

ORDINANCE NO. 4993

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.

WHEREAS, a petition in writing accompanied by a map or plat of said real property, having been filed and presented, signed by the owners of not less than one-half 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 City of Mesa, as shown by the last assessment of said property, of the following particularly described property that is not embraced within the present limits of the City of Mesa, to enact the necessary ordinance for the extension of its corporate limits to include the property in said petition and in this ordinance particularly described, and the accurate and particular descriptions of said property, all in Maricopa County, Arizona, so petitioned to be annexed to the City of Mesa, being as follows, to wit:

A portion of land situated in the East Half of Section 27, Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a brass cap in hand-hole at the East Quarter Corner of said Section 27, from which a brass cap in hand-hole at the Center of said Section 27 bears South 89 degrees 56 minutes 25 seconds West, a distance of 2650.44 feet

Thence South 89 degrees 56 minutes 25 seconds West, along the South line of the Northeast Quarter of said Section 27, a distance of 662.61 feet to a point on the East

Line of the West Half of the Southeast Quarter of the Northeast Quarter of said Section 27, and the **POINT OF BEGINNING**.

Thence South 00 degrees 01 minutes 13 seconds East, along the Southerly prolongation of said East Line, a distance of 40.00 feet to the South Right of Way of East Pueblo Avenue;

Thence South 89 degrees 56 minutes 25 seconds West, parallel with and 40.00 feet South of the South line of the Northeast Quarter of said Section 27, and along said South Right of Way, a distance of 632.62 feet to the Southerly prolongation of the East Right of Way of South 98th Street;

Thence North 00 degrees 00 minutes 41 seconds West, parallel with and 30.00 feet East of the West line of Southeast Quarter of the Northeast Quarter of said Section 27, and along said East Right of Way and Southerly prolongation thereof, a distance of 1,304.71 feet;

Thence North 44 degrees 58 minutes 01 seconds East, a distance of 35.37 feet to the South Right of Way of East Coralbell Avenue;

Thence North 89 degrees 56 minutes 43 seconds East, along said South Right of Way, a distance of 607.41 feet to a point on the East Line of the West Half of the Southeast Quarter of the Northeast Quarter of said Section 27;

Thence South 00 degrees 01 minutes 13 seconds East, along said East Line, a distance of 1,289.66 feet to the **POINT OF BEGINNING**.

Note: The above described parcel contains 19.30 acres more or less.

WHEREAS, the City Council having, after due investigation in the behalf made, determined that said petition is signed by the owners of not less than one-half in value of the real and personal property and more than one half of the persons owning said real and personal property that would be subject to taxation by the City of Mesa, as shown by the last assessment of said property, lying within said particularly described area, and that said property is not now embraced within the limits of the City of Mesa and that the provisions of Section

9-471, Arizona Revised Statutes, and amendments thereto have been fully observed and having determined that the City of Mesa should extend and increase its corporate limits so as to include and embrace said property within its corporate limits and said petitioners having caused an accurate map and plat of said area so petitioned to be annexed thereto to be made and presented to the City Council to be adopted as the official map and plat of said property and which map and plat shows the legal boundaries thereof, together with the lots, avenues, blocks, street, alleys, easements and lanes, which are to be dedicated to public use as streets, avenues, alleys, easements and lanes of the City of Mesa within said area;

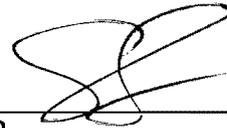
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA, COUNTY OF MARICOPA, STATE OF ARIZONA, AS FOLLOWS:

1. That the present corporate limits of the City of Mesa are hereby extended and increased so as to include and embrace the property in this ordinance and in said petition and map and plat particularly described within the corporate limits of the City of Mesa and said property is hereby annexed to the corporate limits of the City of Mesa.
2. That the annexed plat of lots, blocks, avenues, streets, alleys, easements and lanes is hereby declared to be the official map and plat of the area so annexed, showing the legal boundaries of lots, blocks, avenues, streets, alleys, easements and lanes, and giving the dimensions of same, also the number of each lot and block and the names and widths of streets and avenues, widths of all alleys, easements and lanes, and the location

thereof; and said streets and avenues, alleys, easements and lanes are hereby dedicated to the public and upon the filing of a copy of this ordinance, together with an accurate map of said territory so annexed, certified by the Mayor of this City, in the office of the County Recorder of Maricopa County, Arizona, the fee of all avenues, lanes, streets, highways, easements and alleys shown in and on said map and plat shall vest in the City of Mesa.

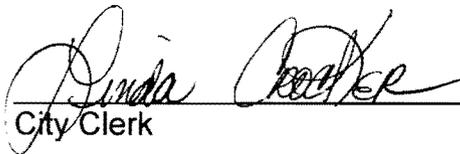
PASSED AND ADOPTED by the City Council of the City of Mesa, this 8th day of July, 2010.

APPROVED:



MAYOR

ATTEST:


City Clerk

EFFECTIVE DATE: August 8, 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. 4993 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

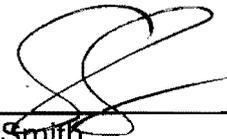
is true, correct and compared copy of the original of record on file in the office of the City Clerk of the City of Mesa, Maricopa County, Arizona.

That the ordinance was introduced at the June 7, 2010 Council Meeting and adopted on the 8th day of July, 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 8th day of July, 2010.





Scott Smith

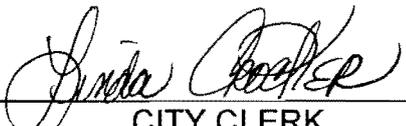
CERTIFICATION OF MAP
ANNEXED TERRITORY TO THE CITY OF MESA
ORDINANCE NO. 4993

ANNEXED TERRITORY LOCATED IN 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. 4993 on the 8th day of July, 2010, annexing the territory described in Ordinance No. 4993 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 portion of land situated in the East Half of Section 27, Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a brass cap in hand-hole at the East Quarter Corner of said Section 27, from which a brass cap in hand-hole at the Center of said Section 27 bears South 89 degrees 56 minutes 25 seconds West, a distance of 2650.44 feet

Thence South 89 degrees 56 minutes 25 seconds West, along the South line of the Northeast Quarter of said Section 27, a distance of 662.61 feet to a point on the East Line of the West Half of the Southeast Quarter of the Northeast Quarter of said Section 27, and the **POINT OF BEGINNING.**

Thence South 00 degrees 01 minutes 13 seconds East, along the Southerly prolongation of said East Line, a distance of 40.00 feet to the South Right of Way of East Pueblo Avenue;

Thence South 89 degrees 56 minutes 25 seconds West, parallel with and 40.00 feet South of the South line of the Northeast Quarter of said Section 27, and along said South Right of Way, a distance of 632.62 feet to the Southerly prolongation of the East Right of Way of South 98th Street;

Thence North 00 degrees 00 minutes 41 seconds West, parallel with and 30.00 feet East of the West line of Southeast Quarter of the Northeast Quarter of said Section 27, and along said East Right of Way and Southerly prolongation thereof, a distance of 1,304.71 feet;

Thence North 44 degrees 58 minutes 01 seconds East, a distance of 35.37 feet to the South Right of Way of East Coralbell Avenue;

Thence North 89 degrees 56 minutes 43 seconds East, along said South Right of Way, a distance of 607.41 feet to a point on the East Line of the West Half of the Southeast Quarter of the Northeast Quarter of said Section 27;

Thence South 00 degrees 01 minutes 13 seconds East, along said East Line, a distance of 1,289.66 feet to the **POINT OF BEGINNING**.

Legal Description
A07-36
19.30± Acres

A portion of land situated in the East Half of Section 27, Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

