

ORDINANCE NO. 2019-870

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 378 ACRES OF REAL PROPERTY GENERALLY LOCATED EAST OF THE PEAVINE TRAIL, SOUTH OF EAST PERKINSVILLE ROAD, WEST OF M.A. PERKINS TRAILWAY, AND NORTH OF EAST ROAD 2 NORTH, FROM SR-2 (SINGLE FAMILY RESIDENTIAL - 2 ACRE MINIMUM) TO SR-1 (SINGLE FAMILY RESIDENTIAL - 1 ACRE MINIMUM) ZONING DISTRICT.

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the "Town Council") desires to amend the Town of Chino Valley Official Zoning Map for a ±378 acre parcel zoned SR-2 (Single Family Residential - 2 acre minimum) to SR-1 (Single Family Residential - 1 acre minimum); and

WHEREAS, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan, or other plan, and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, the Planning and Zoning Commission recommended approval of the rezoning and map amendment; and

WHEREAS, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. The recitals above are incorporated as if fully set forth herein.

Section 2. The Official Zoning Map is hereby amended for property consisting of approximately 378 acres, described in Exhibit 1 and shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated herein by this reference, to rezone it from SR-2 (Single Family Residential - 2 acre minimum) to SR-1 (Single Family Residential - 1 acre minimum), subject to the following conditions:

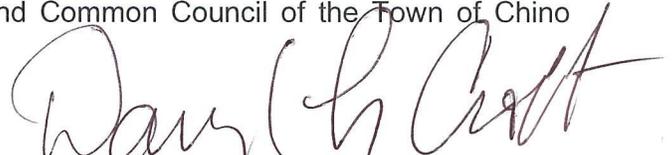
1. The property described herein shall be used in accordance with the Town of Chino Valley Unified Development Ordinance.
2. The subdivision on the property shall have connectivity to the Peavine Trail by way of pedestrian paths and trailways.
3. The developer shall dedicate to the Town the following: 50' half-street on East Road 2 North (for an ultimate 100' ROW); 50' half-street on East Perkinsville Road; and 40' half-street on M.A. Perkins Trailway (for an ultimate 80' ROW). The dedication shall

occur at such time as the portion of the property is developed that fronts the respective street.

4. The developer shall complete street improvements along the frontages of East Road 2 North, East Perkinsville Road, and M.A. Perkins Trailway. Improvements must be approved by the Town Engineer and will include, but not necessarily be limited to, pavement widening, curb, gutter, sidewalk, and drainage improvements. The timing of the improvements shall occur when the portion of the property is developed that fronts the respective street.
5. All lots and parcels within the property shall be connected to Town utilities. All Utility Extensions required by §51.060 or other sections of the Town Code shall be required at the time necessary to serve the lots and parcels, but in no event later than the time which the lots and parcels that adjoin the right-of-way are developed.

Section 3. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 25th day of June, 2019.



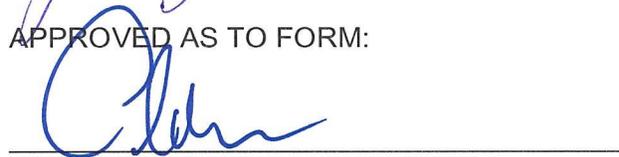
Darryl L. Croft, Mayor

ATTEST:



Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:



Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2019-870 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on June 25, 2019, and that quorum was present, and that the vote thereon was 6 ayes and 0 nays and 0 abstentions. 1 Council members were absent or excused.



Jami C. Lewis, Town Clerk

EXHIBIT 1
TO
ORDINANCE NO. 2019-870

[Legal Description]

See following pages.

306-02-018N and 306-02-301J

A portion of Government Tracts 43, 45, 46, 47 and 50, lying in Section 13, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

(Basis of bearing is South 89 degrees, 54 minutes, 59 seconds West as measured from a USGLO brass capped monument at the corner common to Sections 13 and 24 Township 16 North, Range 2 West and Sections 18 and 19, Township 16 North, Range 1 West, to a USGLO brass capped monument at the Southwest corner of Government tract 46, also being the common quarter corner between Section 13 and 24, Township 16 North, Range 2 West).

BEGINNING at a USGLO brass capped monument at the corner common to Section 13 and 24 Township 16 North, Range 2 West and Section 18 and 19, Township 16 North, Range 1 West;

Thence South 89 degrees, 54 minutes, 59 seconds West along the South line of said Government tract 46, a distance of 2637.85 feet to a USGLO brass capped monument at the Southwest corner of Government tract 46, also being the common quarter corner between said Section 13 and 24;

Thence North 00 degrees, 06 minutes, 02 seconds West along the West line of said Government tract 46, a distance of 1319.61 feet to a USGLO brass capped monument on the South line of said Government tract 47;

Thence South 89 degrees, 51 minutes, 28 seconds West along said South line of Government tract 47, a distance of 1180.15 feet to a capped rebar, RLS number 27738 on the Easterly right of way line of the Peavine Trail (formerly Atchison, Topeka and Santa Fe Railway) as described in Book 2800 of Official Records, page 832, and in Book 3927 of Official Records, page 137, Yavapai County Recorder's Office;

Thence North 14 degrees, 23 minutes, 09 seconds West along said Easterly right of way line, a distance of 563.38 feet to a capped rebar, RLS number 35138 on the West line of said Government tract 47;

Thence North 00 degrees, 05 minutes, 52 seconds West along said West line of Government tract 47, a distance of 773.65 feet to a USGLO brass capped monument at the corner common to Government tract 47, 48 and 50;

Thence South 89 degrees, 54 minutes, 01 seconds West along the common line between said Government tract 48 and 50, a distance of 197.03 feet to an iron pipe, tagged RLS number 35138 on said Easterly right of way line,

Thence North 14 degrees, 23 minutes, 09 seconds West along said Easterly right of way line, a distance of 1845.71 feet to a capped rebar, RLS number 35138 on the Southerly right of way line of Perkinsville Road, as described in Book 4037 of Official records, page 562, Yavapai County Recorder's Office;

Thence along a non-tangential curve, along said Southerly right of way line, concave to the Northwest, having a radius of 2034.00 feet, a central angle of 11 degrees, 39 minutes, 21 seconds, an arc length of 413.78 feet, a chord bearing North 64 degrees, 44 minutes, 44 seconds East and a chord length of 413.07 feet to a capped rebar, RLS number 35138;

Thence North 58 degrees, 55 minutes, 04 seconds East along said Southerly right of way line, a distance of 325.41 feet to a capped rebar, RLS number 35138;

Thence South 00 degrees, 08 minutes, 01 seconds East, a distance of 811.07 feet to a brass capped monument at the Northwest corner of said Government tract 47;

Thence North 89 degrees, 54 minutes, 27 seconds East along the North line of said Government tract 47, a distance of 1318.73 feet to a USGLO brass capped monument at the Southeast corner of said of Government tract 45;

Thence North 89 degrees, 59 minutes, 16 seconds East along said North line of Government tract 47, a distance of 1319.83 feet to a USGLO brass capped monument at the Northeast corner of said Government tract 47;

Thence North 00 degrees, 05 minutes, 44 seconds West along the West line of said Government tract 43, a distance of 1321.73 feet to a USGLO brass capped monument at the Northwest corner of said Government tract 43;

Thence North 89 degrees, 50 minutes, 26 seconds East along the North line of said Government tract 43, a distance of 1269.21 feet to a capped rebar, RLS number 35138 on the West right of way line of M.A. Perkins Road, as described in Book 4037 of Official Records, page 562, Yavapai County Recorder's Office;

Thence South 02 degrees, 16 minutes, 39 seconds East along said West right of way line, a distance of 1325.68 feet to a USGLO brass capped monument at the Southeast corner of said Government tract 43;

Thence South 00 degrees, 08 minutes, 34 seconds East along the East line of said section 13, a distance of 1317.75 feet to a USGLO brass capped monument at the East quarter corner of said section 13;

Thence South 00 degrees, 01 minutes, 57 seconds East along said East line, a distance of 2638.13 feet to the TRUE POINT OF BEGINNING.

EXCEPT all coal, oil, gas and other minerals as reserved from said land.

ALSO EXCEPTING THEREFROM THE FOLLOWING:

Portions of Section 18, Township 16 North, Range 1 West and Section 13, Township 16 North, Range 2 West of the Gila and Salt River Meridian, Yavapai Country, Arizona, being a strip of land 50.00 feet wide, 25.00 feet each side of the following described centerline.

COMMENCING at the Northeast corner of said Section 13 as identified by a 3 ½ "General Land Office brass cap;

thence, along the North line of Section 13, North 89° 53'30" West, 25.02 feet to the POINT OF BEGINNING, from which point a General Land Office brass cap identifying the Northwest corner of Government Tract 43 is North 43 is North 89° 53'30" West, 1,294.44 feet;

Thence, departing the North line of Section 13, South 02° 00') East, 1,325.23 feet, from which point a 2 ½" General Land Office brass cap identifying the corner common to Government Tract 43 and Government Tract 46 on the West line of said Section 18 is South 88° 54' 59" West, 25.01 feet;

Thence, along a line 25.00 Easterly of and parallel with the West line of Section 18, South 00° 09' 04" West 1,318.68 feet, from which point a 2 ½" General Land Office brass cap identifying the quarter-corner common to said Section 13 and said Section 18 is North 89° 48' 34" West, 25.00 feet;

thence, continuing along the line 25.00 Easterly of and parallel with the West line of Section 18, South 00° 13' 48" West, 1,317.72 feet to the North line of Parcel "A: as shown on the record of survey recorded in Book 32 of Land Surveys, Page 90 in the Yavapai County Record's Office and to the POINT OF TERMINATION, from which point a 2 ½" General Land Office brass cap is South 89° 06' 14" West, 25.00 feet.

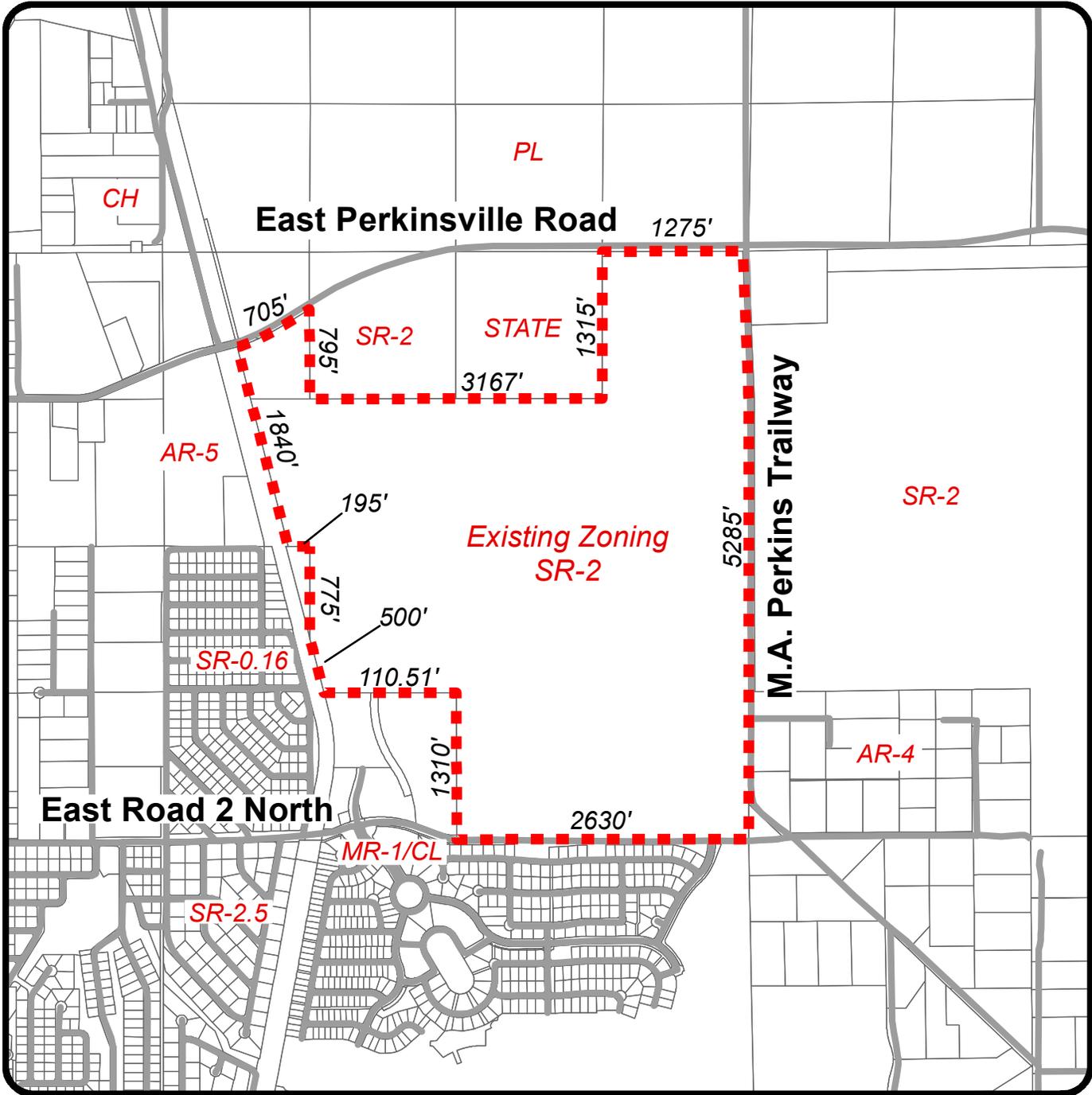
At the point of beginning the sidelines of this description are lengthened or shortened to terminate at the North line of said Section 13. At the point of termination the sidelines are lengthened or shortened to terminate at the North line of Parcel "A" as shown the record of survey recorded in Book 32 of Land Surveys, Page 90.

EXHIBIT 2
TO
ORDINANCE NO. 2019-870

[Zoning Exhibit]

See following pages.

Zoning Exhibit 2



* Property dimensions are approximated

Subject Property
 Streets

Z19-000006: Century Ranch

Applicant: Jim Fletcher (Century Ranch LLC)

Request: Rezone 2 parcels containing approximately 378 acres from SR-2 zoning district to SR-1 zoning district.

Location: Southwest of East Perkinsville Road and M.A. Perkins Trailway, and north of the Bright Star subdivision

APN: 306-02-301J and 306-02-018N



Not to Scale