

ORDINANCE NO. 08-706

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE TOWN OF CHINO VALLEY, YAVAPAI COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING CERTAIN TERRITORY THAT IS CONTIGUOUS TO THE EXISTING TOWN LIMITS INTO THE CORPORATE LIMITS OF THE TOWN OF CHINO VALLEY, YAVAPAI COUNTY, STATE OF ARIZONA.

WHEREAS, the owners of certain real and personal property desires to annex the territory comprised of such real property into the corporate limits of the Town of Chino Valley; and

WHEREAS, a blank petition, accompanied by a true and accurate description and map of the exterior boundaries of the territory proposed for annexation ("territory") was filed in the office of the Yavapai County Recorder on May 29, 2008; and

WHEREAS, the requisite Public Hearing was properly noticed and then held by the Common Council of the Town of Chino Valley on June 26, 2008, during the last ten days of the thirty day statutory waiting period as required by A.R.S. § 9-471; and

WHEREAS it has been determined that the territory meets the contiguity and spatial requirements set forth in A.R.S. § 9-471; and

WHEREAS, it has been found that there is no State Trust Land within the boundaries of the territory proposed for annexation by this Ordinance; and

WHEREAS, a petition for annexation which conforms to the blank petition has been signed by 9 of 12 of the territory's owners, representing 85% of the value of the real and personal property and 75% of the persons owning real and personal property within the territory that has been presented for annexation as shown by the last assessment of said property; and

WHEREAS, no alterations increasing or reducing the territory were made after the property owners signed the petition for annexation; and

WHEREAS, the Common Council of the Town of Chino Valley has determined that annexing the territory described in Exhibit "A" into the Town's corporate limits serves the best interest of the Town; and

WHEREAS, the Common Council has considered General Plan Land Use designations for the territory and deemed Commercial as the appropriate designation; and

WHEREAS, in accordance with A.R.S. § 9-471.L, the territory, which carries a county zoning designation of RCU DISTRICT (Residential; Single-Family; Rural) and no lot or parcel zoned RCU shall have a density less than two (2) acres, will upon annexation be zoned "SR-2" Single Family Residential 2 acre minimum; and

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file in the office of the Town Clerk of the Town of Chino Valley, Arizona, together with a true and correct copy of the original signed petition referred to herein, which is on file at the Office of the Yavapai County Recorder; and

WHEREAS, said petition has been presented to the Mayor and Council of the Town of Chino Valley, Arizona;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA:

Section 1. That the following described territory be and the same hereby is, annexed to the Town of Chino Valley, 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, described in Exhibit "A" and depicted in Exhibit "B", attached hereto and incorporated herein by reference.

Section 2. That a copy of this Ordinance, together with an accurate map of the territory hereby annexed to the Town of Chino Valley, certified by the Mayor of said Town, be forthwith filed and recorded in the Office of the Yavapai County Recorder, Arizona.

Section 3. That upon annexation the subject territory will be assigned a General Plan Land Use Designation of Commercial with an initial zoning district classification of "SR-2" Single Family Residential 2 acre minimum.

Section 4. That this Ordinance repeals any prior enactment by the Town of Chino Valley that is inconsistent herewith.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance 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 Mayor and Common Council of the Town of Chino Valley, Arizona this 24th day of July, 2008.

Karen Fann, Mayor

ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Musgrove Drutz & Kack, PC
Town Attorney

EXHIBIT "A"

EMPIRE SURVEYING, INC.

P.O. BOX 67, PAULDEN, AZ 86334-0067
PHONE (928) 636-6992 FAX (928) 636-6993

EXHIBIT "A"

CHINO VALLEY ANNEXATION



March 27, 2008

All that portion of the Sections 9, and 16, and Township 17 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the East quarter corner of Section 16;

Thence North 02°44'34" West 866.21 feet along the Easterly line of Section 16 to THE TRUE POINT OF BEGINNING;

Thence South 63°21'25" West 165.31 feet to a point;

Thence North 08°15'07" West 429.97 feet to a point;

Thence South 71°16'03" West 432.45 feet to a point on the Easterly Right-of-way of State Route 89;

Thence South 46°54'21" West 235.37 feet to a point on the Westerly Right-of-way of State Route 89;

Thence South 89°06'30" West 561.30 feet to a point;

Thence North 11°22'06" West 448.11 feet to the intersection with the Southerly line of Rolling Hills Road, as recorded in Book 20 of Maps, Page 73, Yavapai County Recorder's Office;

Thence North 89°06'30" East 140.29 feet along the South line of Rolling Hills Road to a point;

Thence North 03°17'38" West 336.73 feet to a point;

Thence South 89°06'30" West 304.15 feet to a point;

Thence North 03°17'38" West 1087.53 feet to a point on the North line of Section 16;

Thence South 89°11'44" West 25.45 feet along said North line to a point;

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Thence North 00°21'52" West 1077.35 feet to a point on the Southerly line of Little Ranch Road right-of-way;

Thence South 87°41'50" East 534.79 feet along said right-of way to a point on the Westerly right-of-way line of State Route 89;

Thence North 83°23'55" East 203.37 feet to a point on the Easterly right-of-way of State Route 89;

Thence Northerly 219.99 feet along said Easterly Right-of-way line of State Route 89 along a curve to the right having a Radius of 5629.88 feet and a Chord bearing North 04°40'44" East 219.97 feet to a Highway Right-of-Way monument;

Thence North 05°47'25" East 353.60 feet along said Right-of-Way to a one-half inch rebar;

Thence South 42°11'44" East 267.78 feet to a point;

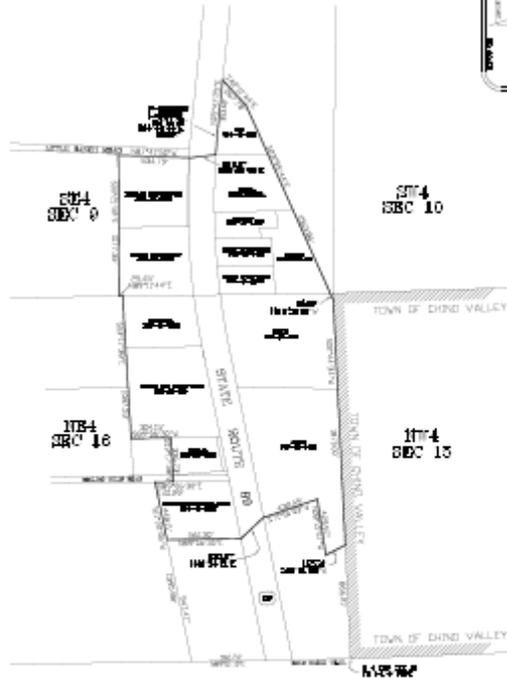
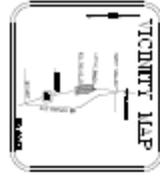
Thence South 23°55'44" East 1563.86 feet to a point on the South line of Section 9;

Thence South 23°56'00" East 61.09 feet to a point on the East line of Section 16;

Thence South 02°44'34" East 1870.00 feet along said East line to THE TRUE POINT OF BEGINNING.

Containing 97.61 acres more or less.

EXHIBIT B



PLAT OF
TOWN OF CHINO VALLEY
 ANNEXATION
 TO THE
 PORTIONS OF SEC. 9 & 10, 13 & 16, T. 4 N., R. 10 E.,
 YAVAPAI COUNTY, ARIZONA.



RECORDS DEPARTMENT
 FILED BY: [Name]
 DATE: [Date]