

ORDINANCE NO. 5176

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:

ALL THE AREA OF THE MAIN CANAL OF THE CONSOLIDATED CANAL COMPANY, RENAMED AND HERINAFTER REFERRED TO AS THE OLD CONSOLIDATED CANAL AS DESCRIBED IN THAT CERTAIN WARRANTY DEED FROM THE CONSOLIDATED CANAL COMPANY TO THE UNITED STATES OF AMERICA DATED JULY 10, 1909, RECORDED OCTOBER 1, 1909, IN BOOK 86 OF DEEDS, AT PAGES 87-90, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING WITHIN THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION THIRTY-ONE (31), AND LYING WITHIN THE WEST HALF OF THE NORTHWEST QUARTER (W $\frac{1}{2}$ NW $\frac{1}{4}$) OF SECTION THIRTY-TWO (32), TOWNSHIP TWO (2) NORTH, RANGE SIX (6) EAST, GILA AND SALT RIVER MERIDIAN,

EXCEPTING THERFROM ANY PORTION THEREOF LYING WITHIN THE NORTH 160.00 FEET OF SAID SE $\frac{1}{4}$ OF SECTION 31; AND, ALSO EXCEPTING THERFROM ANY PORTION LYING WITHIN THE AREA AS DESCRIBED IN THAT CERTAIN SPECIAL WARRANTY DEED FROM KASER CITRUS, INC., AN

ARIZONA CORPORATION TO CEMEX USA CONSTRUCTION MATERIALS, INC., A TEXAS CORPORATION, DATED FEBRUARY 28, 2001, RECORDED MARCH 02, 2001, AS DOCUMENT 2001-0162276, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING SOUTH AND SAID NORTH 160.00 FEET OF THE SE¼ OF SECTION 31.

THE ABOVE DESCRIBED REAL PROPERTY CONTAINS AN AREA OF 10.94 ACRES, MORE OR LESS, BASED ON A WIDTH OF 100-FEET AS DETERMINED BY SALT RIVER PROJECT AS THE HISTORIC WIDTH NECESSARY FOR THE OPERATION AND MAINTENANCE OF SAID OLD CONSOLIDATED CANAL AND AFTER SAID EXCEPTIONS HAVE BEEN MADE.

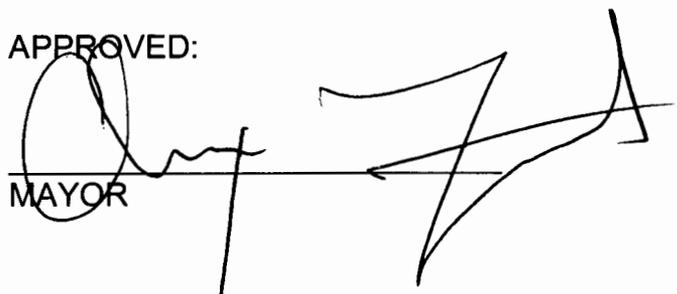
WHEREAS, the City Council having, after due investigation in the behalf made, determined that said petition is signed by the owners of not less than one-half in value of the real and personal property and more than one half of the persons owning said real and personal property that would be subject to 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 9th day of September, 2013.

APPROVED:


MAYOR

ATTEST:


City Clerk

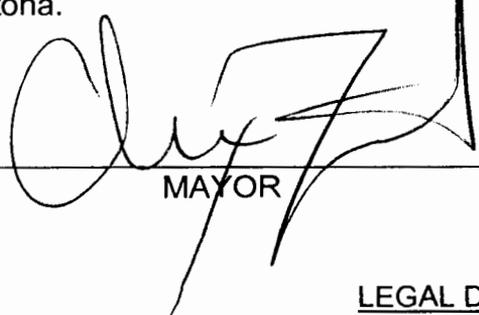
EFFECTIVE DATE: October 9, 2013



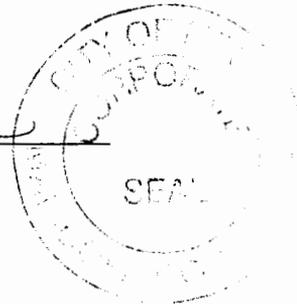
CERTIFICATION OF MAP
ANNEXED TERRITORY TO THE CITY OF MESA
ORDINANCE NO. 5176

ANNEXED TERRITORY LOCATED IN TOWNSHIP 2 NORTH, RANGE 6 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. 5176 on the 9th day of September, 2013, annexing the territory described in Ordinance No. 5176 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

