

ORDINANCE NO. O21-62

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 75 ACRES LOCATED AT THE NORTHWEST CORNER OF GLENDALE AVENUE AND REEMS ROAD FROM RR-45 (RURAL RESIDENTIAL) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED "BICKMAN INDUSTRIAL"; AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.

WHEREAS, the City of Glendale Planning Commission held a public hearing on September 2, 2021, in zoning case ZON21-13 in the manner prescribed by law for the purpose of rezoning property located at the northwest corner of Glendale Avenue and Reems Road from RR-45 (Rural Residential) to PAD (Planned Area Development);

WHEREAS, due and proper notice of such public hearing was given in the time, form, substance and manner provided by law, including publication of such notice in *The Glendale Star* on August 12, 2021; and

WHEREAS, the City has considered the individual property rights and personal liberties of the residents of the city before adopting this zoning ordinance; and

WHEREAS, the City of Glendale Planning Commission recommended to the mayor and the council the zoning of property as described above and the mayor and the council desire to approve such recommendation to rezone the property described on Exhibit A to PAD (Planned Area Development) in accordance with the development plan currently on file with the planning division as of the date of this ordinance.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That a parcel of land in Glendale, Maricopa County, Arizona located at the northwest corner of Glendale Avenue and Reems Road and more accurately described in Exhibit A to this ordinance, is conditionally rezoned from RR-45 (Rural Residential) to PAD (Planned Area Development).

SECTION 2. That the rezoning provided for is conditioned and subject to the following:

1. Development shall be in substantial conformance with the Bickman PAD Narrative, dated July 20, 2021.

2. The developer shall provide half street right of way dedication of 55 feet for Reems Road. The improvements shall include, but are not limited to, roadway widening, curb, gutter, detached sidewalk, street lighting, signing pavement markings, and landscaping.
3. The developer shall provide half street right of way dedication of 55 feet for Glendale Avenue. The improvements shall include, but are not limited to, roadway widening, curb, gutter, detached sidewalk, street lighting, signing pavement markings, and landscaping.
4. The developer shall provide a 40-foot right of way dedication for Alsup Avenue. The applicant/developer shall coordinate with Maricopa County regarding the roadway improvements for Alsup Avenue.
5. The developer shall provide onsite retention for the 100 year, 2-hour storm event for the site and adjacent roadways.
6. If Maricopa County requires improvements to Alsup Avenue, then the developer shall place overhead powerlines on Alsup Avenue underground.
7. All proposed access points on Reems Road shall align with the approved access points to the proposed Cubes development on the east side of Reems Road.
8. All truck access points on Reems Road and on Glendale Avenue shall have a 150' right turn deceleration lane and a 100' taper. The need for turn lanes at all other driveways will be determined by the Traffic Study.
9. A right turn lane will be required on southbound Reems Road in advance of the Glendale Avenue intersection (intersection of two arterials).
10. Adaman Irrigation has land rights in the future right-of-way of Reems Road. The developer will be required to work with Adaman Irrigation to relocate facilities and the associated land rights in order to complete the required roadway improvements and make the associated right-of-way dedications.
11. The developer shall provide a 30-foot half street right of way dedication for Myrtle Avenue.

SECTION 3. The City of Glendale Zoning Map is amended by this ordinance to reflect the change in districts referred to and the property described in Section 1 above as shown in Exhibit B.

SECTION 4. This Ordinance becomes effective at the time and in the manner prescribed by law.

SECTION 5. The City Clerk is instructed and authorized to forward a certified copy of this ordinance for recording to the Maricopa County Recorder's Office.

(Signatures on the following page)

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 28th day of September, 2021.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager

EXHIBIT A

LEGAL DESCRIPTION (PHX20-4036, BICKMAN INDUSTRIAL)

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 6;

THENCE NORTH 03 DEGREES 20 MINUTES 00 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 33.05 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 33.00 FEET OF SAID SECTION 6;

THENCE ALONG SAID LINE, NORTH 89 DEGREES 41 MINUTES 27 SECONDS EAST, A DISTANCE OF 33.05 FEET TO A POINT ON THE EAST LINE OF THE WEST 33.00 FEET OF SAID SECTION 6 AND THE TRUE POINT OF BEGINNING;

