

ORDINANCE NO. 5178

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.

ANNEXATION CASE A13-07

WHEREAS, the City of Mesa, a municipal corporation ("City"), and Maricopa County ("County"), a public body, together are desirous for new improvements to Southern Avenue, lying between Crismon Road and Signal Butte Road (a Maricopa County roadway) and being contiguous to the Mesa City Limits; and

WHEREAS, the Mesa City Council adopted Resolution No. 10113, on August 20, 2012, authorizing the City Manager to execute an Intergovernmental Agreement with the County pertaining to said improvements to Southern Avenue; and

WHEREAS, the Maricopa County Board of Supervisors on August 22, 2012, approved the Intergovernmental Agreement with the City pertaining to the responsibilities of the City and the County for the cost sharing of the improvements to Southern Avenue (between Crismon Road and Signal Butte Road), and the responsibilities for subsequent annexation and maintenance of the completed roadway improvements by the City; and

WHEREAS, said executed Intergovernmental Agreement between the County and the City was recorded in the Office of the County Recorder of Maricopa County, Arizona on September 5, 2012, under Docket No. 2012-0796345; and

WHEREAS, the Mayor and Council of the City of Mesa are desirous of complying with the annexation requirement of said executed Intergovernmental Agreement by extending and increasing the corporate limits of the City of Mesa to include the County right-of-way for Southern Avenue (between Crismon Road and Signal Butte Road); and

WHEREAS, the provisions of Section 9-471, Subsection (N), Arizona Revised Statutes provides 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 THEREFORE, 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:

SOUTHERN ROAD RIGHT-OF-WAY:

THE SOUTH 55 FEET OF THE SOUTHWEST QUARTER OF SECTION 26,
TOWNSHIP 1 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER
BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA,

EXCEPT THE EAST 300 FEET THEREOF,

AND

THE NORTH 55 FEET OF THE NORTHWEST QUARTER OF SECTION 35,
TOWNSHIP 1 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER
BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA,

EXCEPT THE EAST 300 FEET THEREOF.

PASSED AND ADOPTED by the Council of the City of Mesa, this 23rd day of
September, 2013.

APPROVED:



MAYOR

ATTEST:



City Clerk



EFFECTIVE DATE: October 23, 2013

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. 5178, 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 9, 2013 Council Meeting and adopted on the 23rd day of September, 2013, 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 23rd day of September, 2013.



(SEAL)



Scott Smith

CERTIFICATION OF MAP
ANNEXED TERRITORY TO THE CITY OF MESA
ORDINANCE NO. 5178

ANNEXED TERRITORY LOCATED IN SECTION 26, TOWNSHIP 1 NORTH,
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. 5178 on the 23rd day of September, 2013, annexing the territory described in Ordinance No. 5178 and as shown on said map as part of the territory to be included within the corporate limits of the City of Mesa, Arizona.



APPROVED:



Mayor

ATTEST:



City Clerk

LEGAL DESCRIPTION

SOUTHERN ROAD RIGHT-OF-WAY:

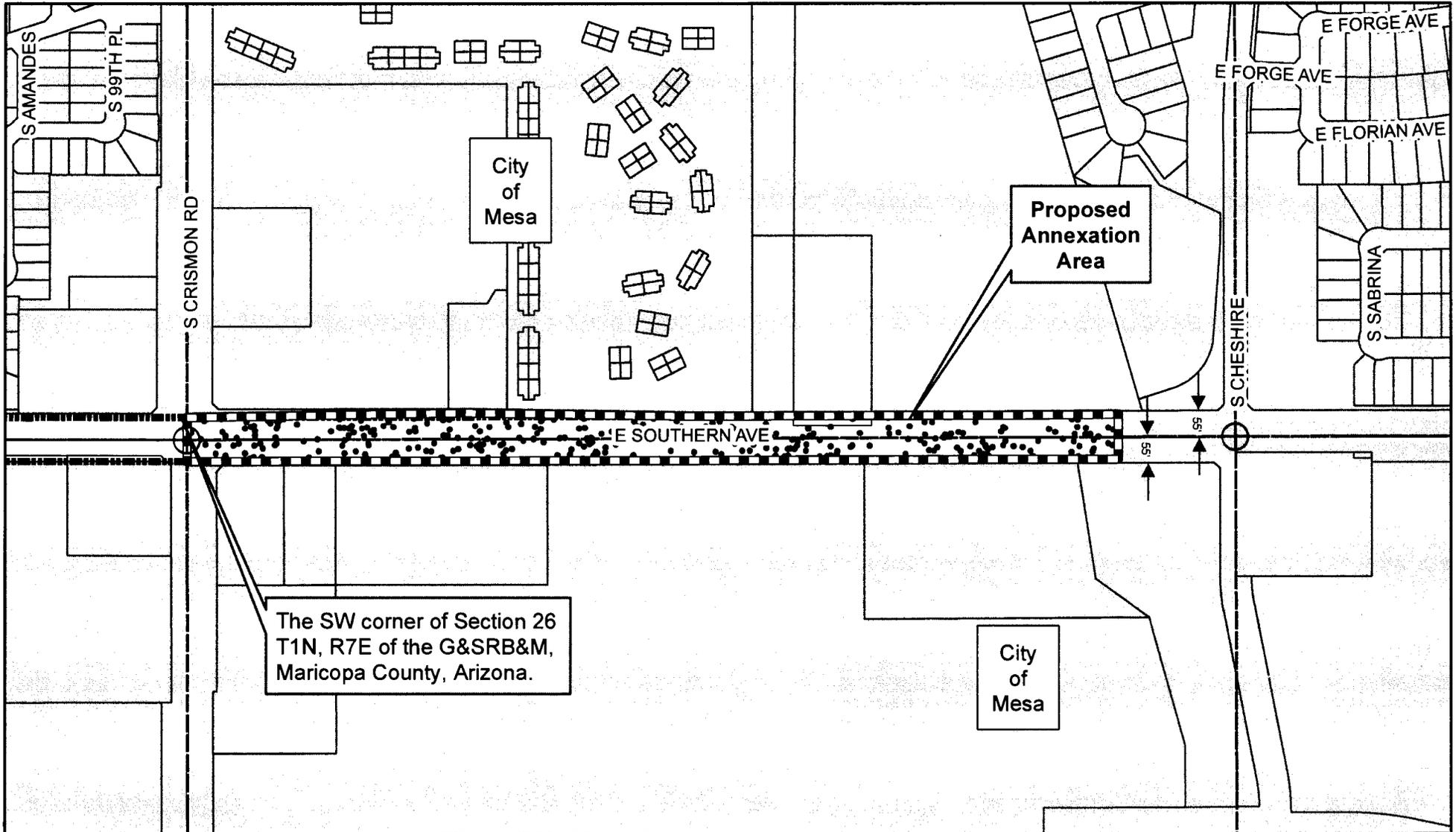
THE SOUTH 55 FEET OF THE SOUTHWEST QUARTER OF SECTION 26,
TOWNSHIP 1 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND
MERIDIAN, MARICOPA COUNTY, ARIZONA,

EXCEPT THE EAST 300 FEET THEREOF,

AND

THE NORTH 55 FEET OF THE NORTHWEST QUARTER OF SECTION 35,
TOWNSHIP 1 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND
MERIDIAN, MARICOPA COUNTY, ARIZONA,

EXCEPT THE EAST 300 FEET THEREOF.



-  Proposed Annexation Boundary
-  City of Mesa Boundary
-  Quarter Section
-  Legal Control Point

EXHIBIT 'A'