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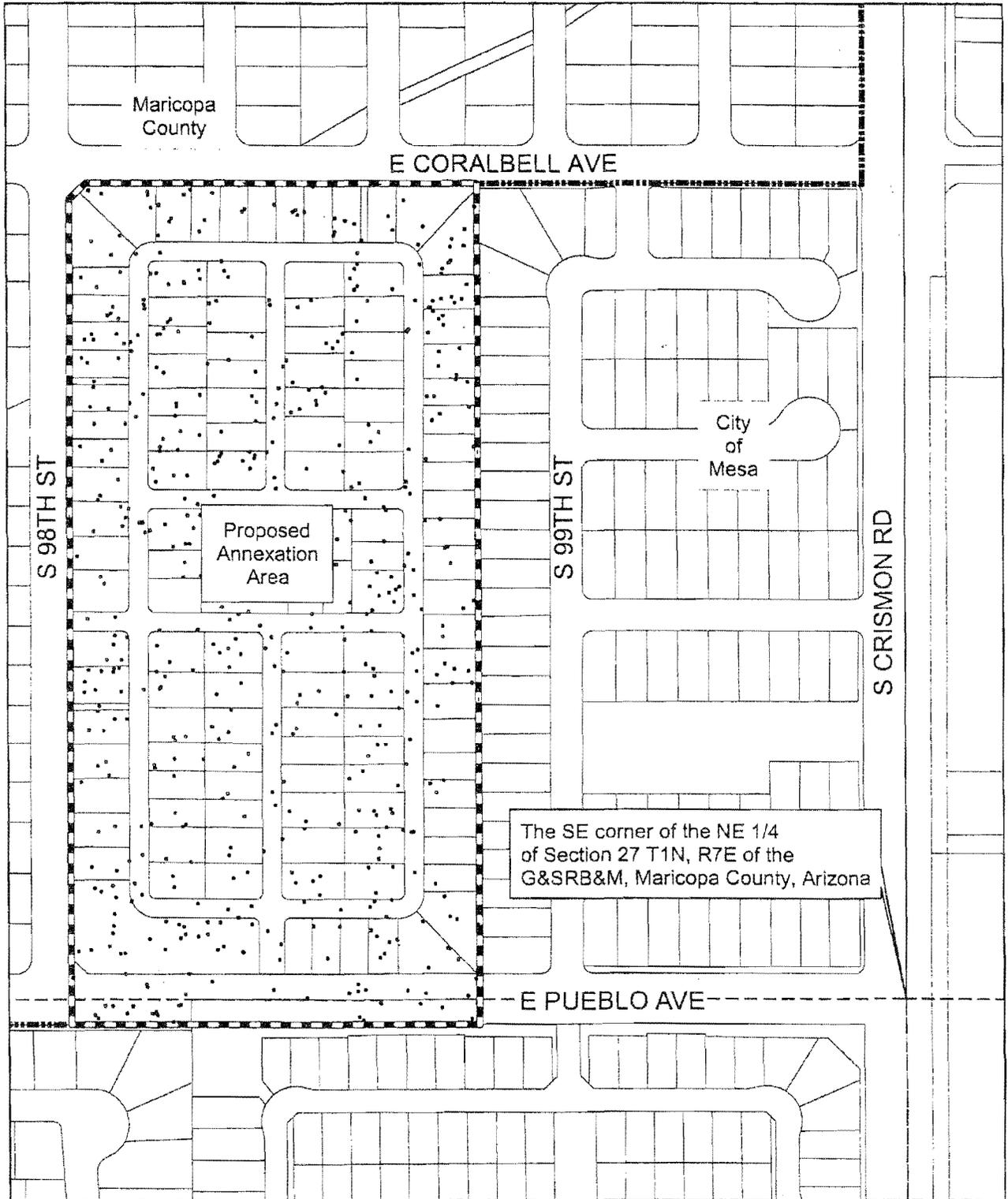
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Thence South 00 degrees 01 minutes 13 seconds East, along said East Line, a distance of 1,289.66 feet to the **POINT OF BEGINNING**.



A07-36 19.30± Acres



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

EXHIBIT 'A'

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
2010-0622875, 07/22/2010 10:46
ELECTRONIC RECORDING
3210-10-3-3--, N

3210-10-3-3--

ORDINANCE #4993

CERTIFICATE OF MAYOR

DO NOT REMOVE

This is part of the official document.

When recorded, return to:
City of Mesa
Planning Division
P.O. Box 1466
Mesa AZ 85211-1466

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2010-0352844, 04/27/2010 10:12
ELECTRONIC RECORDING
3186-8-8-6--, N

3186-8-8-6--

ANNEXATION PETITION
A07-36

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF
MESA, ARIZONA:

We the undersigned, owners of not less than one-half in value of the real property and personal property and more than one-half of the persons owning real and personal property that would be subject to taxation by the City of Mesa in the event of annexation within the territory proposed to be annexed, which is hereafter described, said territory being contiguous to the corporate limits of the City of Mesa, with the exterior boundaries of the territory proposed to be annexed shown on the map attached hereto, marked Exhibit "A" and made a part hereof, request the City of Mesa to annex the following described territory, provided Section 9-471, Arizona Revised Statutes, and amendments thereto, are fully observed.

