

ORDINANCE NUMBER 718

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, ANNEXING CERTAIN TERRITORY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF COTTONWOOD, BEING APPROXIMATELY SIX (6) ACRES IN SIZE LOCATED AT THE NORTHEAST CORNER OF STATE ROUTE 89A AND RIVER AVENUE, PURSUANT TO THE PROVISIONS OF A.R.S. § 9-471.

WHEREAS, a blank petition in writing, accompanied by a description and accurate map of real property was filed by the City of Cottonwood with the Yavapai County Recorder on March 7, 2022, and the notice was given to the Clerk of the Board of Supervisors and the County Assessor pursuant to A.R.S. §9-471.A(1); and

WHEREAS, a petition signed by the owners of one-half or more in value of the real and personal property and more than one-half of the persons owning real and personal property that would be subject to taxation by the City of Cottonwood in the event of annexation, as shown by the last assessment of property, has been filed in the office of the Yavapai County Recorder on July 27, 2022, all in accordance with A.R.S. §9-471.A; and

WHEREAS, the Mayor and Council of the City of Cottonwood, Arizona, following notice to the public as required by A.R.S. §9-471.A(3), timely held the required public hearing on April 5, 2022, in accordance with A.R.S. §9-471.A(3) to discuss the annexation proposal; and

WHEREAS, the said 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 Cottonwood, and had attached thereto at all times a description and accurate map of the territory proposed to be annexed. Said map is attached to this Ordinance as "Exhibit A" and said description is attached as "Exhibit B"; and

WHEREAS, all other provisions of A.R.S. § 9-471 have been fully observed; and

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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 Cottonwood, Arizona, together with a true and correct copy of the original petition referred to herein, which is on file in the Office of the Yavapai County Recorder; and

WHEREAS, it is the desire of the Mayor and City Council of the City of Cottonwood to annex certain territory described as the River Avenue Annexation Area; and

WHEREAS, the requirements regarding provisions of infrastructure as set forth in A.R.S. § 9-471(O) have been fully complied with as set forth in Resolution Number 3149.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, THAT:

Section 1: The statutory requirements set forth in A.R.S. § 9-471 having been fulfilled, the River Avenue Annexation Area, the map of which is attached as Exhibit "A" and the legal description of which is attached as Exhibit "B," is hereby declared to be annexed to the corporate limits of the City of Cottonwood.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, ARIZONA, THIS 20TH DAY OF SEPTEMBER 2022.



Tim Elinski, Mayor

APPROVED AS TO FORM:



Steven B. Horton, Esq.
City Attorney

ATTEST:

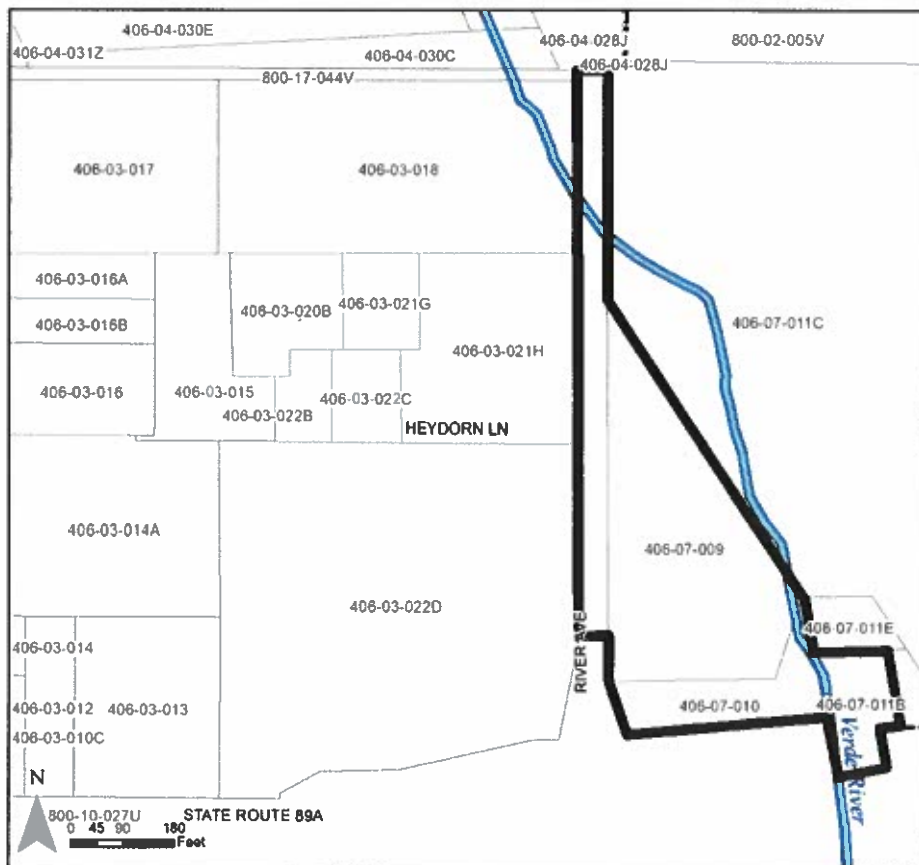




Marianne Jiménez, City Clerk

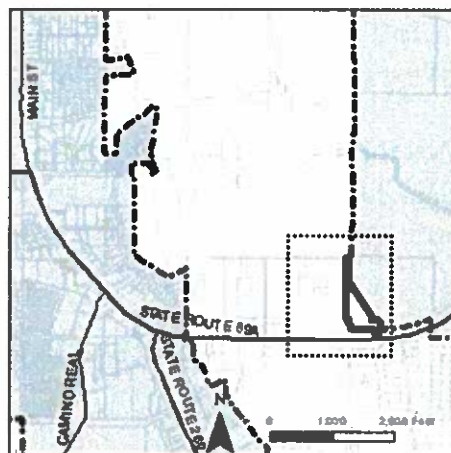
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Exhibit "A"

