

ORDINANCE NO. 18-07

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COOLIDGE, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF COOLIDGE, PINAL COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF COOLIDGE CONSISTING OF 3 ACRES, MORE OR LESS, AND LOCATED WITHIN SECTION 24, TOWNSHIP 6 SOUTH, RANGE 8 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, KNOWN AS THE PLH WHEELER ANNEXATION; AND AUTHORIZING THE PINAL COUNTY ZONING TO CONTINUE IN EFFECT FOR SAID ANNEXED TERRITORY UNTIL CITY OF COOLIDGE ZONING IS APPLIED TO SAID TERRITORY, BUT IN NO EVENT LONGER THAN SIX (6) MONTHS AFTER THE EFFECTIVE DATE OF THE ANNEXATION.

WHEREAS, a Petition in writing accompanied by a map or plot of said real property, having been filed and presented to the Mayor and Council of the City of Coolidge, 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 Coolidge, Arizona in the event of annexation within the territory and land hereinafter described as shown by the last assessment of said property, which said territory is contiguous to the City of Coolidge, Arizona, and not now embraced within its limits, asking that the property more particularly hereinafter described be annexed to the City of Coolidge, Arizona, and to extend and increase the corporate limits of the City of Coolidge, Arizona so as to embrace the same; and

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

WHEREAS, the 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 Coolidge, Arizona, 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 the 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, and amendments thereto, have been fully observed; and

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

WHEREAS, Title 9, Chapter 4, Article 7 of the Arizona Revised Statutes, specifically A.R.S. §9-471(L), authorizes a city to adopt initial zoning for annexed property that permits

densities and uses no greater than those permitted in the County immediately prior to annexation; and

WHEREAS, Title 9, Chapter 4, Article 6.1 of the Arizona Revised Statutes, specifically A.R.S. §9-462.04(E), permits a city to enact an ordinance authorizing county zoning to continue in effect until city zoning is applied to the land previously zoned by the county and annexed by the city, but in no event longer than six months after the annexation.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COOLIDGE, ARIZONA AS FOLLOWS:

SECTION 1. That the following described territory be, and the same hereby is, annexed to the City of Coolidge, Arizona, 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 limits as set forth on Exhibit A attached hereto and incorporated herein by this reference.

SECTION 2. That a copy of this Ordinance, together with an accurate map of the territory hereby annexed to the City of Coolidge, Arizona, certified by the Mayor of the said City be forthwith filed and recorded in the office of the County Recorder of Pinal County, Arizona.

SECTION 3. For purposes of compliance with A.R.S. §9-471(L), and pursuant to A.R.S. §9-462.04(E), that upon annexation the Pinal County zoning for said annexed territory is hereby authorized to continue in effect until City of Coolidge zoning is applied to said territory, but in no event for longer than six (6) months after the effective date of the annexation.

SECTION 4. This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Coolidge.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and City Council of the City of Coolidge, Arizona this 11th day of June, 2018.

Mayor

ATTEST:

APPROVED AT TO FORM:

City Clerk

City Attorney

EXHIBIT A

**Legal Description
Wheeler Annexation**

That part of the Northeast quarter of Section 24, Township 6 South, Range 8 East, of the Gila and Salt River Base and Meridian, Pinal County, Arizona, described as follows:

COMMENCING at the East quarter corner of said Section 24, thence North 0 degrees 25 minutes East along the East line of said Section 24, a distance of 1,313.72 feet to the Northeast corner of the South half of the Northeast quarter of said Section 24;

Thence North 89 degrees 35 minutes West, along the North line of said South half of the Northeast quarter of Section 24, a distance of 133.00 feet to the TRUE POINT OF BEGINNING;

Thence North 89 degrees 35 minutes West along the North line of said South half of the Northeast quarter of Section 24, a distance of 335 feet;

Thence South 0 degrees 25 minutes West a distance of 390.10 feet;

Thence South 89 degrees 35 minutes East a distance of 335 feet;

Thence North 0 degrees 25 minutes East a distance of 390.10 feet to the TRUE POINT OF BEGINNING;

Comprising and area of 3 acres, more or less.