The description of the territory proposed to be annexed, not already within the present limits of the City of Mesa and located in Maricopa County, Arizona, is as follows:

A portion of land situated in the East Half of Section 27, Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a brass cap in hand-hole at the East Quarter Corner of said Section 27, from which a brass cap in hand-hole at the Center of said Section 27 bears South 89 degrees 56 minutes 25 seconds West, a distance of 2650.44 feet

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Thence South 89 degrees 56 minutes 25 seconds West, parallel with and 40.00 feet South of the South line of the Northeast Quarter of said Section 27, and

along said South Right of Way, a distance of 632.62 feet to the Southerly prolongation of the East Right of Way of South 98th Street;

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Thence North 89 degrees 56 minutes 43 seconds East, along said South Right of Way, a distance of 607.41 feet to a point on the East Line of the West Half of the Southeast Quarter of the Northeast Quarter of said Section 27;

Thence South 00 degrees 01 minutes 13 seconds East, along said East Line, a distance of 1,289.66 feet to the **POINT OF BEGINNING**.

I the undersigned owner, hereby sign in favor of annexation of my property to the City of Mesa Corporate Limits, as described by the attached annexation petition.

PLEASE PRINT OF TYPE, EXCEPT FOR SIGNATURE

Owner: **Rancho Reata, LLC**

Phone No: 602 840-8488

Mailing Address: **4350 East Camelback Road, Suite E-200, Phoenix, Arizona 85018**

County Assessors Parcel No.: **220-70-006C**

Signature: Pauline Tang

Date: 1-15-10

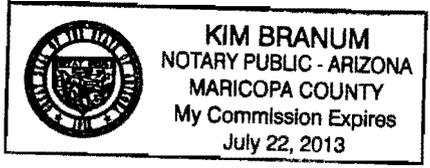
STATE OF ARIZONA)
) ss.
County of Maricopa)

On this 1st day of April, 2010, before me, the undersigned Notary Public, personally appeared Kim Branum, who acknowledged that this document was executed for the purposes therein contained.


Notary Public

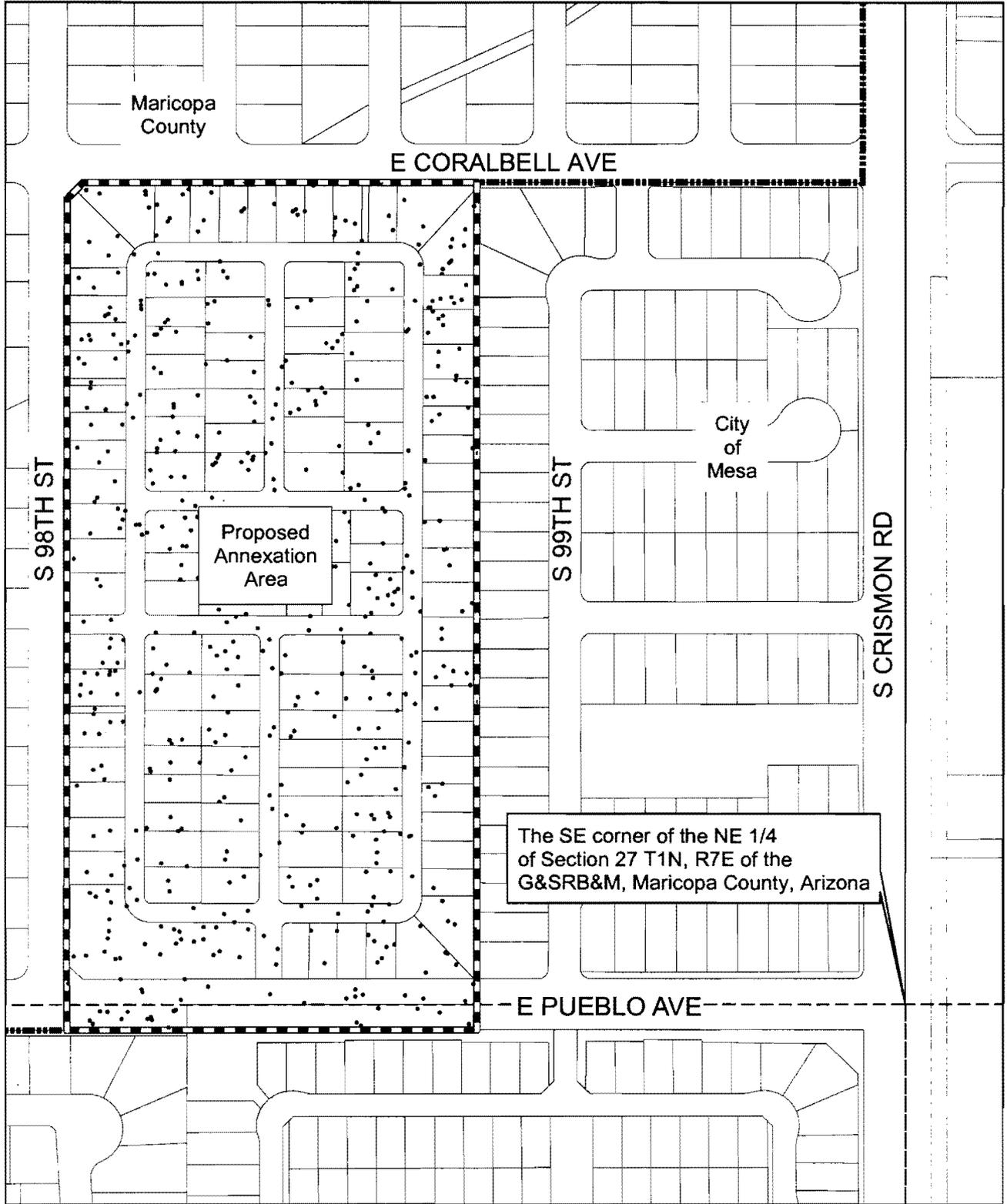
My Commission Expires:

