

ORDINANCE NO. 2883

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF GILBERT, MARICOPA COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE TOWN OF GILBERT, MARICOPA COUNTY, STATE OF ARIZONA, IN ANNEXATION CASE NUMBER **A22-02**, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO BY ANNEXING CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING TOWN LIMITS OF THE TOWN OF GILBERT.

WHEREAS, on May 9, 2023, the Town filed in the office of the Maricopa County Recorder a blank petition setting forth a description and an accurate map of the entire area to be annexed, showing the exterior boundaries of territory contiguous to the Town, and showing any county rights-of-way and roadways with no taxable value within or contiguous to the exterior boundaries; and

WHEREAS, a notice and copy of the filing was given to the Clerk of the Maricopa County Board of Supervisors and to the Maricopa County Assessor; and

WHEREAS, notice of public hearing to consider the proposed annexation was given as required by A.R.S. Section 9-471(A)(3) and the public hearing was held on June 6, 2023; and

WHEREAS, at least thirty (30) days have elapsed since the filing of the blank petition with the Maricopa County Recorder's Office; and

WHEREAS, a written petition was filed in the office of the Maricopa County Recorder and signed by the owners of one-half or more in value of the real and personal property and more than one-half of the persons owning real and personal property that would be subject to taxation by the Town of Gilbert in the event of annexation within the territory and land hereinafter described as shown by the last assessment of said property; and

WHEREAS, the petition was circulated and filed in the office of the County Recorder within one (1) year after the last day of the thirty (30) day waiting period under the statute; and

WHEREAS, an affidavit was filed with the County Recorder along with said petition verifying that no part of the territory for which the filing is made is already subject to an earlier filing for annexation; and

WHEREAS, said territory is contiguous to the Town of Gilbert, and not now embraced within its limits, and the petition is asking that the property more particularly hereinafter described be annexed to the Town of Gilbert, and that the corporate limits of the Town of Gilbert be extended and increased so as to embrace said territory; and

WHEREAS, the Mayor and Council of the Town of Gilbert, Arizona desire to comply with said petition and extend and increase the corporate limits of the Town of Gilbert to include said territory; and

WHEREAS, said petition sets forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed to the Town of Gilbert, and has attached to it 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 was signed by a property owner; and

WHEREAS, no state lands were encompassed in this annexation; and

WHEREAS, the Town may elect to provide regular fire department services to a newly annexed area under A.R.S. Section 48-813(A); and

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file with the Town of Gilbert, Arizona, together with the original petition referred to herein.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF GILBERT, ARIZONA, as follows:

SECTION 1. That the following described territory be, and the same is, annexed to the Town of Gilbert, and that the present corporate limits be, and the same hereby are, extended and increased to include the territory contiguous to the present Town Limits, as described in the Legal Description, **Exhibit A**, and shown on the map of the boundaries, **Exhibit B**, both of which are attached hereto and incorporated herein.

SECTION 2. Pursuant to A.R.S. Section 48-813(A), the property depicted in **Exhibits A and B** is hereby placed under the Town's fire, emergency medical and police protection generally provided to other residents within the Town. The services shall take effect on the date on which this annexation becomes final without further action by the Town Council.

SECTION 3. Pursuant to A.R.S. Section 9-471(L) the zoning classification for the property shall be General Commercial (GC), Multi-Family/Medium (MF/M), Single Family Attached (SF/A) and Single Family Detached (SF/D), which permits densities and uses no greater than those permitted by the county immediately before the annexation.


PASSED AND ADOPTED by the Common Council of the Town of Gilbert, Arizona, this 24th day of October, 2023, by the following vote:

AYES: ANDERSON, BONGIOVANNI, BUCHLI, KOPROWSKI, PETERSON, TILQUE, TORGESON

NAYS: _____ ABSENT: _____

EXCUSED: _____ ABSTAINED: _____

APPROVED this 24th day of October, 2023.



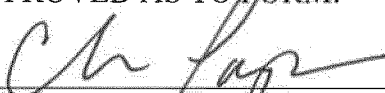
Brigette Peterson, Mayor

ATTEST:



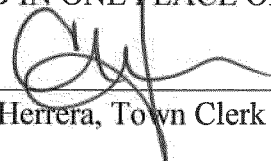
Chaveli Herrera, Town Clerk

APPROVED AS TO FORM:



Christopher W. Payne, Town Attorney

I, CHAVELI HERRERA, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2883 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF GILBERT ON THE 24TH DAY OF OCTOBER, 2023, WAS POSTED IN ONE PLACE ON THE 25TH DAY OF OCTOBER, 2023.