ATTEST: 
CITY CLERK

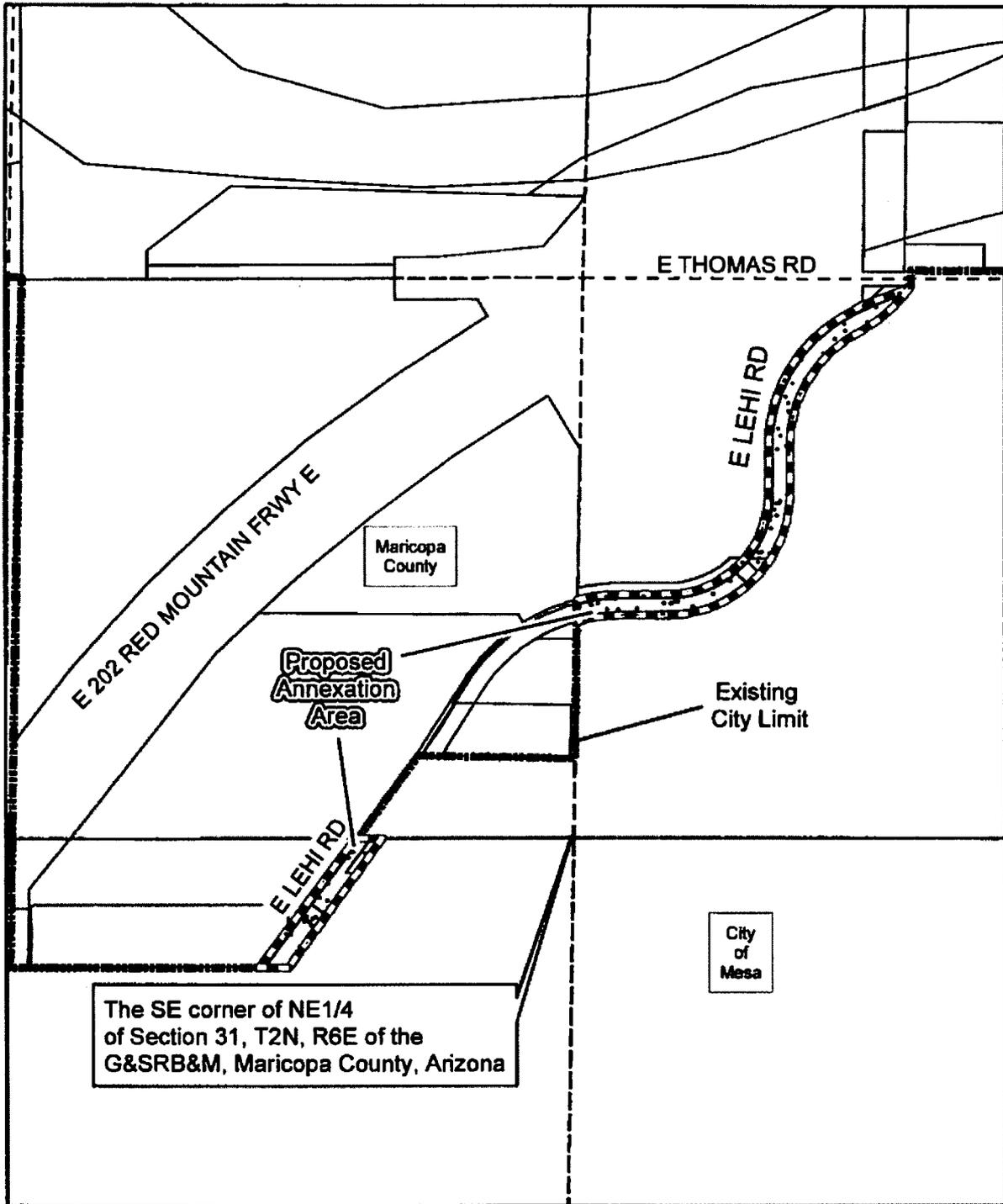


LEGAL DESCRIPTION OF MAP
A12-06

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EXCEPTING THERFROM ANY PORTION THEREOF LYING WITHIN THE NORTH 160.00 FEET OF SAID SE¼ OF SECTION 31; AND, ALSO EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE AREA AS DESCRIBED IN THAT CERTAIN SPECIAL WARRANTY DEED FROM KASER CITRUS, INC., AN ARIZONA CORPORATION TO CEMEX USA CONSTRUCTION MATERIALS, INC., A TEXAS CORPORATION, DATED FEBRUARY 28, 2001, RECORDED MARCH 02, 2001, AS DOCUMENT 2001-0162276, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING SOUTH AND SAID NORTH 160.00 FEET OF THE SE¼ OF SECTION 31.

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The SE corner of NE 1/4
of Section 31, T2N, R6E of the
G&SRB&M, Maricopa County, Arizona

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

EXHIBIT 'A'

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. 5176 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 August 26, 2013 Council Meeting and adopted on the 9th 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 9th day of September, 2013.



(SEAL)

Scott Smith