

ORDINANCE NO. 5003

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, SUBSECTION (N), ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THERETO CERTAIN COUNTY RIGHT-OF-WAY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF MESA ON BOTH SIDES.

ANNEXATION CASE A10-03

WHEREAS, the City of Mesa, a municipal corporation ("City"), and Maricopa County ("County"), a public body, together are desirous for new improvements to E. Southern Road, between Signal Butte Road and approximately 300 ft. east of South Cheshire (a Maricopa County roadway) and being contiguous to the Mesa City Limits on both sides; and

WHEREAS, the City and the County executed a Memorandum of Understanding, dated November 16, 2007 that contained the intent and the responsibilities of the City and the County for the annexation and maintenance of the completed roadway improvements by the City; and

WHEREAS, the Mayor and Council of the City of Mesa are desirous of complying with the annexation requirement of said executed Memorandum of Understanding by extending and increasing the corporate limits of the City of Mesa to include the County right-of-way of E. Southern Avenue between S. Signal Butte Road and approximately 300 ft east of S. Cheshire; and

WHEREAS, the provisions of Section 9-471, Subsection (N), Arizona Revised Statutes provide for annexation of county right-of-way when contiguous to the corporate limits of a city by mutual consent of the governing bodies of the Town and/or City adjacent to the subject annexed property.

NOW THREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF MESA, COUNTY OF MARICOPA, STATE OF ARIZONA, AS FOLLOWS;

SECTION 1: That the following described territory be and the same is hereby annexed to the City of Mesa and that the present corporation limits be and the same hereby are extended and increased to include the following described territory contiguous to the present Mesa City Limits:

A PARCEL OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 35 AND THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP ONE NORTH, RANGE SEVEN EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COUNTY OF MARICOPA, STATE OF ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE NORTHEAST CORNER OF SECTION 35, SAID POINT BEING A MARICOPA COUNTY BRASS CAP IN HAND HOLE FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 35 BEARS NORTH 89°57'33" WEST, A DISTANCE OF 2650.99 FEET, SAID POINT ALSO BEING A MARICOPA COUNTY BRASS CAP IN HAND HOLE, SAID COURSE BEING THE BASIS OF BEARING HEREON;**

**THENCE NORTH 89°57'33" WEST ALONG THE NORTH LINE OF SAID SECTION 35, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;**

**THENCE SOUTH 00°02'27" WEST, A DISTANCE OF 55.00 FEET;**

**THENCE NORTH 89°57'33" WEST PARALLEL WITH AND 55.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 35, A DISTANCE OF 2300.99 FEET;**

**THENCE NORTH 00°02'27" EAST, A DISTANCE OF 55.00 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 35, SAID POINT BEING SOUTH 89°57'33" EAST, A DISTANCE OF 300.00 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 35, SAID POINT ALSO BEING A POINT ON THE SOUTH LINE OF SAID SECTION 26;**

**THENCE CONTINUING NORTH 00°02'27" EAST, A DISTANCE OF 55.00 FEET;**

**THENCE SOUTH 89°57'33" EAST PARALLEL WITH AND 55.00 FEET NORTHERLY OF THE SOUTH LINE OF SAID SECTION 26, A DISTANCE OF 2300.99 FEET;**

**THENCE SOUTH 00°02'27" WEST, A DISTANCE OF 55.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 26, SAID POINT BEING THE POINT OF BEGINNING AND THE POINT OF TERMINUS OF THIS DESCRIPTION,.**

**THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 253,108.90 SQUARE FEET OR 5.81 ACRES MORE OR LESS.**

**SECTION 2: That a copy of this ordinance together with an accurate map of the territory hereby annexed to the City of Mesa, certified by the Mayor of Mesa, Be filed and recorded in the Office of the County Recorder of Maricopa County, Arizona.**

**SECTION3: The subject annexation shall be approved at a published agenda item at a regular public meeting by the Maricopa County Board of Supervisors.**

**SECTION 4: The subject annexation shall not become effective until approved by the Maricopa County Board of Supervisors.**

PASSED AND ADOPTED by the Council of the City of Mesa, this 27<sup>th</sup> day of  
September 2010.

APPROVED:

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
City Clerk



EFFECTIVE DATE: October 27, 2010

CERTIFICATE OF MAYOR

I, Scott Smith, the duly elected and qualified and acting Mayor of the City of Mesa, Maricopa County, Arizona, do hereby certify that the attached copy of Ordinance No. 5003, entitled:

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, PURSUANT TO THE PROVISIONS OF ARTICLE 7, CHAPTER 4, TITLE 9, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THERETO CERTAIN TERRITORY LYING ADJACENT TO THE EXISTING CITY LIMITS OF THE CITY OF MESA

is true, correct and compared copy of the original of record on file in the office of the City Clerk of the City of Mesa, Maricopa County, Arizona.