THENCE ALONG SAID LINE NORTH 03 DEGREES 20 MINUTES 00 SECONDS WEST, A DISTANCE OF 1,289.66 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 6;

THENCE ALONG SAID LINE, NORTH 89 DEGREES 44 MINUTES 17 SECONDS EAST, A DISTANCE OF 2,527.98 FEET TO A POINT ON THE WEST LINE OF THE EAST 78.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE ALONG SAID LINE, SOUTH 03 DEGREES 26 MINUTES 17 SECONDS EAST, A DISTANCE OF 1,287.70 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 33.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE ALONG SAID LINE, SOUTH 89 DEGREES 41 MINUTES 27 SECONDS WEST, A DISTANCE OF 2,530.23 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THEREFROM THAT CERTAIN DRAINAGE DITCH, AS CONVEYED TO ADAMAN MUTUAL WATER COMPANY BY INSTRUMENT RECORDED IN DOCKET 1180, PAGE 528; AND

EXCEPT ALL UNDERGROUND OR SUBTERRANEAN WATERS BENEATH THE LANDS OF THE ADAMAN MUTUAL WATER COMPANY PROJECT, EXCEPT THAT NECESSARY FOR DOMESTIC USE AS DISTINGUISHED FROM IRRIGATION USE BY SUCH OWNERS OF LAND IN THE PROJECT AS MAY NOW HAVE OR IN THE FUTURE CARE TO SINK DOMESTIC WELLS FOR THEIR INDIVIDUAL USES, AS CONVEYED TO ADAMAN MUTUAL WATER COMPANY BY DEED RECORDED IN DOCKET 1180, PAGE 517; AND

EXCEPT ALL ORES AND MINERALS AND ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES BENEATH THE SURFACE OF THE ABOVE

DESCRIBED PREMISES, AS RESERVED UNTO GOODYEAR FARMS, A
CORPORATION, BY AGREEMENT RECORDED AS DOCKET 2461, PAGE 556.

CONTAINING 74.6405 ACRES [3,251,341 SF] MORE OR LESS

EXHIBIT B

AN ALTA/MSPS LAND TITLE SURVEY OF GLENDALE AVENUE & REEMS ROAD LOCATED IN THE SOUTHWEST QUARTER OF SECTION 06, TOWNSHIP 02 NORTH, RANGE 01 WEST OF THE 61A AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

SECTION CORNER NOTE

THE BORN PILE IN PORTALE HAS BEEN REFERENCED AND ACCEPTED AS CENTER OF SECTION IN SURVEYS AS EARLY AS 1944 WITH THE FOLLOWING SURVEYS ALSO FURNISHING AND ACCEPTING THE MONUMENT'S POSITION:
BOOK 578 OF MAPS, PAGE 40, MCR
BOOK 580 OF MAPS, PAGE 21, MCR
BOOK 441 OF MAPS, PAGE 50, MCR
BOOK 483 OF MAPS, PAGE 13, MCR
BOOK 483 OF MAPS, PAGE 14, MCR
BOOK 726 OF MAPS, PAGE 40, MCR
BOOK 887 OF MAPS, PAGE 06, MCR

SCHEDULE B NOTES

THIS SURVEY IS BASED UPON THE "FOUR-CORNER" FOR TITLE INSURANCE" PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO. 105-103170-1001, RECORD 1, AND EFFECTIVE NOVEMBER 24, 2020 AT 8:00 AM.

1. ANY CHANGE UPON SAID LAND BY REASON OF ITS INCLUSION IN MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NO. 1, (ALL ASSESSMENTS DUE AND PAYABLE ARE PAID) (NOT FLUENTABLE)
2. ANY CHANGE UPON SAID LAND BY REASON OF ITS INCLUSION IN ADAMANT PROGRAM WATER DISTRICT NO. 36, (ALL ASSESSMENTS DUE AND PAYABLE ARE PAID) (NOT FLUENTABLE)
3. SUBDIVISION OF EASEMENTS IN PARTS, OR IN ACTS AUTHORIZING THE EASEMENT THEREOF. (NOT FLUENTABLE)
4. THE RIGHT OF ENTRY TO INSPECT FOR GAS AND SEWAGE ALL ORES AND MINERALS AND ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES BENEATH THE SURFACE OF SAID PROPERTY AS PROVIDED BY AGREEMENT RECORDED AS BOOK 2481, PAGE 258. (NOT FLUENTABLE)
5. THIS ITEM HAS BEEN INTENTIONALLY OMITTED.
6. AN EASEMENT FOR CANALS, IRRIGATION, LATERALS, PIPES, WELLS, PLANTED PLANTS, TREES, CROPS AND FENCIBLES, PROVIDED IN THE DOCUMENT RECORDED AS BOOK 1188, PAGE 217. (NOT FLUENTABLE - BLANKET)
7. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS BOOK 2481, PAGE 258. (NOT FLUENTABLE)
8. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "WATER-DEPENDENT EASEMENT AGREEMENT FOR LOOP 333 PHASE 1 TRILITY GROUP" RECORDED OCTOBER 31, 2012 AS 2012-020888 (NOT FLUENTABLE) OF OFFICIAL RECORDS AND "WATER-DEPENDENT EASEMENT AGREEMENT FOR LOOP 333 PHASE 2 TRILITY GROUP" RECORDED FEBRUARY 1, 2013 AS 2013-016447 (NOT FLUENTABLE) OF OFFICIAL RECORDS.

9. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "WATER-DEPENDENT EASEMENT AGREEMENT FOR LOOP 333 PHASE 3 TRILITY GROUP" RECORDED FEBRUARY 1, 2013 AS 2013-016447 (NOT FLUENTABLE) OF OFFICIAL RECORDS.
10. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "WATER-DEPENDENT EASEMENT AGREEMENT FOR LOOP 333 PHASE 4 TRILITY GROUP" RECORDED FEBRUARY 1, 2013 AS 2013-016447 (NOT FLUENTABLE) OF OFFICIAL RECORDS.
11. THIS ITEM HAS BEEN INTENTIONALLY OMITTED.
12. ALL MATTERS AS SET FORTH IN MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION RECORDS OF SURVEY, RECORDED AS BOOK 1247 OF MAPS, PAGE 47. (OBTAINED)
13. THIS ITEM HAS BEEN INTENTIONALLY OMITTED.

14. ANY PARTS, RIGHTS, INTERESTS OR CLAIMS THAT MAY EXIST OR ARISE BY REASON OF THE FOLLOWING MATTERS (SUSCEIVED BY AN ALTA/MSPS SURVEY MADE BY SHAWNT LIND SURVEYING, LLC ON NOVEMBER 4, 2020, SEPARATED JOB NUMBER 102-0618):
(A) CONCRETE, STEEL, AND DIRT ROADS TRaversing THE LAND AS DELINEATED ON THE SURVEY (OBTAINED)
15. THE RIGHTS OF PARTIES IN POSSESSION BY REASON OF ANY UNRECORDED LIENS OR LOANS OR MORTGAGE TO MORTGAGEE AFFECTING ANY PORTION OF THE WITHIN DESCRIBED PROPERTY. (NOT FLUENTABLE - NO LIENS PROVIDED)
16. WHICH RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS. (NOT FLUENTABLE)

LEGEND

- SECTION LINE
- BOUNDARY LINE
- PROPERTY LINE
- CHANGING PROPERTY LINE
- WIRE FENCE
- BRASS CAP IN HANDELLS
- IRON PIPE
- REBAR (AS NOTED)
- MONUMENT (AS NOTED)
- DOWN CUT
- FUNCTION BOX
- UTILITY POLE
- UTILITY POLE
- TELEPHONE FURNISH
- WATER METER
- MATCH VALUE
- MAIL BOX
- TREE
- SPOT ELEVATION
- FIELD FOUND
- MARICOPA COUNTY RECORDED
- PUBLIC UTILITY EASEMENT
- 1/4" INCH OF WAY
- (C) CALCULATED BEARINGS/DISTANCES
- (M) MEASURED BEARINGS/DISTANCES
- (N) RECORDED BEARINGS/DISTANCES



VICINITY MAP
NOT TO SCALE

LEGAL DESCRIPTION
THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE 61A AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 6;
THENCE NORTH 63 DEGREES 20 MINUTES 00 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 33.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 33.00 FEET OF SAID SECTION 6;
THENCE ALONG SAID LINE, NORTH 86 DEGREES 41 MINUTES 27 SECONDS EAST, A DISTANCE OF 33.00 FEET TO A POINT ON THE WEST LINE OF THE EAST 33.00 FEET OF SAID SOUTHWEST QUARTER;
THENCE ALONG SAID LINE, NORTH 63 DEGREES 20 MINUTES 00 SECONDS WEST, A DISTANCE OF 1,284.88 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 6;
THENCE ALONG SAID LINE, NORTH 86 DEGREES 41 MINUTES 27 SECONDS EAST, A DISTANCE OF 33.00 FEET TO A POINT ON THE WEST LINE OF THE EAST 33.00 FEET OF SAID SOUTHWEST QUARTER;
THENCE ALONG SAID LINE, SOUTH 63 DEGREES 20 MINUTES 00 SECONDS WEST, A DISTANCE OF 1,283.70 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 33.00 FEET OF SAID SOUTHWEST QUARTER;
THENCE ALONG SAID LINE, SOUTH 86 DEGREES 41 MINUTES 27 SECONDS WEST, A DISTANCE OF 33.00 FEET TO THE TRUE POINT OF BEGINNING.

THENCE ALONG SAID LINE, SOUTH 63 DEGREES 20 MINUTES 00 SECONDS WEST, A DISTANCE OF 1,283.70 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 33.00 FEET OF SAID SOUTHWEST QUARTER;
THENCE ALONG SAID LINE, SOUTH 86 DEGREES 41 MINUTES 27 SECONDS WEST, A DISTANCE OF 33.00 FEET TO THE TRUE POINT OF BEGINNING.

CHERRY TREEFRONT THAT CERTAIN DRAINAGE DITCH, AS CONVEYED TO ADAMANT MUTUAL WATER COMPANY BY INSTRUMENT RECORDED IN BOOK 1188, PAGE 218, AND

CHERRY ALL UNRECORDED OR SURRENDERED WATER RIGHTS UNDER THE LAWS OF THE STATE OF ARIZONA WITH WATER CONVEYANCE PROJECT, EXCEPT THAT NECESSARY FOR IRRIGATION USE AS SET FORTH IN THE PROJECT AS MAY NOW EXIST OR IN THE FUTURE, TO BE CONVEYED TO ADAMANT MUTUAL WATER COMPANY BY DEED RECORDED IN BOOK 1188, PAGE 217, AND

CHERRY ALL ORES AND MINERALS AND ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES BENEATH THE SURFACE OF THE ABOVE DESCRIBED PROPERTY, AS PROVIDED UNDER GENERAL PERMITS, A CONVEYANCE BY AGREEMENT RECORDED AS BOOK 2481, PAGE 258, CONTAINING 74,846 ACRES [3,251,341 SF] MORE OR LESS

TABLE A NOTES
7- NO BUILDINGS EXISTING ON THE SURVEYED PROPERTY
8- NO PARKING SPACES ON SUBJECT PROPERTY
9- NO UNRECORDED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ACCESS.
10- NO UNRECORDED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SLUMP OR SHEDDING LANDFILL.

SURVEYOR NOTES
1-FOLLOWUP WAS COMPLETED ON 10/29/2020.
2-ALL BEARINGS AND DISTANCES ARE CALCULATED UNLESS OTHERWISE NOTED.
3-THE SURVEYOR HAS MADE NO INDEPENDENT SEARCH FOR TAXES, ASSESSMENTS, RESERVATIONS IN PATENT, EASEMENTS, RIGHTS OF WAY, ENCUMBRANCES, LIENS, COVENANTS, CONDITIONS OF RECORDATIONS OR ANY OTHER RECORD INFORMATION THAT MAY BE DISCLOSED BY A CURRENT TITLE REPORT OR OTHER RESEARCH.

SURVEYOR CERTIFICATE
I, FIRST AMERICAN TITLE INSURANCE COMPANY, A MARICOPA CORPORATION, FILED/TWO LLC, AN S-CORP LIMITED LIABILITY COMPANY, AND TO HERMAN PERALTA, AN MARICOPA RESIDENT, HEREBY CERTIFY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAN OR SURVEY OR WHEN IT IS SAVED WAS MADE IN ACCORDANCE WITH THE 2018 MARICOPA STATUTE (LEGAL REQUIREMENTS FOR ALTA/MSPS LAND TITLE SURVEYS), JOINTLY DEVELOPED AND ADOPTED BY ALTA AND MARS, AND INCLUDES ITEMS 1, 2, 3, 4, 7, 8, 9, AND 10 OF TABLE A THEREOF.