Chaveli Herrera, Town Clerk

The following exhibits are attached hereto and incorporated herein:

- A. Legal Description
- B. Annexation Map

**POWER ROAD & WILLIAMS FIELD
ANNEXATION PARCEL
LEGAL DESCRIPTION**

A portion of land as described in that certain document entitled "Special Warranty Deed" as recorded in Document no. 2011-0759475, Records of Maricopa County, Arizona, being situated within the Southeast Quarter of Section 25, Township 1 South, Range 6 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found Town of Gilbert Brass cap in hand hole accepted as the South Quarter corner of said Section 25 from which a found City of Mesa Brass cap in hand hole accepted as the Southeast Corner thereof bears North 89°26'44" East, 2624.31 feet;

Thence North 00°52'58" West, 65.00 feet along the north-south Mid-section line of said Section 25 to the **POINT OF BEGINNING**;

Thence continuing along said north-south Mid-Section line, North 00°52'58" West, 1494.86 feet to the north line of said deed;

Thence leaving said north-south Mid-Section line, North 89°33'37" East, 2534.21 feet along said north line to the westerly Right-of-Way line of Power Road being on a non-tangent curve, concave northwesterly, having a radius of 1432.40 feet, the center of which bears North 78°44'04" West;

Thence southwesterly along said westerly Right-of-Way and along said curve, through a central angle of 09°38'04", an arc length of 240.86 feet to a non-tangent line, said line being the easterly line of said Special Warranty Deed;

THENCE CONTINUING ALONG SAID EASTERLY LINE THE FOLLOWING TWENTY-TWO (22) COURSES;

Thence South 89°23'32" West, 539.17 feet;

Thence South 00°53'32" East, 207.67 feet;

Thence North 89°15'39" East, 77.37 feet;

Thence South 05°20'45" East, 123.40 feet;

Thence South 80°50'14" East, 107.97 feet;

Thence North 26°47'53" East, 60.87 feet;

Thence South 67°06'07" East, 147.91 feet;

Thence South 21°43'42" East, 37.66 feet;

Thence South 58°34'43" East, 46.36 feet;

Thence South 23°23'28" West, 8.00 feet;

Thence South 22°58'52" West, 220.62 feet;
Thence South 22°39'55" West, 57.12 feet;
Thence South 21°38'45" West, 42.99 feet;
Thence South 20°20'44" West, 4.90 feet;
Thence South 21°44'30" West, 40.26 feet;
Thence South 21°26'04" West, 4.99 feet;
Thence South 21°04'28" West, 210.16 feet;
Thence South 21°25'57" West, 5.28 feet;
Thence South 21°16'58" West, 43.36 feet;
Thence South 16°14'22" West, 10.06 feet;
Thence South 16°12'18" West, 89.58 feet;
Thence South 15°30'44" West, 162.80 feet to the north Right-of-Way line of Williams Field Road;

THENCE THE FOLLOWING THREE (3) COURSES ALONG SAID NORTH LINE;

Thence South 89°26'44" West, 581.67 feet;
Thence South 00°52'41" West, 5.00 feet;
Thence South 89°26'44" West, 1429.34 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 3,243,251 sq. ft. (74.455 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 2386
Date: April 2023



NORTH QUARTER CORNER
SECTION 25, T1S, R6E
FOUND TOWN OF GILBERT
BRASS CAP FLUSH

3699.53'

N89°33'37"E 2534.21'

N89°23'32"E 539.17'

N00°52'58"W 1494.86'

ANNEXATION
3,243,251 SQ FT
74.455 ACRES

POINT OF BEGINNING

N0°52'58"W
65.00'

S89°26'44"W 1429.34'

