

When Recorded Mail To:  
Town of Prescott Valley  
7501 E. Civic Circle  
Prescott Valley, AZ 86314

## ORDINANCE NO. 802

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, ANNEXING THERETO CERTAIN REAL PROPERTY (ANX14-001) CONTAINING APPROXIMATELY FIFTY-EIGHT (58) ACRES LYING IN A PORTION OF SECTION 20, TOWNSHIP 14 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA; CLASSIFYING ALL THE ANNEXED PROPERTY FOR ZONING PURPOSES AS RCU-70 (BEING CONSISTENT WITH THE PRESENT YAVAPAI COUNTY ZONING CLASSIFICATION OF RCU-2A); PROVIDING THAT THE OFFICIAL TOWN MAP AND THE TOWN ZONING MAP BE APPROPRIATELY AMENDED AND THAT A COPY OF THIS ORDINANCE, ALONG WITH A CERTIFIED ANNEXATION MAP, BE RECORDED IN THE OFFICE OF THE YAVAPAI COUNTY RECORDER; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY MEASURE PURSUANT TO ARS §19-142(B) AND §2-05-060 OF THE PRESCOTT VALLEY TOWN CODE.

WHEREAS, on November 21, 2014, a blank annexation petition was filed in the Office of the Yavapai County Recorder, pursuant to ARS §9-471(A)(1), which included a narrative description and an accurate map of the exterior boundaries of certain real property contiguous to the Town [in compliance with the "shape" requirements of ARS §9-471(K)] and proposed to be annexed to the Town; and

WHEREAS, said annexation was designated as ANX14-001 [the annexation territory including approximately 58 acres of real property]; and

WHEREAS, notice and a copy of the filing dated November 21, 2014, was delivered to the Clerk of the Yavapai County Board of Supervisors and to the Yavapai County Assessor as set forth in ARS §9-471(A)(1). All of the information included in the filing was subsequently given to the Chairman of the Board of Supervisors by letter, dated November 21, 2014; and

WHEREAS, on December 5, 2014, notice of a public hearing to be held December 18, 2014 on proposed annexation ANX14-001 was published in the *Daily Courier*, said notice being at least fifteen (15) days before the end of the thirty (30) day waiting period after filing the blank annexation petition on November 21, 2014, and being at least six (6) days before the required public hearing, all pursuant to ARS §9-471(A)(3) and (A)(3)(a); and

WHEREAS, notice of said public hearing was also posted in at least three (3) conspicuous places in the annexation territory [said notice being at least six (6) days before the public hearing], pursuant to ARS §9-471(A)(3) and (A)(3)(b); and

WHEREAS, notice of the public hearing included an accurate map of the annexation territory, and was sent by first-class mail to the Chairman of the Yavapai County Board of Supervisors on December 9, 2014 [said notice being at least six (6) days before the public hearing], pursuant to ARS §9-471(A)(3) and (A)(3)(c); and

WHEREAS, notice of the public hearing (including an accurate map of the annexation territory) was sent on December 9, 2014 by first-class mail to the owners of real and personal property within the annexation territory (as shown on lists provided by the Arizona Department of Revenue and the Yavapai County Assessor's Office), with said properties being subject to taxation by the Town in the event of annexation [said notice being at least six (6) days before the public hearing], pursuant to ARS §9-471(A)(3) and (A)(3)(d); and

WHEREAS, a public hearing on proposed annexation ANX14-001 was held December 18, 2014 before the Prescott Valley Common Council, in accordance with ARS Title 38, Chapter 3, Article 3.1 [said hearing being held within the last ten (10) days of the thirty (30) day waiting period] after the blank petition had been filed on November 21, 2014, all according to ARS §9-471(A)(3); and

WHEREAS, after the thirty (30) day waiting period [pursuant to ARS §9-471(A)(2)], written petitions, including a narrative description and an accurate map of the exterior boundaries of the annexation territory were signed by a) the owners of one-half (1/2) or more in value of the real and personal property in said annexation territory, and b) more than one-half (1/2) of the persons owning real and personal property in the annexation territory [pursuant to ARS §9-471(A)(4), (E) and (F)], with said properties being subject to taxation by the Town in the event of annexation (as shown by a recent assessment of the property in the records of the Yavapai County Assessor and the Department of Revenue, and as supplemented by a map of survey and observations of the property by Town staff); and

