

ORDINANCE NO. O24-47

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY LOCATED AT THE NORTHWEST CORNER OF 59TH AVENUE AND MERCER LANE FROM PLANNED AREA DEVELOPMENT TO NEIGHBORHOOD COMMERCIAL FOR A PROJECT ENTITLED “60TH AVE ASSISTED LIVING”, AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE IS RECORDED.

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 Arizona Republic* on October 2, 2024; and

WHEREAS, the City of Glendale Planning Commission held a public hearing on October 24, 2024, in zoning case ZON24-04 in the manner prescribed by law for the purpose of rezoning property located at the northwest corner of 59th Avenue and Mercer Lane from PAD (Planned Area Development) to C-1 (Neighborhood Commercial); 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 accept such recommendation to rezone the property described on Exhibit A to change the zoning district from Planned Area Development to Neighborhood Commercial.

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 59th Avenue and Mercer Lane and more specifically described in Exhibit A is rezoned to C-1 (Neighborhood Commercial).

SECTION 2. That the rezoning provided for is without conditions.

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 Exhibits B and C.

SECTION 4. That the provisions of this ordinance will become effective thirty (30) days after passage of this ordinance by the Glendale City Council.

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.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 26th day of November, 2024

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

THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 19; THENCE NORTH 00 DEGREES 03 MINUTES 47 SECONDS WEST, ALONG THE EAST LINE OF SAID SECTION 19, FOR A DISTANCE OF 1007.81 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 56 MINUTES 13 SECONDS WEST, A DISTANCE OF 84.18 FEET TO A POINT OF TANGENCY FOR A CIRCULAR CURVE CONCAVE NORTHEASTERLY WHICH HAS A CENTRAL ANGLE OF 46 DEGREES 00 MINUTES 00 SECONDS AND WHOSE RADIUS POINT BEARS NORTH 01 DEGREES 03 MINUTES 47 SECONDS WEST, A DISTANCE OF 300.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 240.86 FEET; THENCE NORTH 45 DEGREES 03 MINUTES 47 SECONDS WEST, A DISTANCE OF 119.38 FEET; THENCE NORTH 44 DEGREES 56 MINUTES 13 SECONDS EAST, A DISTANCE OF 220.00 FEET; THENCE NORTH 89 DEGREES 56 MINUTES 13 SECONDS EAST, A DISTANCE OF 100.00 FEET; THENCE NORTH 53 DEGREES 26 MINUTES 13 SECONDS EAST, A DISTANCE OF 100.00 FEET; THENCE NORTH 89 DEGREES 56 MINUTES 13 SECONDS EAST, A DISTANCE OF 50.00 FEET TO THE EAST LINE OF SAID SECTION 19; THENCE SOUTH 00 DEGREES 03 MINUTES 47 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 19, A DISTANCE OF 385.81 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE RIGHT OF WAY FOR 59TH AVENUE AND MERCER LANE AS DEDICATED TO THE PUBLIC ON PLAT FOR OAKHOLLOW IN BOOK 295 OF MAPS, PAGE 26.