L22

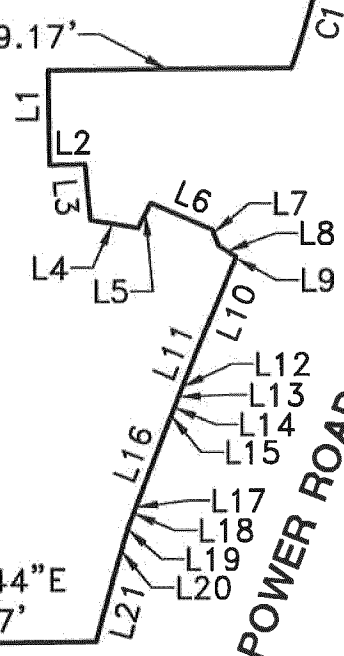
N89°26'44"E
581.67'

N89°26'44"E 2624.31'

WILLIAMS FIELD
ROAD

SOUTH QUARTER CORNER
SECTION 25, T1S, R6E
FOUND TOWN OF GILBERT
BRASS CAP IN HAND HOLE
POINT OF COMMENCEMENT

SOUTHEAST CORNER
SECTION 25, T1S, R6E
FOUND CITY OF MESA
BRASS CAP IN HAND HOLE




POWER ROAD

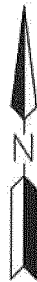


SEE SHEET 2 FOR LINE
AND CURVE TABLE


SHEET 1 OF 2

PROJ.NO.: 2386	POWER AND WILLIAMS FIELD ANNEXING PORTION GILBERT, ARIZONA	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: APR 2023		
SCALE: N.T.S.	EXHIBIT	
DRAWN BY: BG		
CHECKED BY: PR		

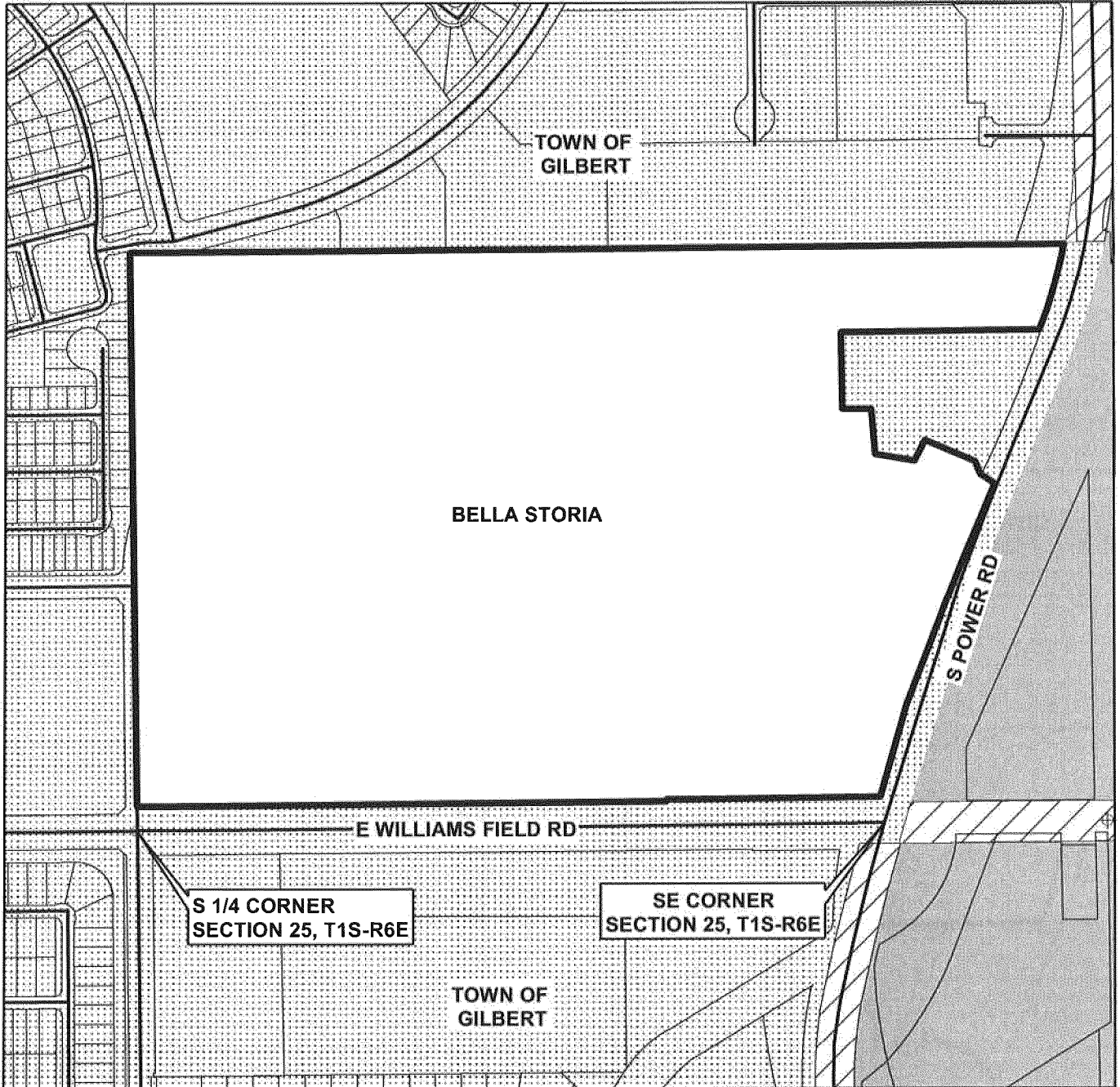
CURVE TABLE				LINE TABLE		
CURVE NO.	RADIUS	DELTA	LENGTH	LINE NO.	DIRECTION	LENGTH
C1	1432.40'	9°38'04"	240.86'	L1	S00°53'32"E	207.67'
				L2	N89°15'39"E	77.37'
				L3	S05°20'45"E	123.40'
				L4	S80°50'14"E	107.97'
				L5	N26°47'53"E	60.87'
				L6	S67°06'07"E	147.91'
				L7	S21°43'42"E	37.66'
				L8	S58°34'43"E	46.36'
				L9	S23°23'28"W	8.00'
				L10	S22°58'52"W	220.62'
				L11	S22°39'55"W	57.12'
				L12	S21°38'45"W	42.99'
				L13	S20°20'44"W	4.90'
				L14	S21°44'30"W	40.26'
				L15	S21°26'04"W	4.99'
				L16	S21°04'28"W	210.16'
				L17	S21°25'57"W	5.28'
				L18	S21°16'58"W	43.36'
				L19	S16°14'22"W	10.06'
				L20	S16°12'18"W	89.58'
				L21	S15°30'44"W	162.80'



