	ABSENT: <u>Hendrix, Tilque, Yentes</u>
EXCUSED:	ABSTAINED:
APPROVED this 12th day	of April, 2022.
Brigette Pe	terson, Mayor
ATTEST: Chaveli Herrera, Town Clerk	
APPROVED AS TO FORM:	
Christopher W. Payne, Town Attorney	
CORRECT COPY OF THE ORDINANO	K, DO HEREBY CERTIFY THAT A TRUE AND CE NO. 2822 ADOPTED BY THE COMMON RT ON THE 12TH DAY OF APRIL, 2022, WAS

The following exhibit is attached hereto and incorporated herein:

POSTED-IN FOUR PLACES ON THE 13TH DAY OF APRIL 2022.

1. Exhibit A - Legal Description, Exhibit and Map

Chaveli Herrera, Town Clerk

EXHIBIT A

EXHIBIT "A" VAL VISTA ROAD ANNEXATION MARICOPA COUNTY VAL VISTA RD (CLOUD ROAD – RIGGS ROAD)

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 29, BEING MARKED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 29, BEING MARKED BY BRASS CAP IN HANDHOLE, BEARS SOUTH 00 DEGREES 02 MINUTES 45 SECONDS WEST, 2651.50 FEET;

THENCE SOUTH 00 DEGREES 02 MINUTES 45 SECONDS WEST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER 2651.50 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 29;

THENCE ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER SOUTH 89 DEGREES 44 MINUTES 42 SECONDS WEST 65.00 FEET TO A POINT ON A LINE 65.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER;

THENCE ALONG SAID PARALLEL LINE NORTH 00 DEGREES 02 MINUTES 45 SECONDS EAST 1607.68 FEET;

THENCE DEPARTING SAID PARALLEL LINE, NORTH 44 DEGREES 57 MINUTES 15 SECONDS WEST, 32.53 FEET TO A LINE 88.00 FEET WEST OF AND PARALLEL TO THE EAST LINE;

THENCE NORTH 00 DEGREES 02 MINUTES 45 SECONDS WEST, ALONG SAID PARALLEL LINE, 68.00 FEET;

THENCE DEPARTING SAID PARALLEL LINE, NORTH 45 DEGREES 02 MINUTES 45 SECONDS EAST, 25.46 FEET TO A LINE 70.00 FEET WEST OF AND PARALLEL TO SAID EAST LINE;

THENCE NORTH 00 DEGREES 02 MINUTES 45 SECONDS EAST, ALONG SAID PARALLEL LINE, 150.65 FEET:

THENCE DEPARTING SAID PARALLEL LINE, NORTH 06 DEGREES 02 MINUTES 24 SECONDS EAST, 47.88 FEET TO A LINE 65 FEET WEST OF AND PARALLEL TO SAID EAST LINE;

THENCE NORTH 00 DEGREES 02 MINUTES 45 SECONDS EAST, ALONG SAID PARALLEL LINE, 736.46 FEET TO THE EAST-WEST MID-SECTION LINE OF SAID SECTION 29;

THENCE DEPARTING SAID PARALLEL LINE, NORTH 89 DEGREES 40 MINUTES 36 SECONDS EAST, 65.00 FEET, ALONG SAID EAST-WEST MID-SECTION LINE TO SAID POINT OF BEGINNING.

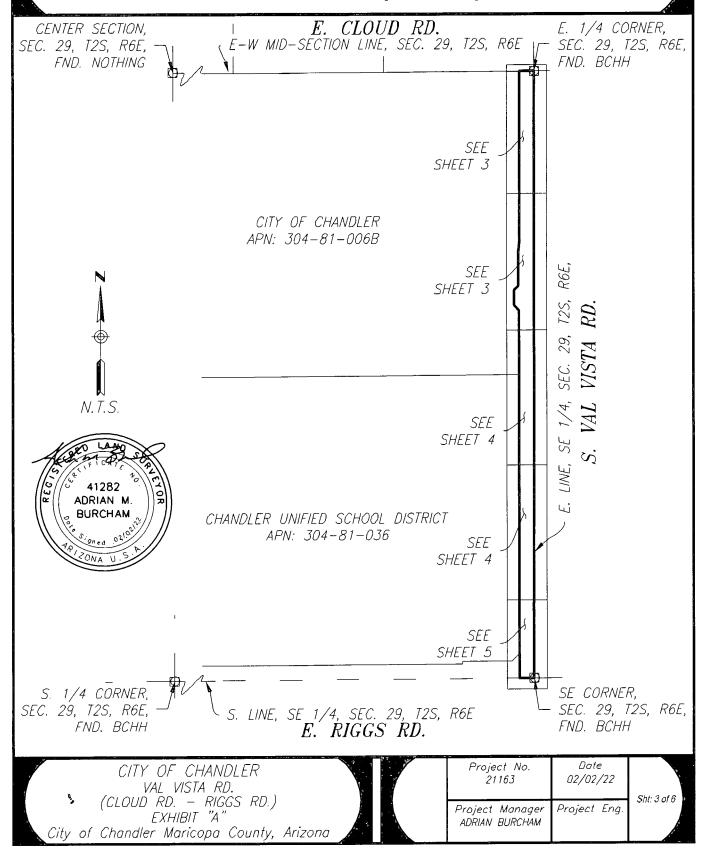
SAID PARCEL CONTAINS 175,298 SQUARE FEET OR 4.0243 ACRES MORE OR LESS.

File: ANNEX #5 City of Chandler Project No.: 21163

Hubbard Engineering (Mesa, AZ) Page 1 of 6 aburcham@hubbardengineering.com

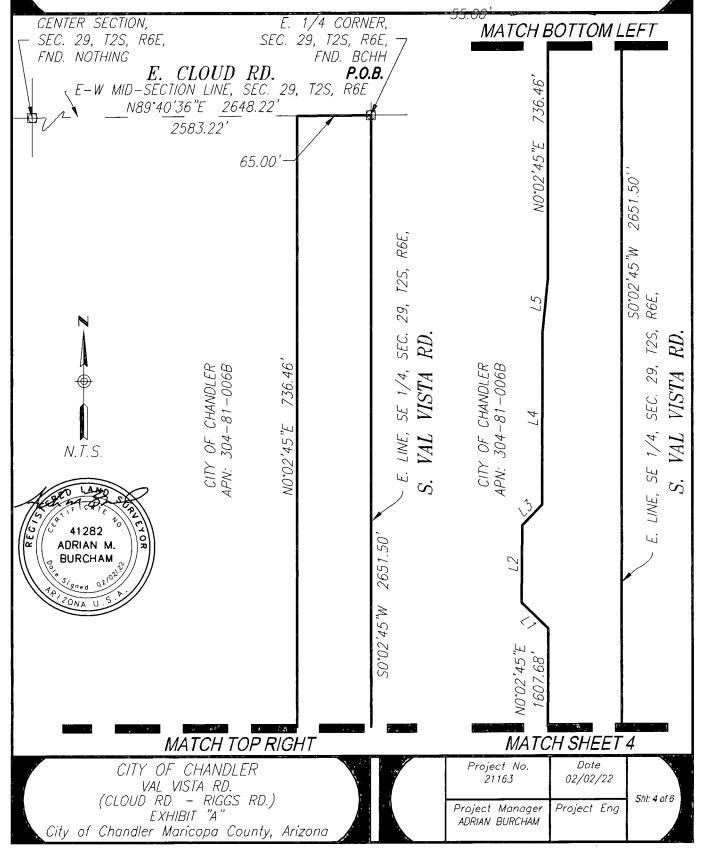


1201 S. Alma School Rd, Suite 12000 Mesa, AZ 85210 Ph: 480.892,3313



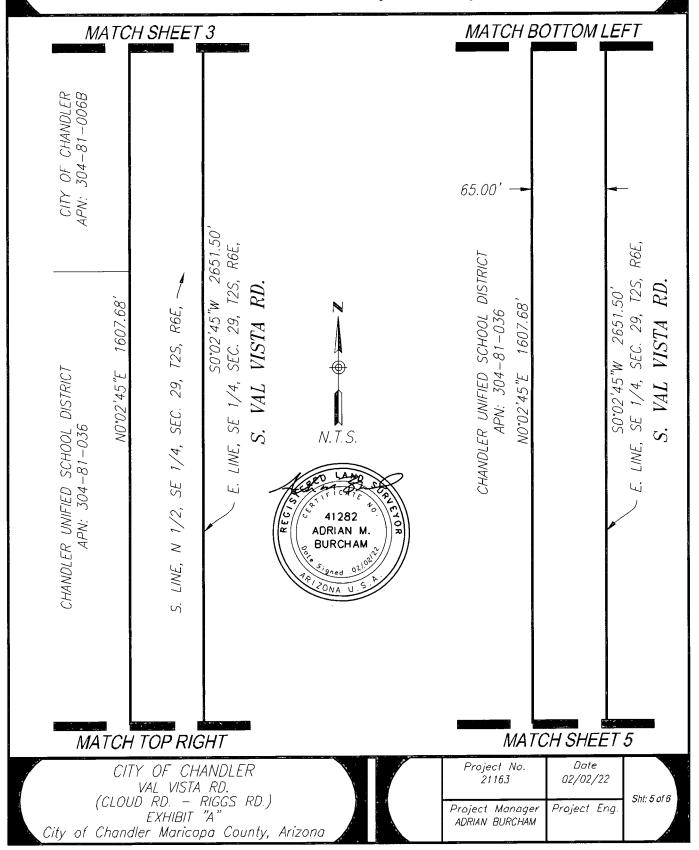


1201 S. Alma School Rd. Suite 12000 Mesa, AZ 85210 Ph: 480.892.3313



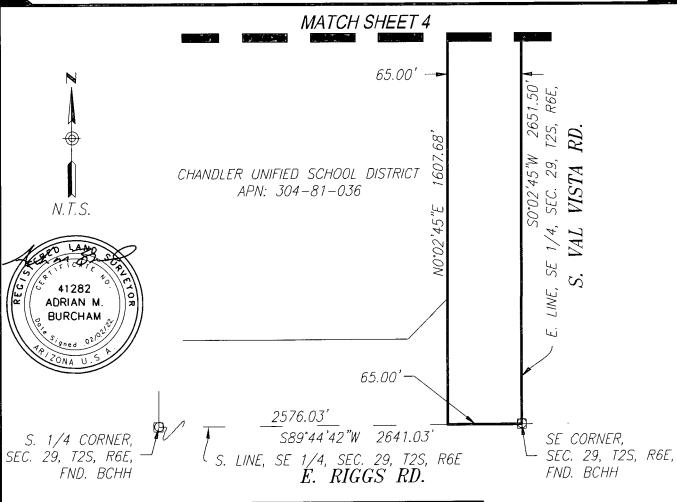


1201 S. Alma School Rd. Suite 12000 Mesa, AZ 85210 Ph: 480.892.3313