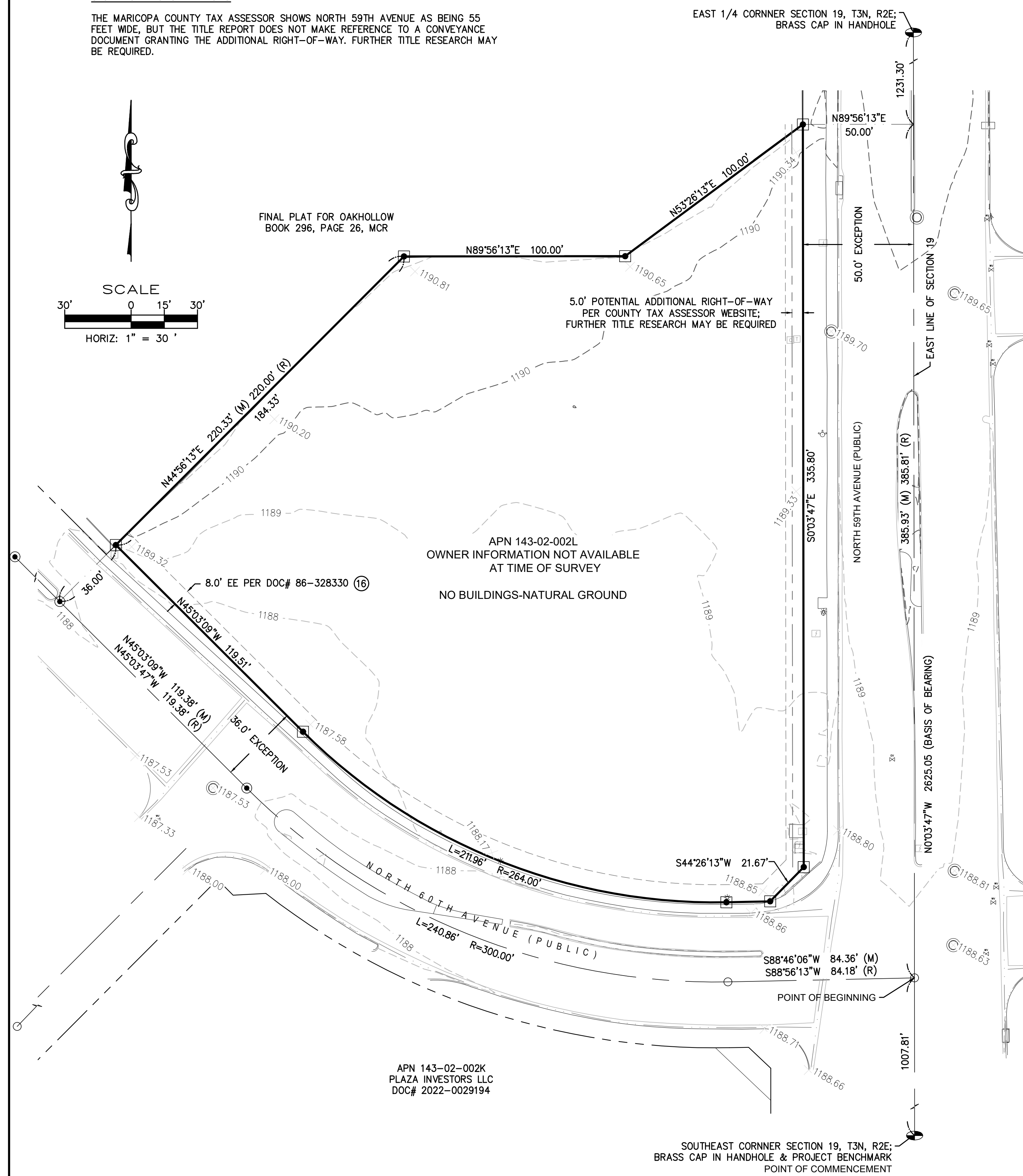
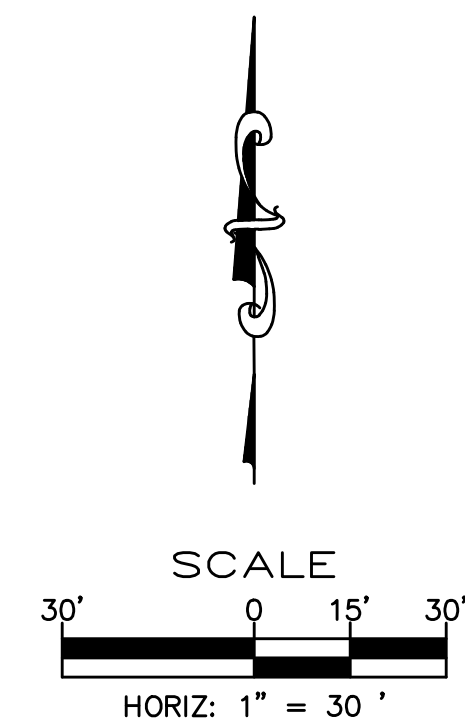
143-02-002G (OLD APN), 143-02-002L (NEW APN)

THE ABOVE LANDS DESCRIBED ABOVE ARE THE SAME PROPERTY AS INSURED BY STEWART TITLE GUARANTY COMPANY, COMMITMENT FOR TITLE INSURANCE ISSUING OFFICE FILE NUMBER: 2304984, DATED MAY 20, 2024 AT 8:00 AM.

ALTA/NSPS LAND TITLE SURVEY

SIGNIFICANT OBSERVATIONS

THE MARICOPA COUNTY TAX ASSESSOR SHOWS NORTH 59TH AVENUE AS BEING 55 FEET WIDE, BUT THE TITLE REPORT DOES NOT MAKE REFERENCE TO A CONVEYANCE DOCUMENT GRANTING THE ADDITIONAL RIGHT-OF-WAY. FURTHER TITLE RESEARCH MAY BE REQUIRED.