SHEET 2 OF 2

PROJ.NO.: 2386	POWER AND WILLIAMS FIELD ANNEXING PORTION GILBERT, ARIZONA	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: APR 2023		
SCALE: N.T.S.	EXHIBIT	
DRAWN BY: JK		
CHECKED BY: PR		

BELLA STORIA ANNEXATION MAP
NORTH OF THE SOUTH QUARTER CORNER OF SECTION 25, T1S-R6E



A portion of the southeast quarter of Section 25, T1S, R6E of the Gila and Salt River Base and Meridian Maricopa County, Arizona.

I, Brigette Peterson, Mayor of the Town of Gilbert, Arizona do hereby certify the foregoing map is a true and correct map of the territory annexed under and by the virtue of the petition of the real and personal property owners in the said territory and by Ordinance No. _____, annexing the territory described in Ordinance No. _____ and as shown on said map as part of the corporate limits of the Town of Gilbert, Arizona.

Brigette Peterson, Mayor

Chaveli Herrera, Town Clerk



A22-02: Bella Storia
Attachment 2-Recorded Petition with Signatures
October 24, 2023

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
STEPHEN RICHER
20230515241 10/03/2023 08:14
ELECTRONIC RECORDING

When recorded mail to:

Gilbert2360-4-1-1--
Hoyp

Town of Gilbert

Town Clerk

50 East Civic Center Drive

Gilbert AZ 85296

This area reserved for County Recorder

CAPTION HEADING
Annexation A22-02: Bella Storia

DO NOT REMOVE

ANNEXATION A22-02: Bella Storia

**TO THE HONORABLE MAYOR AND COUNCIL
OF THE TOWN OF GILBERT, ARIZONA:**

We, the undersigned, owners of real and personal property in the area sought to be annexed, as described herein and shown on the attached map, request the Town of Gilbert to annex our property located within the following described area:

**ANNEXATION LEGAL DESCRIPTION FOR BELLA STORIA:
NWC OF POWER ROAD AND WILLIAMS FIELD ROAD**

A PORTION OF LAND AS DESCRIBED IN THAT CERTAIN DOCUMENT ENTITLED "SPECIAL WARRANTY DEED" AS RECORDED IN DOCUMENT NO. 2011-0759475, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING SITUATED WITHIN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND TOWN OF GILBERT BRASS CAP IN HAND HOLE ACCEPTED AS THE SOUTH QUARTER CORNER OF SAID SECTION 25 FROM WHICH A FOUND CITY OF MESA BRASS CAP IN HAND HOLE ACCEPTED AS THE SOUTHEAST CORNER THEREOF BEARS NORTH 89°26'44" EAST, 2624.31 FEET;

THENCE NORTH 00°52'58" WEST, 65.00 FEET ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 25 TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID NORTH-SOUTH MID-SECTION LINE, NORTH 00°52'58" WEST, 1494.86 FEET TO THE NORTH LINE OF SAID DEED;

THENCE LEAVING SAID NORTH-SOUTH MID-SECTION LINE, NORTH 89°33'37" EAST, 2534.21 FEET ALONG SAID NORTH LINE TO THE WESTERLY RIGHT-OF-WAY LINE OF POWER ROAD BEING ON A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1432.40 FEET, THE CENTER OF WHICH BEARS NORTH 78°44'04" WEST;

THENCE SOUTHWESTERLY ALONG SAID WESTERLY RIGHT-OF-WAY AND ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 09°38'04", AN ARC LENGTH OF 240.86 FEET TO A NON-TANGENT LINE, SAID LINE BEING THE EASTERLY LINE OF SAID SPECIAL WARRANTY DEED;

**THENCE CONTINUING ALONG SAID EASTERLY LINE THE FOLLOWING
TWENTY-TWO (22) COURSES;**

THENCE SOUTH 89°23'32" WEST, 539.17 FEET;
THENCE SOUTH 00°53'32" EAST, 207 .67 FEET;
THENCE NORTH 89°15'39" EAST, 77.37 FEET;
THENCE SOUTH 05°20'45" EAST, 123.40 FEET;
THENCE SOUTH 80°50'14" EAST, 107.97 FEET;
THENCE NORTH 26°47'53" EAST, 60.87 FEET;
THENCE SOUTH 67°06'07" EAST, 147.91 FEET;
THENCE SOUTH 21°43'42" EAST, 37.66 FEET;
THENCE SOUTH 58°34'43" EAST, 46.36 FEET;
THENCE SOUTH 23°23'28" WEST, 8.00 FEET;
THENCE SOUTH 22°58'52" WEST, 220.62 FEET;
THENCE SOUTH 22°39'55" WEST, 57.12 FEET;
THENCE SOUTH 21 °38'45" WEST, 42.99 FEET;
THENCE SOUTH 20°20'44" WEST, 4.90 FEET;
THENCE SOUTH 21 °44'30" WEST, 40.26 FEET;
THENCE SOUTH 21 °26'04" WEST, 4.99 FEET;
THENCE SOUTH 21°04'28" WEST, 210.16 FEET
THENCE SOUTH 21 °25'57" WEST, 5.28 FEET;
THENCE SOUTH 21°16'58" WEST, 43.36 FEET;
THENCE SOUTH 16°14'22" WEST, 10.06 FEET;
THENCE SOUTH 16°12'18" WEST, 89.58 FEET;
THENCE SOUTH 15°30'44" WEST, 162.80 FEET TO THE NORTH RIGHT-OF-WAY LINE
OF WILLIAMS FIELD ROAD;
THENCE THE FOLLOWING THREE (3) COURSES ALONG SAID NORTH LINE;
THENCE SOUTH 89°26'44" WEST, 581.67 FEET;

THENCE SOUTH 00°52'41" WEST, 5.00 FEET;

THENCE SOUTH 89°26'44" WEST, 1429.34 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS A COMPUTED AREA OF 3,243,251 SQ. FT. (74.455 ACRES) MORE OR LESS AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY OF RECORD OR OTHERWISE.

Name (Print)	Signature	Date	Tax Parcel No.
1. Francesca Muscarello	<i>Francesca Muscarello</i>	08/18/2023	304-38-015N
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

When recorded mail to:

Town of Gilbert

Town Clerk

50 East Civic Center Drive

Gilbert AZ 85296

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
STEPHEN RICHER
20230555077 10/25/2023 03:28, N
ELECTRONIC RECORDING
GILBERT2362-13-1-1--

This area reserved for County Recorder

CAPTION HEADING
Ordinance No. 2883