7-22-2013





A07-36 19.30± Acres



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

EXHIBIT 'A'

Exhibit 1
19.30± Acres

A portion of land situated in the East Half of Section 27, Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

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When recorded return to:
CITY OF MESA
Real Estate Services
P. O. Box 1466
Mesa, AZ 85211-1466

APN: 220-70-006C
NE¼ of Section 27 T1N, R7E

**WAIVER OF LAND USE LAW CLAIMS
("Consent & Waiver")
Annexation Form**

The undersigned is the owner(s) ("Owner") of the parcel of land described in Exhibit 1 hereto (the "Property"). Owner is seeking the Mesa City Council's approval for the annexation of the Property into the City of Mesa ("City").

Owner hereby waives and releases the City from any and all claims under Arizona Revised Statutes § 12-1134 through 12-1138, including any right to compensation for reduction to the fair market value of the Property, that may now or in the future exist as a result of, or that arises out of, the future enactment or application of any Land use law. "Land use law" means any statute, rule, ordinance, resolution or law enacted or approved by the City that regulates the use or division of land or any interest in land.

Owner represents and warrants to being the owner of fee title to the Property or to being a person who has legal authority to bind all fee title owners of the Property to this Consent & Waiver. The terms of this Consent & Waiver shall run with the land and shall be binding upon all subsequent landowners. Owner consents to the recordation of this Consent & Waiver.

If the Mesa City Council denies the annexation, Owner is released from this consent and waiver.

Dated this 15th day of April, 2010.

OWNER: Rancho Reata, LLC

Pavine Tang
Print Name

Pavine Tang
Sign Name



September 29, 2010

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

Re: City of Mesa Annexation Number A07-36 -- Ordinance Number 4993

Dear Ms. McCarroll:

Please be advised that the Mesa City Council at their July 8, 2010 meeting annexed certain land as depicted by the attached ordinance.

It should be noted the above annexation was processed and adopted in accordance with the provisions of Section 9-471, Arizona Revised Statutes and amendments thereto.

The required statutory 30 day time period after adoption of this annexation ordinance ended on August 8, 2010. As of this date, we are not aware of any suits filed challenging the annexation.

If you have any questions or require additional information concerning this annexation, please contact me at (480) 644-4623.

Sincerely,

A handwritten signature in black ink that reads "Kim A.".

Kim Steadman, RA
Annexations
City of Mesa Planning Division

Enclosure
1. Ordinance