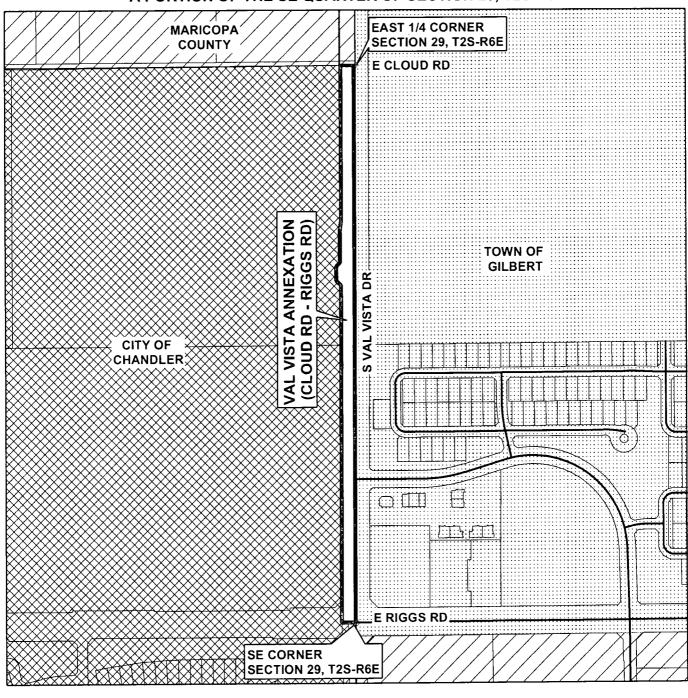
1201 S. Alma School Rd. Suite 12000 Mesa, AZ 85210 Ph: 480.892.3313



LINE TABLE						
LINE #	BEARING	LENGTH				
L 1	N44°57'15"W	32.53				
L2	N0°02'45"E	68.00'				
L3	N45°02'45"E	25.46				
L4	N0°02'45"E	150.65				
L5	N6°02'24"E	47.88				

CITY OF CHANDLER VAL VISTA RD.	Project No. 21163	Date 02/02/22	Sht: 6 of 6
(CLOUD RD. – RIGGS RD.) EXHIBIT "A" City of Chandler Maricopa County, Arizona	Project Manager ADRIAN BURCHAM	Project Eng.	3III. 0 01 0