WHEREAS, said petitions were filed on January 14, 2015, in the Office of the Yavapai County Recorder [being within one (1) year after the last day of the thirty (30) day waiting period on November 29, 2013], pursuant to ARS §9-471(A)(4); and

WHEREAS, the Town received information from the Yavapai County Development Services Department that the Yavapai County zoning classification for the proposed annexation territory was RCU-2A; and

WHEREAS, the new Prescott Valley zoning classification for the annexation territory would be RCU-70 (being the zoning districts most comparable to that which exists under the current Yavapai County zoning classification); and

WHEREAS, no alterations increasing or reducing the territory sought to be annexed as ANX 13-003 have been made after said petitions were signed by any owner of real and/or personal property therein, pursuant to ARS §9-471(A)(5);

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Prescott Valley, as follows:

Section 1. That the following-described real property be, and the same hereby is, annexed to the Town of Prescott Valley, Arizona, and that the present Prescott Valley corporate limits be, and the same hereby are, extended and increased to include the following-described real property:

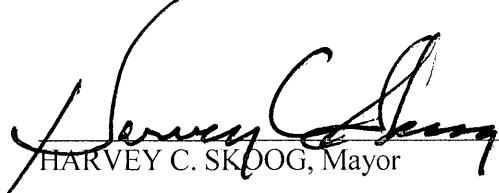
**[As described and shown in Exhibit "A" being attached hereto and expressly made a part hereof.]**

Section 2. That the new Prescott Valley zoning classifications for the above-described real property within the annexation territory shall be RCU-70 (being the Prescott Valley classifications most consistent with Yavapai County's classifications of RCU-2A).

Section 3. That the official map of the Town of Prescott Valley be amended to include the new territory annexed hereby, and that the official zoning map be amended to show the territory's new Town zoning classifications. Furthermore, that a copy of this Ordinance, together with an accurate map of the real property hereby annexed to the Town, certified by the Mayor (or, in his absence, the Vice-Mayor) and by the Town Clerk (or her assistant), be forthwith recorded in the Office of the Yavapai County Recorder.

Section 4. That, inasmuch as it is necessary for the peace, health and safety of the Town of Prescott Valley that this Ordinance be effective immediately upon its passage and approval according to ARS §19-142(B) and Town Code §2-05-060 (due to the need to facilitate the planning of development in the annexation territory), this Ordinance is hereby declared to be an emergency measure and effective upon its passage and approval.

PASSED AND APPROVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 22<sup>nd</sup> day of January, 2015.

  
HARVEY C. SKOOG, Mayor



  
Diane Russell, Town Clerk

APPROVED AS TO FORM:

  
Ivan Legler, Town Attorney

A portion of Section 20, Township 14 North, Range 1 East of the Gila and Salt River Meridian, Yavapai County, Arizona, described as follows:

That portion of Section 20 bound on the west by the east line of the annexation shown on the plat recorded in Book 28 of Maps and Plats, Page 55 and described in Ordinance 235 as recorded in Book 2289 of Official Records, Page 336-342 in the Yavapai County Recorder's Office.

And being bound on the south by the southerly right-of-way line of State Route 69.

And being bound on the north by the southerly line of the annexation shown on the plat recorded in Book 62 Maps and Plats, Page 53 and described in Ordinance 717 as recorded in Book 4630 of Official Records, Page 438 in the Yavapai County Recorder's Office.

And being bound on the east by the following described line:

**COMMENCING** at the northwesterly corner of Section 20 as perpetuated by the reference monuments shown on the Arizona Land Survey Corner Record recorded in Book 2328 of Official Records, Page 539 in the Yavapai County Recorder's Office;

thence, along the north line of Section 20, South 89°20'09"East, 1,572.30 feet, from which point the northeast corner of Section 20, as identified by a 3" brass cap stamped "LS 6177" as shown on the Arizona Land Survey Monument Record recorded in Book 2182 of Official Records, Page 998 in the Yavapai County Recorder's Office, is South 89°20'09"East, 3,804.22 feet;

thence, departing the north line of Section 20, South 00°39'51" West, 718.35 feet to the northerly right-of-way line of Valley Road as shown on the plat recorded in Book 29 of Maps and Plats, Page 66 in the Yavapai County Recorder's Office and a 1/2" rebar with a cap stamped "LS 17564";

thence, departing the northerly right-of-way line of Valley Road, South 02°55'11" West, 68.64 feet to the southerly right-of-way line of Valley Road and a 2" aluminum cap stamped "TOWN OF PRESCOTT VALLEY LS 35138";

thence, along the west line of Parcel B as shown on the plat of Anx 08-001 as recorded in Book 62 of Maps and Plats, Page 53 and as described in Ordinance 717 as recorded in Book 4630 of Official Records, Page 438, South 02°34'19" West, 679.67 feet to the southwesterly corner of Parcel B and a ½" rebar with an unreadable cap;

thence, along the southerly line of Parcel B, South 54°29'23" East, 16.00 feet;

thence, continuing along the southerly line of Parcel B, North 75°16'45" East, 52.64 feet;

thence, continuing along the southerly line of Parcel B, South 59°23'35" East, 99.86 feet;

thence, continuing along the southerly line of Parcel B, South S51°52'23" East, 50.80 feet;

thence, continuing along the southerly line of Parcel B, South 75°19'11" East, 74.01 feet;

thence, continuing along the southerly line of Parcel B, South 43°11'41" East, 107.72 feet;

thence, continuing along the southerly line of Parcel B, South 69°11'08" East, 169.34 feet;

thence, continuing along the southerly line of Parcel B, South 74°03'21" East, 190.94 feet to the **POINT OF BEGINNING**.

Thence, departing the southerly line of Parcel B, South 02°00'42" West, 1,176.49 feet;

thence, South 49°57'47" East, 123.61 feet;

thence, South 50°06'40" East, 102.63 feet;

thence, South 50°14'28" East, 100.09 feet;

thence, South 50°19'54" East, 33.79 feet;

thence, South 51°07'56" East, 37.44 feet;

thence, South 62°05'30" East, 90.58 feet;  
thence, South 62°23'56" East, 154.33 feet;  
thence, South 28°56'55" East, 169.31 feet;  
thence, South 28°53'23" East, 167.24 feet;  
thence, South 28°55'27" East, 93.30 feet;  
thence, South 08°39'38" East, 199.14 feet;  
thence, South 08°35'30" East, 235.28 feet;  
thence, South 24°02'25" West, 213.29 feet to the northerly right-of-way line of State Route 69;  
thence, departing the northerly right-of-way line of State Route 69 and continuing South 24°02'25" West, 200.10 feet to the southerly right-of-way line of State Route 69 and to the **POINT OF TERMINATION**. From which point the southwest corner of Section 20, as identified by a 3" brass cap stamped "W J CHEEK PE 2398" is South 74°21'49" West, 2,766.22 feet and the southeast corner of Section 20, as identified by a 3" brass cap stamped "W J CHEEK PE 2398", is South 73°54'46" East, 2,717.30 feet.