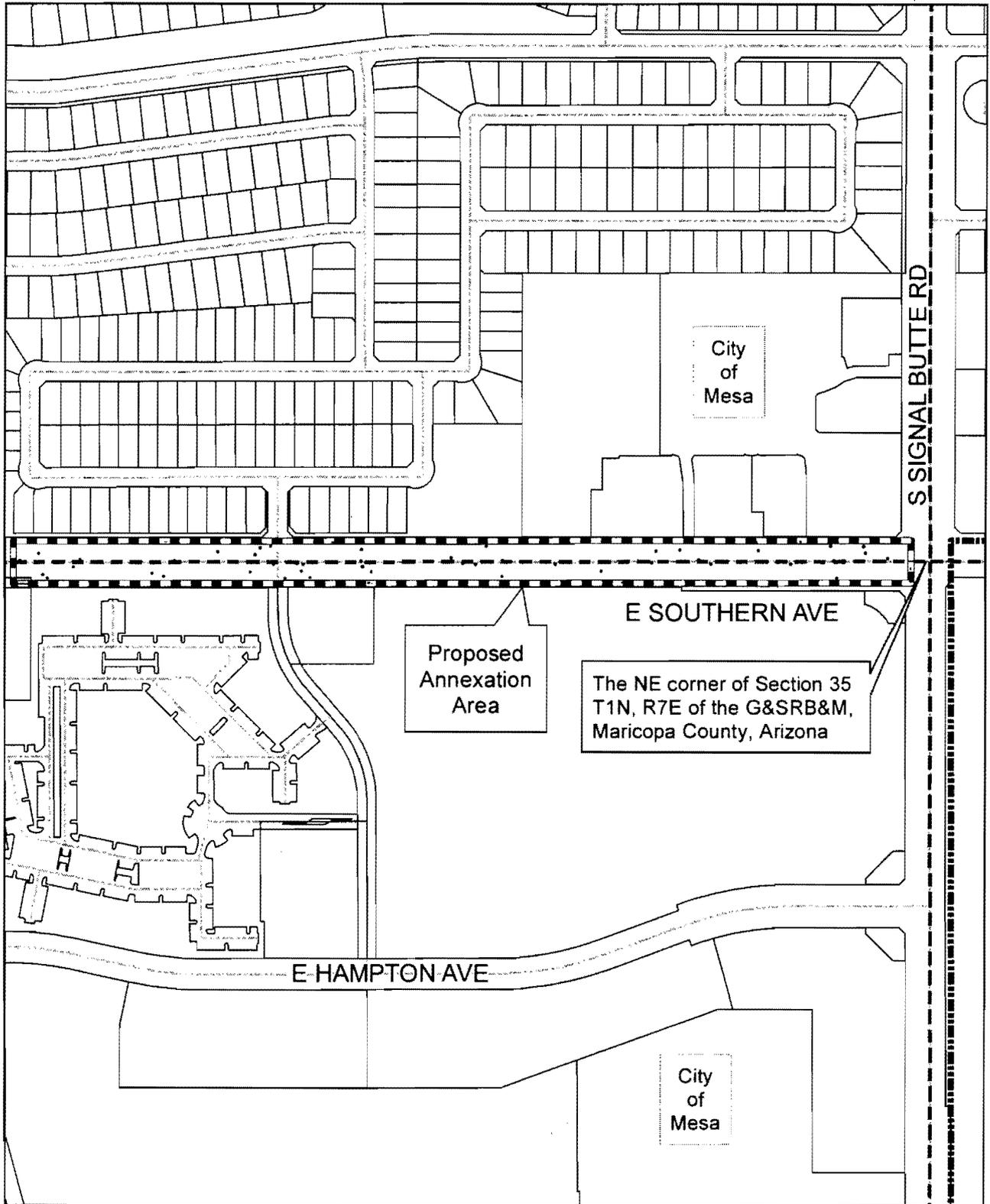
That the ordinance was introduced at the September 13, 2010 Council Meeting and adopted on the 27<sup>th</sup> day of September, 2010, and that the attached map is an accurate map of the territory annexed.

That this certificate is made pursuant to and to comply with the provisions of Section 9-471, Subsection (A)(3), Arizona Revised Statutes.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Mesa, Maricopa County, State of Arizona, this 27<sup>th</sup> day of September, 2010.