VAL VISTA ROAD (CLOUD RD - RIGGS RD) ANNEXATION A PORTION OF THE SE QUARTER OF SECTION 29, T2S-R6E



A portion of the southeast quarter of Sec County, Arizona.	ction 29, T2S	, R6E of the	e Gila and Sa	It River Base an	d Meridian Maricopa
I, Brigette Peterson, Mayor of the Town map of the territory annexed under and territory and by Ordinance No, a said map as part of the corporate limits	by the virtue annexing the	of the petiti- territory des	on of the real scribed in Ord	and personal pr	operty owners in the said
Brigette Peterson, Mayor	- N •	0	350	700	

MARICOPA COUNTY RECORDER
STEPHEN RICHER
20220766328 10/10/2022 02:46
ELECTRONIC RECORDING

COB1772-19-1-1--Garciac

CAPTION HEADING:

Deannexation from the City of Chandler
Ordinance No. 5010
and
Annexation to the Town of Gilbert
Ordinance No. 2822

Reason for recording: Recording county and city/town documents pertaining to the deannexation and annexation approved by the Board of Supervisors on Wednesday, July 27, 2022.

(C-06-22-730-X-00)

DO NOT REMOVE

This is part of the official document

COUNTY OF MARICOPA

State of Arizona

Office of the Clerk Board of Supervisors

State of Arizona) ss.
County of Maricopa)

I, Juanita Garza, Clerk of the Board of Supervisors, do hereby certify that the following is a true and correct statement of the agenda item and the action taken by the Board of Supervisors at their meeting held on July 27, 2022.

20. DEANNEXATION FROM CITY OF CHANDLER AND ANNEXATION TO TOWN OF GILBERT

Pursuant to § A.R.S. 9-471.02, convene the scheduled public hearing regarding ordinances filed to deannex 4.0243 acres of territory located on Val Vista Road Right-of-Way between Cloud and Riggs Roads from the City of Chandler (Ordinance No. 5010) and annex to the Town of Gilbert (Ordinance No. 2822).

Upon determining that the statutory requirements have been satisfied and upon the holding of the public hearing, order that the territory be deannexed from the City of Chandler and that the same territory be annexed to the Town of Gilbert as specified in the two ordinances. (Supervisorial District 1) (C-06-22-730-X-00)

Motion to approve by Supervisor Clint Hickman, seconded by Supervisor Steve Gallardo

Ayes: Bill Gates: Clint Hickman, Jack Sellers: Thomas Galvin: Steve Gallardo



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the County of Maricopa. Done at Phoenix, the County Seat, on July 27, 2022.

Clerk of the Board of Supervisors

When recorded mail to:

MARICOPA COUNTY RECORDER
STEPHEN RICHER
202220786444 10/19/2022 01:13. N
ELECTRONIC RECORDING
GILBERT2303-12-1-1-
Town Of Gilbert

Town Clerk
50 East Civic Center Drive
Gilbert AZ 85296

This area reserved for County Recorder

OFFICIAL RECORDS OF

CAPTION HEADING Ordinance No. 2822

RESOLUTION AND ORDER

C-06-22-730-X-00

WHEREAS, pursuant to A.R.S. § 9-471.02, the City of Chandler passed and adopted Ordinance No. 5010 declaring the deannexation of the territory described as follows:

Right-of-way general location: Val Vista Road Right-of-Way between Cloud and Riggs Roads. More particularly described as:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 29, BEING MARKED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 29, BEING MARKED BY BRASS CAP IN HANDHOLE, BEARS SOUTH 00 DEGREES 02 MINUTES 45 SECONDS WEST, 2651.50 FEET;

THENCE SOUTH 00 DEGREES 02 MINUTES 45 SECONDS WEST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER 2651.50 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 29:

THENCE ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER SOUTH 89 DEGREES 44 MINUTES 42 SECONDS WEST 65.00 FEET TO A POINT ON A LINE 65.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER;

THENCE ALONG SAID PARALLEL LINE NORTH 00 DEGREES 02 MINUTES 45 SECONDS EAST 1607.68 FEET;

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THENCE NORTH 00 DEGREES 02 MINUTES 45 SECONDS EAST, ALONG SAID PARALLEL LINE, 150.65 FEET;

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THENCE DEPARTING SAID PARALLEL LINE,
NORTH 89 DEGREES 40 MINUTES 36 SECONDS EAST, 65.00 FEET,
ALONG SAID EAST-WEST MID-SECTION LINE TO SAID POINT OF
BEGINNING.

SAID PARCEL CONTAINS 175,298 SQUARE FEET OR 4.0243 ACRES MORE OR LESS. Supervisory District No. 1.