THE FOLLOWING WAS COMPLETED ON 10/29/2020
DATE OF PLAN OR MAP: 10/24/2020

Shawn Bank
SHAWN BANK
MARICOPA COUNTY
REGISTERED PROFESSIONAL SURVEYOR
NO. 10000

SHAWN BANK SURVEYING, LLC
301 WEST TERRY AVENUE
GLENDALE, ARIZONA 85303
PHONE: (602) 510-7767
E-MAIL: SHAWN@SHAWNSURVEYING.COM

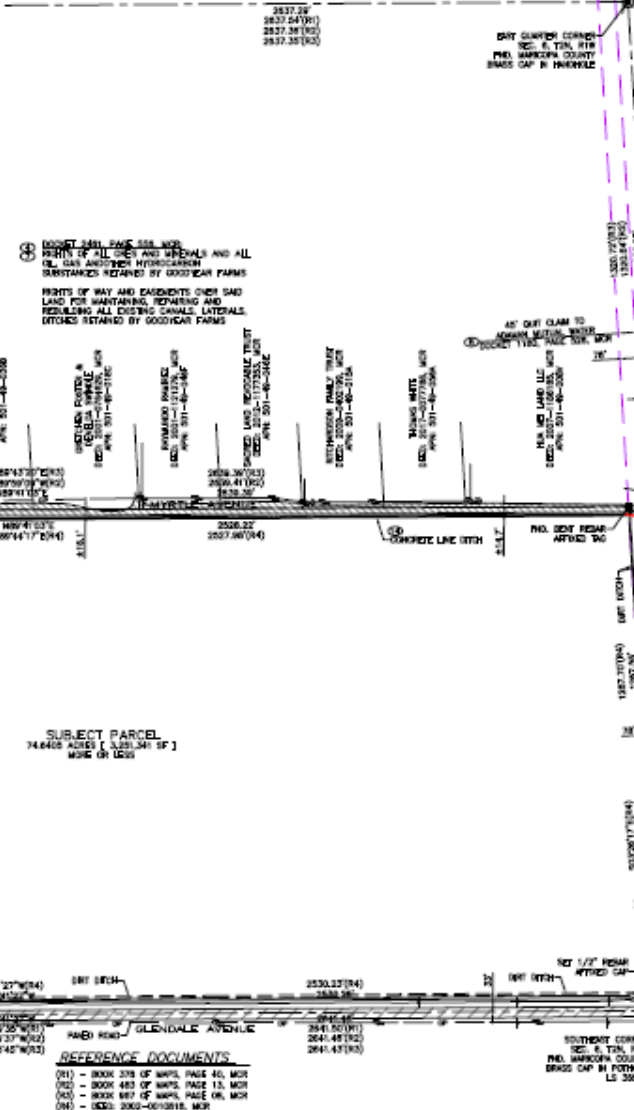
JOB NO: 1020-0508
DRAWN BY: SRS
CHECKED BY: SRS
SCALE: AS SHOWN

AN ALTA/MSPS LAND TITLE SURVEY OF
GLENDALE AVENUE & REEMS ROAD
DATE: 10/24/2020

SCALE: 1 INCH = 500 FEET

DATE: 10/24/2020

DATE: 10/24/2020



REFERENCE DOCUMENTS
(01) - BOOK 578 OF MAPS, PAGE 40, MCR
(02) - BOOK 483 OF MAPS, PAGE 13, MCR
(03) - BOOK 887 OF MAPS, PAGE 06, MCR
(04) - BOOK 2002-0010818, MCR

BASEIS OF BEARING
THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 06, TOWNSHIP 02 NORTH, RANGE 01 WEST OF THE 61A AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA BEARING 88°17'27" N. (ASSUMED BEARING)

FLOOD ZONE NOTE
THE PROPERTY IS LOCATED IN FEMA ZONE "X" SHADING ACCORDING TO PANEL 0403010701L EFFECTIVE 10/15/2013.