

**WHEN RECORDED RETURN TO:**

City Clerk's Office  
City of Surprise  
16000 N. Civic Center Plaza  
Surprise, AZ 85374

**ORDINANCE 2017-01**

**AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SURPRISE, MARICOPA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF ARIZONA REVISED STATUTES TITLE 9, CHAPTER 4, ARTICLE 7 AND AMENDMENTS THERETO, BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF SURPRISE, GENERALLY BOUNDED BY COTTON LANE, 175<sup>TH</sup> AVENUE, WADDELL ROAD AND CACTUS ROAD; AND ESTABLISHING CITY OF SURPRISE ZONING CLASSIFICATIONS.**

**WHEREAS**, a petition in writing, accompanied by a map or plot of said real property, having been filed and presented to the Mayor and council of the City of Surprise, Arizona, signed by the owners of more than one-half in value of the real and personal property and more than one-half of the persons owning real and personal property as would be subject to taxation by the City of Surprise in the event of annexation within the territory and land hereinafter described as shown by the last assessment of said property, which said territory is contiguous to the City of Surprise, and not now embraced within its limits, asking that the property more particularly hereinafter described be annexed to the City of Surprise, and to extend and increase the corporate limits of the City of Surprise so as to embrace the same;

**WHEREAS**, the Mayor and Council of the City of Surprise, Arizona, are desirous of complying with said petition and extending and increasing the corporate limits of the City of Surprise to include said territory;

**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 Surprise, and had attached thereto at all times an accurate map of the territory desired to be annexed;

**WHEREAS**, no alterations increasing or reducing the territory sought to be annexed have been made after the said petition had been signed by any owner of real and personal property in such territory;

**WHEREAS**, the provisions of A.R.S. §9-471, and amendments thereto, have been fully observed; and

**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 Surprise, Arizona, together with a true and correct copy of the original petition referred to herein, which is on file in the office of the county recorder.

**WHEREAS**, pursuant to A.R.S. § 9-471(L), the Council shall adopt and apply to this area the zoning classification that permits densities and uses no greater than those permitted by the County immediately before annexation.

**NOW, THEREFORE**, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AS FOLLOWS:

**SECTION 1.** That the territory described in the attached *Exhibits "A" and "B"* is annexed into the City of Surprise, and that the present corporate limits are, extended and increased to include this territory within the City limits:

**SECTION 2.** That a copy of this ordinance, together with an accurate map of the territory hereby annexed to the City of Surprise, certified by the Mayor of the City of Surprise, shall be recorded in the office of the County Recorder of Maricopa County, Arizona and that a copy of this ordinance shall be provided to the Clerk of the Board of Supervisors of Maricopa County, Arizona.

**SECTION 3.** That the property described on Exhibit B, Parcels 1 and 2, of this Ordinance, as having Maricopa County zoning of Rural-43 (RU-43), shall be designated with the City of Surprise zoning district of Residential Ranch (RR), upon the effective date of this Ordinance.

**SECTION 4.** That the property described on Exhibit B, Parcel 3, of this Ordinance, with Maricopa County zoning of C-3, shall be designated with City of Surprise zoning district of Regional Commercial (CR), upon the effective date of this Ordinance.

**SECTION 5.** That the City of Surprise zoning map is herewith amended to reflect the property and zoning districts adopted in Sections 3 and 4, above.

**SECTION 6.** This Ordinance shall take effect, and the annexation of the subject property shall become final thirty days after this Ordinance is adopted.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Sherry Aguilar, City Clerk

\_\_\_\_\_  
Robert Wingo, City Attorney

**CERTIFICATION OF MAP**

**MAP OF AREA TO BE ANNEXED**

I, \_\_\_\_\_, Mayor of the City of Surprise, Arizona, do hereby certify that the foregoing legal description and map as expressed in attached Exhibits "A" and "B" is a true and correct depiction of the territory annexed under and by virtue of the petition of the real and personal property owners in the said territory and by Ordinance No. \_\_\_\_\_, annexing the territory described in Ordinance No. \_\_\_\_\_ and as shown on said map as a part of the territory to be included within the corporate limits of the City of Surprise, Arizona.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

## EXHIBIT "A"

### DESCRIPTION

#### MAGNOLIA ANNEXATION

Portions of the east halves of Sections 11 and 14, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

#### PARCEL 1

COMMENCING at the South Quarter Corner of said Section 14, being the southeast corner of that real property as described in the City of Surprise Annexation Ordinance # 03-15 as recorded in Instrument 2003-0920269, records of said County, and the southwest corner of Parcel #2 of that real property as described in the City of Surprise Annexation Ordinance #2015-17 as recorded in Instrument 2015-0867344, records of said County, from which the Southeast Corner of said Section 14 lies North 89°49'03" East 2645.36 feet;

Thence along the east line of said Ordinance #03-15 and the west line of said Parcel #2 being also the north-south midsection line of said Section 14, North 00°12'41" East 33.00 feet to the northwest corner of said Parcel #2 and the POINT OF BEGINNING;

Thence continuing along said east line of Ordinance #03-15 and said midsection line North 00°12'41" East 1299.63 feet;

Thence departing said lines North 89°49'03" East 1077.68 feet to the most northerly northwest corner of that real property as described in the City of Surprise Annexation Ordinance #2010-12 as recorded in Instrument 2010-0594770, records of said County, being also Point "A" for purposes of this description;

Thence along a west line of said Ordinance #2010-12 South 00°10'57" East 316.90 feet;

Thence along a south line of said Ordinance #2010-12 North 89°49'03" East 575.97 feet;

Thence along a west line of said Ordinance #2010-12 South 00°10'57" East 633.80 feet;

Thence along a north line of said Ordinance #2010-12 South 89°49'03" West 573.52 feet;

Thence along a west line of said Ordinance #2010-12 South 00°10'57" East 348.90 feet to the northeast corner of said Parcel #2;

Thence along the north line of said Parcel #2 South 89°49'03" West 1089.06 feet to the POINT OF BEGINNING.

TOGETHER WITH

DESCRIPTION continued on page 2 of 4

DESCRIPTION continued from page 1 of 4

**PARCEL 2**

BEGINNING at the aforementioned Point "A"

Thence North 00°10'57" West 316.90 feet;

Thence North 89°49'03" East 584.03 feet;

Thence North 00°10'57" West 633.80 feet;

Thence South 89°49'03" West 570.97 feet;

Thence South 00°10'57" East 44.59 feet;

Thence South 89°48'47" West 1084.52 feet to a point on the north-south midsection line of said Section 14 and the east line of said Ordinance # 03-15;

Thence along said midsection line and said east line North 00°12'41" East 40.45 feet to the south corner of that real property as described in the City of Surprise Annexation Ordinance #08-13, as recorded in Instrument 2008-0397058, records of said County said corner being the beginning of a tangent curve, concave easterly, having a radius of 150.00 feet;

Thence departing said east line and said mid-section line northerly along the east line of said Ordinance #08-13 and the arc of said curve through a central angle of 02°57'02" a distance of 7.73 feet;

Thence continuing along said east line North 03°09'43" East 186.55 feet to the beginning of a tangent curve, concave westerly, having a radius of 150.00 feet;

Thence continuing northerly along said east line and the arc of said curve through a central angle of 02°57'02" a distance of 7.73 feet;

Thence continuing along said east line North 00°12'41" East 354.20 feet to the beginning of a tangent curve, concave westerly having a radius of 150.00 feet;

Thence continuing northerly along said east line and the arc of said curve through a central angle of 02°57'02" a distance of 7.73 feet;

Thence continuing along said east line North 02°44'21" West 186.54 feet to the beginning of a tangent curve, concave easterly, having a radius of 150.00 feet;

Thence continuing northerly along said east line and the arc of said curve through a central angle of 02°57'02" a distance of 7.73 feet to the most northerly point of said Ordinance #08-13 and a point on said east line of Ordinance #03-15, being also a point on said mid-section line;

DESCRIPTION continued on page 3 of 4

DESCRIPTION continued from page 2 of 4

Thence northerly along last said east line and said midsection line North 00°12'41" East 2244.24 feet to the North Quarter Corner of said Section 14, being the northeast corner of said Ordinance #03-15, being also a point on the south line of that real property described in the City of Surprise Annexation Ordinance #00-16 as recorded in Instrument 2000-0713570, records of said County;

Thence easterly along the north line of the northeast quarter of said Section 14 and the south line of said Ordinance #00-16, North 89°50'28" East 660.87 feet to the southeast corner of said Ordinance #00-16;

Thence along an east line of said Ordinance #00-16 North 00°13'35" East 33.00 feet;

Thence parallel with and 33.00 feet north of, measured at right angles, the south line of the southeast quarter of said Section 11 North 89°50'29" East 1271.62 feet to a point on the west line of that real property described in the City of Surprise Annexation Ordinance #07-42 as recorded in Instrument 2007-1177274 records of said County;

Thence along said west line South 00°09'26" East 33.00 feet to the southwest corner of said Ordinance #07-42, being also a point on said south line of the southeast quarter of Section 11, said point being also a point on the north line of that real property as described in the City of Surprise Annexation Ordinance #08-31 as recorded in Instrument 2008-0725885, records of said County;

Thence westerly along said south line of the southeast quarter and said north line South 89°50'29" West 510.95 feet to the northwest corner of said Ordinance #08-31;

Thence along the west line of said Ordinance #08-31 South 00°12'17" West 1716.03 feet to the southwest corner of said Ordinance #08-31;

Thence along the south line of said Ordinance #08-31, North 89°50'28" East 1205.36 feet to a point on that real property described in the City of Surprise Annexation Ordinance #08-21 as recorded in Instrument 2008-0498462, records of said County;

Thence along the west line of said Ordinance #08-21 South 00°12'03" West 923.52 feet to a point on the east-west midsection line of said Section 14;

Thence continuing along said west line South 00°10'54" West 1307.79 feet to a point on the north line said Ordinance #2010-12;

Thence along said north line of Ordinance #2010-12 South 89°49'03" West 1550.49 feet to the POINT OF BEGINNING.

TOGETHER WITH

DESCRIPTION continued on page 4 of 4

DESCRIPTION continued from page 3 of 4

**PARCEL 3**

COMMENCING at the southeast corner of said Section 14;

Thence along the south line of said Section 14 South 89°49'03" West 16.50 feet;

Thence North 00°10'54" East 33.00 feet to the northeast corner of Parcel #1 of said Ordinance 2015-17 and the POINT OF BEGINNING;

Thence along the north line of said Parcel #1 South 89°49'03" West 316.50 feet to the northwest corner of said Parcel #1 being also a point on an east line of said Ordinance #2010-12;

Thence along said east line North 00°10'52" East 200.00 feet;

Thence along a south line of said Ordinance #2010-12 North 89°49'03" East 100.00 feet;

Thence along an east line of said Ordinance #2010-12 North 00°10'52" East 100.00 feet;

Thence along a south line of said Ordinance #2010-12 North 89°49'03" East 216.50 feet to the most northerly southeast corner of said Ordinance #2010-12 being also a point on the west line of that real property as described in the aforementioned Ordinance 08-21;

Thence along said west line South 00°10'54" West 300.00 feet to the POINT OF BEGINNING.

Containing 203.28 acres, more or less.

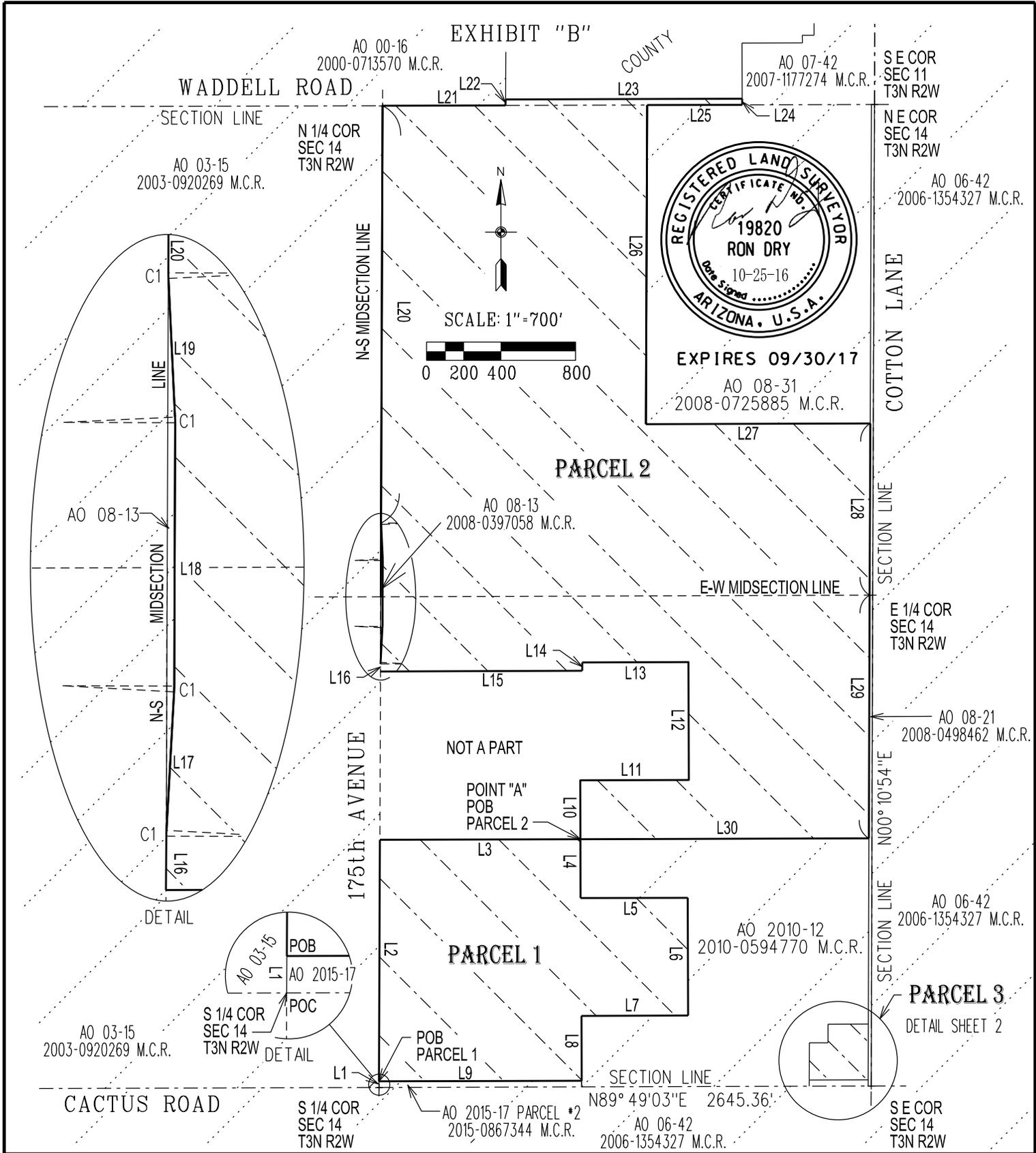
Attached is Exhibit "B" and by this reference is made a part hereof.

End of description



EXPIRES 09-30-2017

EXHIBIT "B"



MAGNOLIA ANNEXATION



**CITY OF SURPRISE**  
**LAND SURVEY DEPARTMENT**

PROJECT # 16023

DRAWN BY RCD

DATE 10-25-16

SHEET 1 OF 2

## EXHIBIT "B"

<u>LINE TABLE</u>		
LINE	BEARING	LENGTH
L1	N00° 12'41"E	33.00'
L2	N00° 12'41"E	1299.63'
L3	N89° 49'03"E	1077.68'
L4	S00° 10'57"E	316.90'
L5	N89° 49'03"E	575.97'
L6	S00° 10'57"E	633.80'
L7	S89° 49'03"W	573.52'
L8	S00° 10'57"E	348.90'
L9	S89° 49'03"W	1089.06'
L10	N00° 10'57"W	316.90'
L11	N89° 49'03"E	584.03'
L12	N00° 10'57"W	633.80'
L13	S89° 49'03"W	570.97'

<u>LINE TABLE</u>		
LINE	BEARING	LENGTH
L14	S00° 10'57"E	44.59'
L15	S89° 48'47"W	1084.52'
L16	N00° 12'41"E	40.45'
L17	N03° 09'43"E	186.55'
L18	N00° 12'41"E	354.20'
L19	N02° 44'21"W	186.54'
L20	N00° 12'41"E	2244.24'
L21	N89° 50'28"E	660.87'
L22	N00° 13'35"E	33.00'
L23	N89° 50'29"E	1271.62'
L24	S00° 09'26"E	33.00'
L25	S89° 50'29"W	510.95'
L26	S00° 12'17"W	1716.03'

<u>LINE TABLE</u>		
LINE	BEARING	LENGTH
L27	N89° 50'28"E	1205.36'
L28	S00° 12'03"W	923.52'
L29	S00° 10'54"W	1307.79'
L30	S89° 49'03"W	1550.49'
L31	S89° 49'03"W	16.50'
L32	N00° 10'54"E	33.00'
L33	S89° 49'03"W	316.50'
L34	N00° 10'52"E	200.00'
L35	N89° 49'03"E	100.00'
L36	N00° 10'52"E	100.00'
L37	N89° 49'03"E	216.50'
L38	S00° 10'54"W	300.00'

### CURVE TABLE

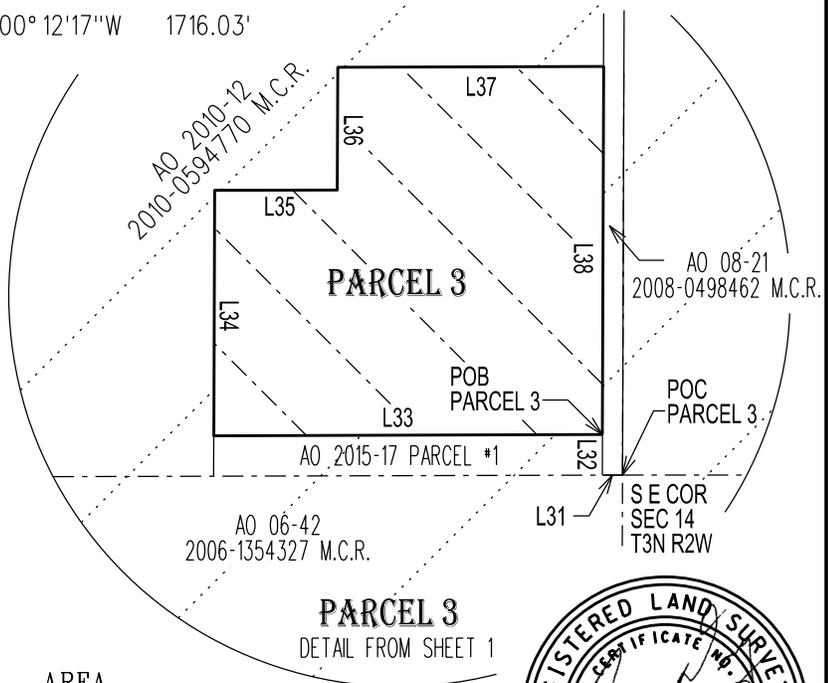
CURVE	△	RADIUS	LENGTH
C1	02° 57'02"	150.00'	7.73'

### LEGEND

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- M.C.R. MARICOPA COUNTY RECORDER
- AO ANNEXATION ORDINANCE
- EXISTING CITY OF SURPRISE JURISDICTION
- ANNEXATION AREA

### BASIS OF BEARINGS

Maricopa County Low Distortion Projection  
 Linear unit: International foot  
 Geodetic Datum: NAD 1983  
 Projection type: Lambert Conformal Conic (single parallel)  
 Latitude of origin: 33° 15'00"N  
 Central meridian: 112° 15'00" W  
 False northing: 1,500,000.000 ift  
 False Easting: 2,500,000.000 ift  
 Standard parallel scale: 1.000045 (exact)



<u>AREA</u>	
PARCEL 1	40.69 ACRES
PARCEL 2	160.64 ACRES
PARCEL 3	1.95 ACRES
TOTAL	203.28 ACRES



EXPIRES 09/30/17

MAGNOLIA ANNEXATION



**CITY OF SURPRISE**  
**LAND SURVEY DEPARTMENT**

PROJECT # 16023

DRAWN BY RCD

DATE 10-25-16

SHEET 2 OF 2