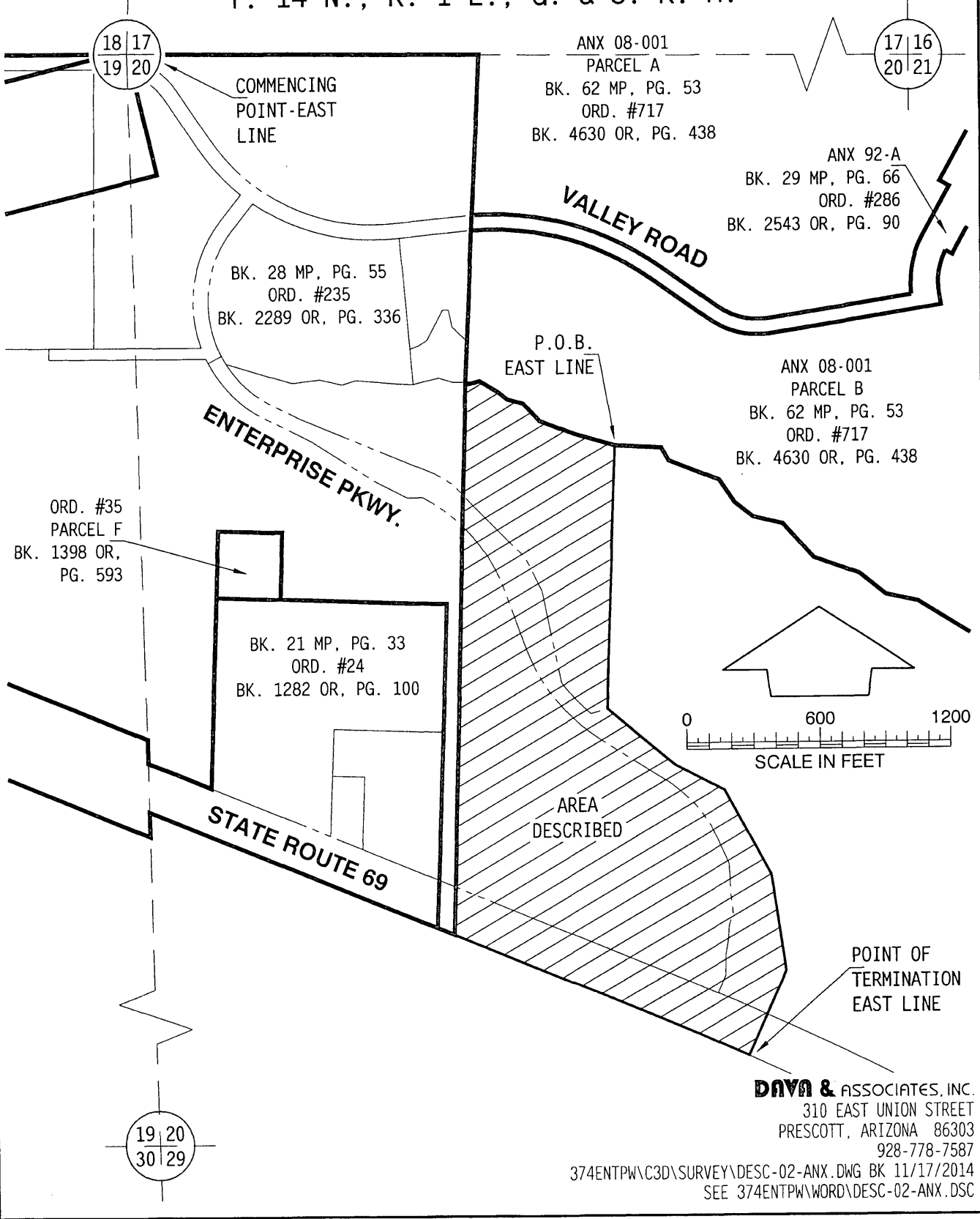
This description yields approximately 58 acres.

I certify that, I, Thomas G. Callahan, am a Registered Land Surveyor in the State of Arizona, that this description was prepared under my direction and contains adequate information to allow retracement thereof.



# EXHIBIT

A PORTION OF SECTION 20,  
T. 14 N., R. 1 E., G. & S. R. M.



ANX 08-001  
PARCEL A  
BK. 62 MP, PG. 53  
ORD. #717  
BK. 4630 OR, PG. 438

ANX 92-A  
BK. 29 MP, PG. 66  
ORD. #286  
BK. 2543 OR, PG. 90

BK. 28 MP, PG. 55  
ORD. #235  
BK. 2289 OR, PG. 336

ANX 08-001  
PARCEL B  
BK. 62 MP, PG. 53  
ORD. #717  
BK. 4630 OR, PG. 438

ORD. #35  
PARCEL F  
BK. 1398 OR,  
PG. 593

BK. 21 MP, PG. 33  
ORD. #24  
BK. 1282 OR, PG. 100



AREA DESCRIBED

POINT OF  
TERMINATION  
EAST LINE

**DAVA & ASSOCIATES, INC.**  
310 EAST UNION STREET  
PRESCOTT, ARIZONA 86303  
928-778-7587

374ENTPW\C3D\SURVEY\DESC-02-ANX.DWG BK 11/17/2014  
SEE 374ENTPW\WORD\DESC-02-ANX.DSC