WHEREAS, the Town of Gilbert passed and adopted by Ordinance No. 2822 annexing the same territory described above; and

WHEREAS, the aforesaid Ordinances were filed with the Maricopa County Board of Supervisors; and

WHEREAS, after such notice as was appropriate and legally required, the Maricopa County Board of Supervisors scheduled a hearing on the matter on Wednesday, July 27, 2022; and

WHEREAS, it was determined at such hearing that the requirements of Section 9-471.02, Arizona Revised Statutes, have been satisfied; and

WHEREAS, no protests were filed before the Board of Supervisors,

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the territory be deannexed from the City of Chandler and that the same territory be annexed to the Town of Gilbert; and

BE IT FURTHER RESOLVED that a copy of this order be filed with the Recorder's Office of Maricopa County.

DATED this 27th day of July, 2022.

Bill Gates, Chairman of the Board

ATTEST:

manita Garza, Clerk of the Board

MARICOPA COUNTY RECORDER
STEPHEN RICHER
20220422049 05/16/2022 11:49
ELECTRONIC RECORDING

When recorded, return to:

Chandler City Clerk Mail Stop 606 PO Box 4008 Chandler, AZ 85244-4008 ORD5010-6-1-1-- morgana

CAPTION HEADING:

Please Record Ordinance 5010 Of The City Council Of The City Of Chandler, Arizona, Decreasing The Corporate Limits Of The City Of Chandler (Val Vista Right-Of way Between Cloud And Riggs Road) Comprising Approximately 4 Acres, Pursuant To The Provisions Of Arizona Revised Statutes Title 9, Chapter 4, Article 7, By De-Annexing Thereto Territory Contiguous To The Existing City Limits Of The City Of Chandler, Contingent Upon It's Being Annexed By The Town Of Gilbert.

DO NOT REMOVE

This is part of the official document

ORDINANCE NO. 5010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, DECREASING THE CORPORATE LIMITS OF THE CITY OF CHANDLER (VAL VISTA RIGHT-OFWAY BETWEEN CLOUD AND RIGGS ROAD) COMPRISING APPROXIMATELY 4 ACRES, PURSUANT TO THE PROVISIONS OF ARIZONA REVISED STATUTES TITLE 9, CHAPTER 4, ARTICLE 7, BY DE-ANNEXING THERETO TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF CHANDLER, CONTINGENT UPON IT'S BEING ANNEXED BY THE TOWN OF GILBERT.

WHEREAS, the City of Chandler 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 Town of Gilbert has requested that the City of Chandler de-annex and sever the territory from it's corporate limits, and has notified the City of Chandler of it's desire to adopt an ordinance to annex the territory; and

WHEREAS, the City consents to and approves of the proposed de-annexation contingent upon the County's consent to and approval of the proposed de-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:

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 de-annexed from the City of Chandler contingent upon its being annexed by 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 decreased to remove 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 de-annexed from the City of Chandler, certified by the Mayor of the City of Chandler, be forthwith filed with the Clerks 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 de-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 de-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

		fully contracted by the City of Chandler and remains f which such land could be lawfully taxed.
Section 4.	with documentation of approve accurate map of the territory to	to file and record a copy of this Ordinance, together al by Maricopa County Board of Supervisors and are be de-annexed from the City of Chandler, certified the County Recorder of Maricopa County, Arizona.
Section 5.		partment of the City of Chandler is hereby directed to nents as may be necessary upon the Zoning Map of the th this ordinance.
	ED AND TENTATIVELY APPL 24 day of March 202	ROVED by the City Council of the City of Chandler 22.
	Long.	Kevin Harthe MAYOR
	ND ADOPTED by the City Cour, 2022.	ncil of the City of Chandler, Arizona this 14 day
ATTEST:		_
Dana R. D	Long_ K	Kerin Harthe MAYOR
CITY CLER	K	MAYOR

CERTIFICATION

I HEI	REBY (CERTIFY	that the	above ar	d foregoing	Ordinance	No.	5010	was	duly	passec	land
adopt	ed by th	ne City Co	ouncil of	the City	of Chandler	, Arizona,	at a	regula	r me	eting	held o	n the
14	day of	April			2022, and th	at a quorur	n was	s prese	ent th	ereat.		

APPROVED AS TO FORM:

Thomalen

CITY ATTORNEY /A

TY CLERK

Published: in the Arizona Republic on: April 29, and May 6, 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 OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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NORTH 89 DEGREES 40 MINUTES 36 SECONDS EAST, 65.00 FEET,
ALONG SAID EAST-WEST MID-SECTION LINE TO SAID **POINT OF BEGINNING.**

SAID PARCEL CONTAINS 175,298 SQUARE FEET OR 4.0243 ACRES MORE OR LESS.