River Avenue Annexation Area



-  PROPOSED ANNEXATION AREA
-  CURRENT CITY BOUNDARY



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Exhibit "B"

The River Avenue Annexation Area includes all the land described as follows:

1. **APN 406-07-009 and 406-07-010**, as described in Book 3885 Page 874 Official Records of Yavapai County, Arizona:

PARCEL I

That portion of the Northwest quarter of the Southwest quarter of Section 1, Township 15 North, Range 3 East of the Gila and Salt River Base and Meridian, lying west of the Verde River, described as follows:

BEGINNING at a point where a surveyor's landmark is set on the Westerly boundary line of Section 1, above Township and Range, 320 feet North of the Southwest Corner of the Northwest quarter of the Southwest quarter of said Section 1, running thence along said Section line 600 feet to the center of the channel of the Verde River;

Thence Southeasterly along the center of said river channel approximately 900 feet to a point that lies due East, 350 feet from the West line of Said Section and 90 Feet south of the **POINT OF BEGINNING**;

Thence 350 feet due West to said West line;

Thence North along said West line 90 feet to the **POINT OF BEGINNING**.

PARCEL II:

All that portion of the Northwest quarter of the Southwest quarter of Section 1, Township 15 North, Range 3 East of the Gila and Salt River Base and Meridian, lying West of the Verde River, **EXCEPTING** the following described tracts:

BEGINNING at a point where a surveyor's landmark is set on the Westerly boundary line of said Section 1, above Township and Range, 320 feet North of the Southwest Corner of the Northwest quarter of the Southwest quarter of said Section 1;

Thence North along said Section line 600 feet to the center of the channel of the Verde River;

Thence Southeasterly along the center of said river channel approximately 900 feet to a point;

Thence 350 feet due West to the said Westerly boundary line of said Section 1;

Thence North along said boundary line 90 feet to the **POINT OF BEGINNING**.

AND

A strip of land 66 feet wide being 33 feet on each side of the center line of County Highway as now located described as follows:

BEGINNING at the Southwest corner of the Northwest quarter of the Southwest quarter of Section 1;

Thence North 11.45 feet to a point;

Thence North $83^{\circ}18'$ East 1,329.08 feet to a point;

Thence South 66.54 feet to a point;

Thence South $83^{\circ}18'$ West, 862.83 feet to a point;

Thence West 463.06 feet to the **PLACE OF BEGINNING**, as granted to County of Yavapai by right of way Deed dated November 16, 1921, recorded in Book 125 of deeds, pages 448-450.

ALSO EXCEPT any portion lying within the Highway Right of way as described in instrument recorded in Book 620 of Official Records, page 222.

2. **APN 406-07-011B**, as described in Book 2010 Page 475:

A tract of land in the Northwest Quarter of the Southwest Quarter of Section 1, Township 15 North, Range 3 East of the Gila and Salt River Base and Meridian, Yavapai County Arizona, described as follows:

BEGINNING at a point on the South line of said Northwest Quarter of the Southwest Quarter that lies South $89^{\circ}49'$ West 759.0 feet from the Southeast corner of said Northwest Quarter of the Southwest Quarter;

Thence South $89^{\circ}49'$ West, 125 feet along said South line to a point in the Verde River Channel;

Thence North $09^{\circ}31'$ West, 286.0 feet up the Verde River;

Thence North $89^{\circ}49'$ East 125 feet;

Thence South $09^{\circ}31'$ East, 285.0 feet to the **POINT OF BEGINNING**.

Exhibit "B" to Ordinance Number 718
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EXCEPTING THEREFROM the following described tract:

That portion of the Northwest Quarter of the Southwest Quarter of Section 1, Township 15 North Range 3 East of the Gila and Salt River Base and Meridian, Yavapai County Arizona.

COMMENCING at the West Quarter corner of said Section 1;
Thence South 00°16'45" East, along the West line thereof, a distance of 1,188.56 feet;

Thence North 89°43'15" East, 52.12 feet;

Thence North 85°10'24" East, 390.88 feet to the center channel of the Verde River, the **TRUE POINT OF BEGINNING**;

Thence South 08°50'10" East, (South 09°31' recorded) along said center channel, a distance of 101.76 feet to the existing Northerly right of way line of Alternate U.S. Highway 89;

Thence North 83°36'30" East, along said right of way line, a distance of 56.50 feet to an angle point thereon;

Thence North 06°23'30" West continuing along said right of way line, a distance of 60.00 feet;

Thence continuing North 06°23'30" West, 40.00 feet;

Thence South 85°10'24" West, 60.87 feet to the **POINT OF BEGINNING**, and to the underlying fee interest in and to the existing right of way of Alternate U.S. Highway 89.

3. **APN 800-17-044V (portion)**, River Avenue right-of-way:

A parcel of land located in the Northeast quarter of the Southeast quarter of Section 2, Township 15 North, Range 3 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly describes as follows:

All of that portion of the River Avenue right-of-way in Oasis Colony Subdivision, recorded in Book 2 Page 29 of Maps, Records of Yavapai County, Arizona, lying north of the State Route 89A right-of-way.