  
\_\_\_\_\_  
Scott Smith



-  Proposed Annexation Boundary
-  City of Mesa Boundary
-  Quarter Section

**EXHIBIT 'A'**

CERTIFICATION OF MAP  
ANNEXED TERRITORY TO THE CITY OF MESA  
ORDINANCE NO. 5003

ANNEXED TERRITORY LOCATED IN TOWNSHIP 1 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

I, Scott Smith, Mayor of the City of Mesa, Arizona, do hereby certify that the attached map identified as Exhibit 'A', is a true and correct map of the territory annexed under and by virtue of the petition of the real and personal property owners in the said territory and by Ordinance No. 5003 on the 27<sup>th</sup> day of September, 2010, annexing the territory described in Ordinance No. 5003 and as shown on said map as part of the territory to be included within the corporate limits of the City of Mesa, Arizona.

  
MAYOR



  
CITY CLERK

A PARCEL OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 35 AND THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP ONE NORTH, RANGE SEVEN EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COUNTY OF MARICOPA, STATE OF ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF SECTION 35, SAID POINT BEING A MARICOPA COUNTY BRASS CAP IN HAND HOLE FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 35 BEARS NORTH 89°57'33" WEST, A DISTANCE OF 2650.99 FEET, SAID POINT ALSO BEING A MARICOPA COUNTY BRASS CAP IN HAND HOLE, SAID COURSE BEING THE BASIS OF BEARING HEREON;

**THENCE** NORTH 89°57'33" WEST ALONG THE NORTH LINE OF SAID SECTION 35, A DISTANCE OF 50.00 FEET TO THE **POINT OF BEGINNING**;

**THENCE** SOUTH 00°02'27" WEST, A DISTANCE OF 55.00 FEET;

**THENCE** NORTH 89°57'33" WEST PARALLEL WITH AND 55.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 35, A DISTANCE OF 2300.99 FEET;

**THENCE NORTH 00°02'27" EAST, A DISTANCE OF 55.00 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 35, SAID POINT BEING SOUTH 89°57'33" EAST, A DISTANCE OF 300.00 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 35, SAID POINT ALSO BEING A POINT ON THE SOUTH LINE OF SAID SECTION 26;**

**THENCE CONTINUING NORTH 00°02'27" EAST, A DISTANCE OF 55.00 FEET;**

**THENCE SOUTH 89°57'33" EAST PARALLEL WITH AND 55.00 FEET NORTHERLY OF THE SOUTH LINE OF SAID SECTION 26, A DISTANCE OF 2300.99 FEET;**

**THENCE SOUTH 00°02'27" WEST, A DISTANCE OF 55.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 26, SAID POINT BEING THE **POINT OF BEGINNING** AND THE POINT OF TERMINUS OF THIS DESCRIPTION,.**

**THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 253,108.90 SQUARE FEET OR 5.81 ACRES MORE OR LESS.**



June 9, 2011

Ms. Fran McCarroll  
Clerk of the Board of Supervisors  
County Administration Building  
301 West Jefferson  
Phoenix, Arizona 85003

**Re: City of Mesa Annexations**

Dear Ms. McCarroll:

Please be advised that the Mesa City Council recently adopted five annexation ordinances. The table below lists the case numbers, ordinance numbers, adoption dates, and effective dates of each ordinance. A copy of the ordinance, including a map, for each of these annexation areas has been enclosed with this letter.

| <b>Annexation Case #</b> | <b>Ordinance #</b> | <b>Adoption Date</b> | <b>Effective Date</b> |
|--------------------------|--------------------|----------------------|-----------------------|
| A08-16                   | 5037               | 05/16/2011           | 06/16/2011            |
| A09-06                   | 5034               | 04/04/2011           | 05/04/2011            |
| A10-02                   | 5002               | 09/27/2010           | 10/27/2010            |
| A10-03                   | 5003               | 09/27/2010           | 10/27/2010            |
| A10-04                   | 5026               | 02/28/2011           | 03/30/2011            |

It should be noted that these annexations were processed and adopted in accordance with the provisions of Section 9-471, Arizona Revised Statutes and amendments thereto.

If you have any questions, or require additional information concerning these annexations, please contact me at (480) 644-2182.

Sincerely,

Tom Ellsworth  
Senior Planner  
Planning Division

Enclosure  
1. Ordinance

When recorded mail to:  
City of Mesa  
Real Estate Services  
P.O. Box 1466  
Mesa, AZ 85211-1466

OFFICIAL RECORDS OF  
MARICOPA COUNTY RECORDER  
HELEN PURCELL  
2010-0915614, 10/20/2010 11:15  
ELECTRONIC RECORDING  
3230-8-10-5--, N

3230-8-10-5--

**CITY OF MESA ORDINANCE NO. 5003**

**Certificate of Mayor**

**DO NOT REMOVE**

**This is part of the official document.**