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SCHEDULE B EXCEPTIONS

- 9. MINERALS OF WHATSOEVER KIND, SUBSURFACE AND SURFACE SUBSTANCES, INCLUDING BUT NOT LIMITED TO COAL, LIGNITE, OIL, GAS, URANIUM, CLAY, ROCK, SAND AND GRAVEL IN, ON, UNDER AND THAT MAY BE PRODUCED FROM THE LAND TOGETHER WITH ALL RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, WHETHER OR NOT APPEARING IN THE PUBLIC RECORDS OR LISTED IN SCHEDULE B. THE COMPANY MAKES NO REPRESENTATION AS TO THE PRESENT OWNERSHIP OF ANY SUCH INTERESTS. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF INTERESTS THAT ARE NOT LISTED. [THE ITEM IS BLANKET OVER THE SURVEYED PROPERTY-NOT PLOTTED]
- 10. ANY ACTION BY THE COUNTY ASSESSOR AND/OR TREASURER, ALTERING THE CURRENT OR PRIOR TAX ASSESSMENT, SUBSEQUENT TO THE DATE OF THE POLICY OF TITLE INSURANCE. [THE ITEM IS BLANKET OVER THE SURVEYED PROPERTY-NOT PLOTTED]
- 11. TAXES AND ASSESSMENTS COLLECTIBLE BY THE COUNTY TREASURER, A LIEN NOT YET DUE AND PAYABLE FOR THE YEAR 2024. [THE ITEM IS BLANKET OVER THE SURVEYED PROPERTY-NOT PLOTTED]
- 12. RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF. [THE ITEM IS BLANKET OVER THE SURVEYED PROPERTY-NOT PLOTTED]
- 13. WATER RIGHTS, CLAIMS OR TITLE TO WATER, AND AGREEMENTS, COVENANTS, CONDITIONS OR RIGHTS INCIDENT THERETO, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS. THIS EXCEPTION IS NOT LIMITED BY REASON OF THE DISCLOSURE OF ANY MATTER RELATING TO WATER RIGHTS AS MAY BE SET FORTH ELSEWHERE IN SCHEDULE B. [THE ITEM IS BLANKET OVER THE SURVEYED PROPERTY-NOT PLOTTED]
- 14. LIABILITIES AND OBLIGATIONS IMPOSED UPON SAID LAND BY REASON OF ITS INCLUSION WITHIN ANY DISTRICT FORMED PURSUANT TO TITLE 48 ARIZONA REVISED STATUTES. [THE ITEM IS BLANKET OVER THE SURVEYED PROPERTY-NOT PLOTTED]
- 15. LIABILITIES AND OBLIGATIONS IMPOSED UPON SAID LAND BY REASON OF ITS INCLUSION WITHIN HARQUAHALA VALLEY IRRIGATION DISTRICT. [THE ITEM IS BLANKET OVER THE SURVEYED PROPERTY-NOT PLOTTED]
- 16. EASEMENT FOR UNDERGROUND ELECTRIC CONDUITS MANHOLES, TRANSFORMER PADS AND VAULTS AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT RECORDED JUNE 27, 1986, DOCUMENT NO. 86328330. [THE ITEM IS PLOTTED & SHOWN]
- 17. TERMS AND CONDITIONS AS CONTAINED IN INSTRUMENT ENTITLED INTERGOVERNMENTAL AGREEMENT, RECORDED AUGUST 15, 1986, DOCUMENT NO. 86436380. [THE ITEM REFERS TO THE SURVEYED PROPERTY BUT DOES NOT CONTAIN ADDITIONAL ITEMS TO PLOT-NOT PLOTTED]
- 18. EASEMENT FOR UNDERGROUND POWER AND RIGHTS INCIDENT THERETO, AS SET FORTH IN INSTRUMENT RECORDED MARCH 27, 2002, DOCUMENT NO. 2002-0310648. [THE ITEM IS NOT ON OR DOES NOT TOUCH THE SURVEYED PROPERTY-NOT PLOTTED]

BASIS OF BEARING

BASIS OF BEARING IS NORTH 0°03'47" WEST (ASSUMED) ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 19, T3N, R2E, G&SRM, MARICOPA COUNTY, ARIZONA.

BENCHMARK

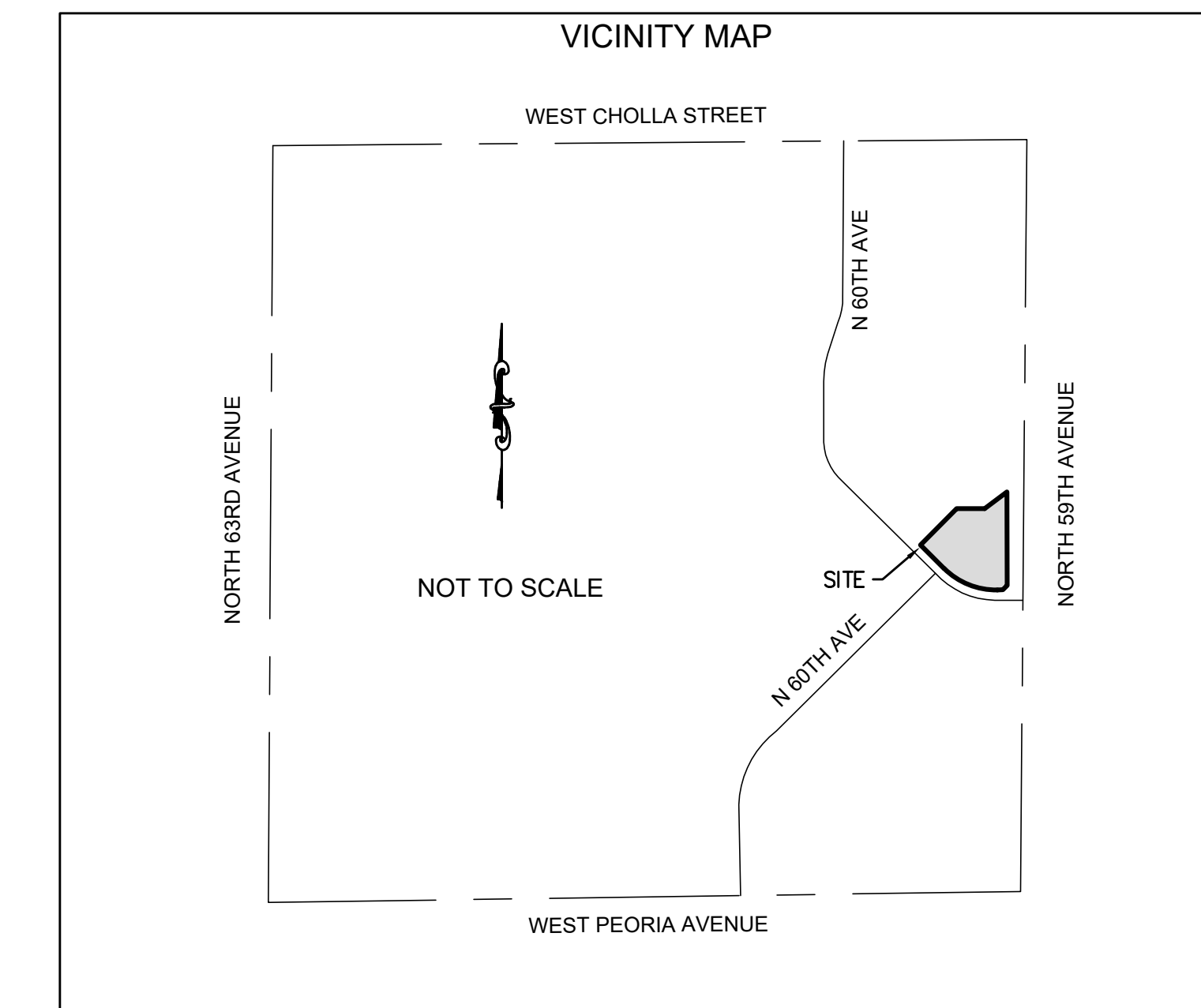
PER THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION SURVEY WEB PAGE, THE BENCHMARK FOR THIS SURVEY IS A BRASS CAP IN HANDHOLE AT THE SOUTHEAST SECTION CORNER OF SECTION 19, T3N, R2E, G&SRM, MARICOPA COUNTY, ARIZONA. ELEVATION=1,185.57' (NAVD88 DATUM).

AREA

AREA=69,968.557 SQUARE FEET, OR 1.606257 ACRES, MORE OR LESS.

FEMA

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 04013C1710L, WHICH BEARS AN EFFECTIVE DATE OF 10/16/2013.



LEGEND

	SUBJECT PARCEL LINE
	SECTION LINE
	MATHEMATICAL TIE LINE
	EASEMENT LINE
	CENTERLINE
	RIGHT-OF-WAY LINE
	SECTION CORNER MONUMENT AS NOTED
	FOUND BOUNDARY SURVEY MONUMENT AS NOTED
	SET SURVEY MONUMENT W/ ID# 47290
	CITY OF GLENDALE BRASS CAP
	CALCULATED POINT-NOTHING FOUND OR SET
	GAS VALVE
	WATER VALVE
	FIRE HYDRANT
	LIGHTPOLE
	UTILITY MANHOLE
	CABLE UTILITY
	ELECTRIC UTILITY
	TELEPHONE UTILITY
	MARICOPA COUNTY RECORDS
	DOC NO
	APN
	EX
	BDG
	R/W
	TYP
	BK & P

SURVEYOR'S CERTIFICATION

TO: STEWART TITLE GUARANTY COMPANY
 THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 8, 9, 10, 13, 16 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON JUNE 14, 2024.



A

ABEL & ASSOCIATES, LLC

PO BOX 226
LAVEEN, AZ 85339
602.501.6957
ABEL@ABEL-LAND.COM

SHEET #	SHEET NUMBER
1_OF_1	DRAWN BY: AB
A & A JOB #	SURVEYED BY: RA
24058-1	