

ORDINANCE NO. O23-46

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, DEANNEXING CERTAIN RIGHT-OF-WAY FROM THE CITY OF GLENDALE, MARICOPA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, SECTION 9-471, ARIZONA REVISED STATUTES AND ITS AMENDMENTS, ON ALSUP AVENUE BETWEEN OCOTILLO ROAD AND CLAREMONT STREET CONSISTING OF APPROXIMATELY 1.42 ACRES; PROVIDING FOR AN EFFECTIVE DATE; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

WHEREAS, the Glendale City Council took action to annex portions of right-of-way on Alsup Avenue under Ordinance No. O20-09 (AN-208) adopted January 28, 2020 and recorded on February 5, 2020 at Maricopa County Recorder's Docket No. 2020-0100251 and under Ordinance No. O20-21 (AN-211) adopted March 24, 2020 and recorded on April 6, 2020 at Maricopa County Recorder's Docket No. 2020-0292544; and

WHEREAS, the Glendale City Council took action to accept additional right-of-way on Alsup Avenue under Ordinance No. O22-18 adopted March 22, 2022 and recorded on March 30, 2022 at Maricopa County Recorder's Docket No. 2022-0285490 and under Ordinance No. O22-38 adopted June 14, 2022 and recorded on June 16, 2022 at Maricopa County Recorder's Docket No. 2022-0506068; and

WHEREAS, the City of Glendale and Maricopa County have entered into Intergovernmental Agreement C-64-22-100-X-00 (IGA); and

WHEREAS, per the IGA, follows City of Glendale is to deannex portions of Alsup Avenue right-of-way; and

WHEREAS, this ordinance A.R.S. § 9-471.02(I) and A.R.S. § 9-471.03 which provide a method for the deannexation of right-of-way from a municipality to a county.

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

SECTION 1. That the following described right-of-way is deannexed from the City of Glendale, and that the present corporate limits are modified to exclude the following described right-of-way within the present city limits of Glendale:

(See Exhibits A and B attached and incorporated by this reference.)

SECTION 2. That a copy of this ordinance together with an accurate map of the right-of-way deannexed from the City of Glendale, certified by the Mayor of the City of Glendale, is filed in the office of the Maricopa County Board of Supervisors with a request that the Board of Supervisors set a hearing date as set forth in A.R.S. § 9-471.03.

SECTION 3. That this ordinance becomes effective at the time the Maricopa County Board of Supervisors orders the deannexation and it is certified by the Clerk of the Board and the order is filed for record in the Maricopa County Recorder's Office.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 10th day of October, 2023.

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"

RIGHT OF WAY DE-ANNEXATION

LEGAL DESCRIPTION

THE EAST 40.00 FEET OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

EXCEPT THAT PORTION OF A WELL SITE AS DESCRIBED IN DOCUMENT NO. 1989-0264259 OF THE MARICOPA COUNTY RECORDS, MARICOPA COUNTY, ARIZONA.

PAGE 1 OF 2

TITLE: **XB02**
SCALE: 1"=100'
DATE: 10/17/21
DESC: RIGHT OF WAY

HUNTER
ENGINEERING

10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

CIVIL AND SURVEY

PROJ. NO.
KUZK001-XB01



RIGHT OF WAY DE-ANNEXATION EXHIBIT "A"

MARYLAND AVENUE

SARIVAL AVENUE

ALSUP AVENUE

CLAREMONT STREET

LOT 1
BK.1595,PG.15 MCR

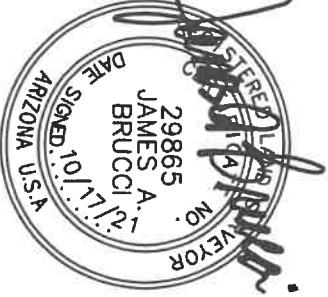
LOT 2
BK.1595,PG.15 MCR
PHI VT303
BUILDING 2 LLC

1.211 AC±
52751 S.F.±

40.00' ROADWAY

WELL SITE PER
DEED 890264259 M.C.R.
APN 501-60-005

EAST LINE OF THE SOUTHWEST QUARTER
OF SECTION 7, T.2N., R.1W



TITLE: **XB02**
SCALE: 1"=450'
DATE: 10/17/21
DESC: RIGHT OF WAY

HUNTER
ENGINEERING

CIVIL AND SURVEY

10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

PROJ. NO.
KUZK001 - XB01

EXHIBIT "B"
RIGHT OF WAY DE-ANNEXATION
LEGAL DESCRIPTION

THE WEST 7.00 FEET OF THE EAST 40.00 FEET OF THE SOUTH HALF OF THE
NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE GILA
AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

PAGE 1 OF 2

TITLE: **XB01**
SCALE: 1"=100'
DATE: 10/14/21
DESC: ADDITIONAL
RIGHT OF WAY

HUNTER
ENGINEERING

10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

CIVIL AND SURVEY

PROJ. NO.
MOSS002-XB01



RIGHT OF WAY DE-ANNEXATION EXHIBIT "B"

**W. Ocotillo Rd.
ALIGNMENT**

N. LINE S. HALF
NW. 1/4, SEC. 7,
T.2N., R.1W.

SARIVAL AVENUE

W. MARYLAND AVE. ALIGNMENT

ALSUP AVENUE

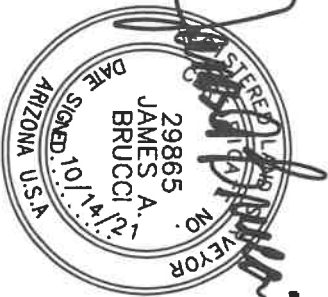
WEST 1/4 CORNER
SEC. 7, T.2N., R.1W.
FOUND ALUMINUM CAP
FLUSH STAMP ILLEGIBLE

LOT 1
BK.1538, PG.25 MCR

LOT 2
BK.1538, PG.25 MCR
WEST 303 PHASE I
LLC

33.00' COUNTY
ROADWAY
(EXISTING)

7.00'
RW



PAGE 2 OF 2

TITLE: XB01
SCALE: 1"=450'
DATE: 10/14/21
DESC: ADDITIONAL
RIGHT OF WAY

HUNTER
ENGINEERING
10450 N. 74TH ST., SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986
CIVIL AND SURVEY
PROJ. NO.
MOSS002-XB01