

ORDINANCE NO. O2017-033

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, ANNEXING TO SAID CITY A PORTION OF SECTION 29 OF TOWNSHIP 8 SOUTH, RANGE 23 WEST OF THE GILA AND SALT RIVER BASE & MERIDIAN, YUMA COUNTY, ARIZONA, AND AMENDING CHAPTER 154 OF THE YUMA CITY CODE, AS AMENDED, DESIGNATING THE ZONING OF CERTAIN PROPERTY TO THE MEDIUM DENSITY RESIDENTIAL (R-2) ZONING DISTRICT AND DESIGNATING CERTAIN PROPERTY TO THE LIMITED COMMERCIAL (B-1) ZONING DISTRICT, AND AMENDING THE ZONING MAP TO CONFORM, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES, AS AMENDED

WHEREAS, an annexation petition in writing ("Petition"), accompanied by a map or plot of property to be annexed, having been filed and presented to the Mayor and City Council of the City of Yuma, Arizona, signed by the owners of more than one-half in value of the real and personal property and more than one-half of the persons owning real and personal property as would be subject to taxation by the City of Yuma in the event of annexation of the territory and land hereinafter described as shown by the last assessment of said property, which said territory is contiguous to the City of Yuma and not now embraced within its corporate limits, asking that the property more particularly hereinafter described be annexed to the City of Yuma, and to extend and increase the corporate limits of the City of Yuma so as to embrace the same; and,

WHEREAS, the Mayor and City Council of the City of Yuma, Arizona, are desirous of complying with said petition and extending and increasing the corporate limits of the City of Yuma to include said territory; and,

WHEREAS, said Petition sets forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed to the City of Yuma and had attached thereto at all times an accurate map of the territory desired to be annexed; and,

WHEREAS, no alterations increasing or reducing the territory sought to be annexed have been made after said Petition had been signed by any owner of real and personal property in such territory; and,

WHEREAS, the provisions of A.R.S. § 9-471, Arizona Revised Statutes, as amended, have been fully observed; and,

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file in the office of City Clerk of the City of Yuma, Arizona, together with a true and correct copy of the original petition referred to herein, which is on file in the office of the Yuma County Recorder; and,

WHEREAS, upon annexation the initial designation for zoning of the property described in Section 2 shall be Medium Density Residential (R-2) District and the initial designation for zoning of the property described in Section 3 shall be Limited Commercial (B-1) District, as provided for in A.R.S. § 9-471, as amended.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma, as follows:

SECTION 1: That the following described territory be, and the same hereby is, annexed to the City of Yuma, and that the present corporate limits be, and the same hereby are, extended and increased to include the following described territory contiguous to the present City of Yuma corporate limits, to wit:

A portion of the Northwest quarter of the Southwest quarter of the Southwest quarter (NW¼SW¼SW¼) of Section 29, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona, and more particularly described as follows:

The East 167.00 feet of the west 200.00 feet of the North 100.00 feet; AND

The East 267.00 feet of the west 300.00 feet of the South 201.50 feet of the North 301.50 feet; AND

Parcels A and B of the GHIOTTO LAND DIVISION (LPD 16-06) as recorded in Book 14 of Survey, Page 7, Fee # 2016-17377 in the Yuma County Recorder Office, Yuma County, State of Arizona; AND

The East 17.00 feet of the West 50.00 feet of the South 340.80 feet of the said Northwest quarter of the Southwest quarter of the Southwest quarter (NW¹/₄SW¹/₄SW¹/₄) of Section 29, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona.

Bounded on the East by Annexation O2005-75, on the South by Annexation Ordinance 1832, and on the West and North by Annexation Ordinance 1608.

Contains 283,740 square feet or 6.5138 acres more or less

SECTION 2: That the following described territory be, and the same hereby is, placed in the Medium Density Residential (R-2) District, as defined by Chapter 154 of the Yuma City Code, as amended, pursuant to the provisions provided for in A.R.S. § 9-471, as amended; that said property upon this Ordinance becoming final, be subject to all rules, regulations and requirements of Chapter 154 of the Yuma City Code, as amended, pertaining to the Medium Density Residential (R-2) District, and that the zoning map adopted under Chapter 154 of the Yuma City Code, as amended, be hereby ordered to be changed and amended so as to show that said property described below will be located within the District herein provided.

A portion of the Northwest quarter of the Southwest quarter of the Southwest quarter (NW¹/₄SW¹/₄SW¹/₄) of Section 29, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona, and more particularly described as follows:

The East 267.00 feet of the West 300.00 feet of the South 101.50 feet of the North 301.50 feet.

Containing 27,100 square feet or 0.622 acres more or less.

SECTION 3: That the following described territory be, and the same hereby is, placed in the Limited Commercial (B-1) District, as defined by Chapter 154 of the Yuma City Code, as amended, pursuant to the provisions provided for in A.R.S. § 9-471, as amended; that said property upon this Ordinance becoming final, be subject to all rules, regulations and requirements of Chapter 154 of the Yuma City Code, as amended, pertaining to the Limited Commercial (B-1) District, and that the zoning map adopted under Chapter 154 of the Yuma City Code, as amended, be hereby ordered to be changed and amended so as to show that said property described below will be located within the District herein provided.

A portion of the Northwest quarter of the Southwest quarter of the Southwest quarter (NW¹/₄SW¹/₄SW¹/₄) of Section 29, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona, and more particularly described as follows:

APN 664-29-012 - The East 167.00 feet of the west 200.00 feet of the North 100.00 feet: AND

APN 664-29-013 - The East 267.00 feet of the west 300.00 feet of the South 201.50 feet of the North 301.50 feet;

Containing 70,500 square feet or 1.62 acres more or less.

SECTION 4: That a copy of this ordinance, together with an accurate map of the territory hereby annexed to the City of Yuma, certified by the Mayor of the City of Yuma, be forthwith filed and recorded in the office of the County Recorder of Yuma County, Arizona.

Adopted this _____ day of _____, 2017.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney