



ANNEXATION

REPORT TO THE CITY COUNCIL

1	Case:	FS16-498
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3	Project Name:	Peoria Ave Public Roadway Annexation Ordinance# 2017-06
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5	Council District:	3 – Mesquite
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7	Meeting Date:	February 7, 2017
8		
9	Planner:	Joshua Mike
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12	Owner:	Maricopa County
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14	Applicant:	City of Surprise
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16	Request:	The City of Surprise Community Development Department requests consideration and action of the annexation of a County Public Roadway into the City of Surprise pursuant to A.R.S § 9-471 (N).
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20	Site Location:	Peoria Avenue, east of North Sarival Avenue and west of Reems Road within Maricopa County
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23	Site Size:	3.34 acres (approx.)
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25	Density:	N/A
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27	General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035
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29	Support/Opposition:	None known
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31	Staff Recommendation:	Staff recommends the City Council approve FS16-498 Peoria Avenue Public Roadway Annexation Ordinance# 2015-06.
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33 **PROJECT DESCRIPTION:**

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35 Pursuant to A.R.S. § 9-471(N), which is as follows:

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37 *As an alternative to the procedures established in this section, a county right-of-way*
38 *or roadway may be transferred to an adjacent city or town by mutual consent of the*
39 *governing bodies of the county and city or town if the property transferred is adjacent*
40 *to the receiving city or town and if the city or town and county each approve the*
41 *proposed transfer as a published agenda item at a regular public meeting of their*
42 *governing bodies. A transfer of property made pursuant to this subsection shall be*
43 *treated by the receiving city or town as if the transferred property was newly annexed*
44 *territory.*

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46 The City of Surprise is proposing to annex the south side of Peoria Avenue between Reems Road and
47 Sarival Avenue. Per the statute nontaxable real property may be annexed to an adjacent city or town
48 by mutual consent of the governing bodies of the county and city. The property proposed to be
49 annexed is adjacent to the City of Surprise corporate limits for its entire length.

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51 **BACKGROUND:**

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53 The north side of Peoria Ave to the east and west of this section is owned and maintained Surprise
54 Right-of-Way. The reason for this request is to provide continuity of along the southern border of
55 the City. This will complete an Intergovernmental Agreement to annex and take over ownership and
56 maintenance responsibilities after Maricopa County initially builds the roadway.

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58 Pursuant to A.R.S. Section 9-471(H) (1), the proposed annexation territory conforms to contiguity
59 requirements. Pursuant to A.R.S Section 9-471(A) (6), it has been determined that no part of the
60 territory for which filing shall be made is already subject to an earlier filing

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62 Staff recommends that Peoria Avenue between Sarival Avenue and Reems Road that is Maricopa
63 County roadway, per ARS Section 9-471 N., be annexed into the city to facilitate the construction and
64 maintenance of the same. The ordinance will also be placed on a Maricopa County Board of
65 Supervisors agenda for the County Board approval of the ROW annexation.

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67 **RECOMMENDATION:**

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69 Based on the information above, staff recommends the City Council **approve** FS16-498 Annexation
70 of the Peoria Avenue public roadway Ordinance 2017-06.

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72 **Attachments:**

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74 01 – Ordinance 2017-06
75 02 – Annexation Legal Description
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