

**ORDINANCE 2003 A248**

**AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING ZONING MAP CHANGE 2002-03, AN AMENDMENT TO THE ZONING MAP OF THE PLANNING AND ZONING ORDINANCE FROM RCU-2A TO C2-4 FOR A 3.2 ACRE PORTION OF PARCEL 403-22-027B.**

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*WHEREAS*, the Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 87 A23, approved July 9, 1987 and,

*WHEREAS*, Section 113 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning boundaries or zoning text regulations of the Planning and Zoning Ordinance by the Town Council and,

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE:**

Section 1:

I The Town Council hereby finds as follows:

- A. A request for **Zoning Map Change 2002-03** was filed by James Zotika, agent for Ted and Betty Nakagawa, owners of a portion of parcel 403-22-027B, requesting a zoning map change from RCU-2A to C2-4 for approximately 3.2 acres of the parcel. The legal description is attached as **Exhibit A**.
  - B. The Zoning Map Change was reviewed by the Planning Commission on **January 2, 2003** in public hearing that was advertised and posted according to state law and by the Town Council on **January 22, 2003**.
  - C. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.
- II. **Zoning Map Change 2002-03** is approved, based upon the following findings:
- A. The zoning map change will not injure the public health safety, or welfare of the general public.
  - B. The property is located adjacent to an existing freeway interchange and is in agreement with the Town's General Plan Land Use Map; therefore, the proposed zoning map change is consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.
- III. The Town Council hereby approved **Zoning Map Change 2002-03** for the purpose of rezoning a 3.2 acre portion of parcel 403-22-027B from RCU-2A to C2-4 with no stipulations.
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Section 2. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 3. This ordinance is effective upon completion of publication and any posting as required by law.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

*PASSED AND ADOPTED by a majority vote of the Town Council of Camp Verde in an open meeting by the Town Council, Town of Camp Verde, Arizona, on the 22<sup>ND</sup> day of January 2003, to be effective when publication and posting, pursuant to ARS 9-813, is completed.*

Approved: Brenda Tausen 1-24-03  
Mayor Date

Attest: Carolyn Barber  
Town Clerk

Approved as to form:

Julie Krieger  
Town Attorney

EXHIBIT A

A parcel of land located within the Northwest Quarter of Section 25, Township 14 North, Range 4 East, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, being a portion of that parcel of land described in Book 1646, Page 656, [ Record Source #1 (R1)] records of the Yavapai Country Recorders, said parcel being more particularly described as follows:

Beginning for reference at the West Quarter corner of said Section 25 (R1); Thence North 01° 56' 07" East, a distance of 433.00 feet (R1), along the West line of the said Section 25; Thence South 88° 37' 56" East, [Basis of Bearings (R1)] a distance of 313.86 feet, along the North line of said (R1), to a plastic cap atop a 1/2" rebar, stamped L.S. 26925 and the TRUE POINT OF BEGINNING,

Thence South 15° 09' 12" West, a distance of 39.66 feet, to a plastic cap atop a 1/2" rebar stamped L.S. 26925;

Thence South 13° 05' 30" East, a distance of 53.76 feet, to a plastic cap atop a 1/2" rebar stamped L.S. 26925;

Thence South 35° 08' 15" East, a distance of 117.16 feet, to a plastic cap atop a 1/2" rebar stamped L.S. 26925;

Thence South 00° 30' 11" East, a distance of 167.16 feet, to a plastic cap atop a 1/2" rebar stamped L.S. 26925;

Thence North 81° 22' 19" East, a distance of 171.18 feet, to a plastic cap atop a 1/2" rebar stamped L.S. 26925;

Thence North 78° 04' 20" East, a distance of 55.40 feet, to a plastic cap atop a 1/2" rebar stamped L.S. 26925;

Thence North 57° 03' 35" East, a distance of 118.64 feet, to a plastic cap atop a 1 1/2" rebar stamped L.S. 26925;

Thence North 74° 20' 34" East, a distance of 175.28 feet, to the A.D.O.T. right-of-way line of Interstate 17 "Southbound" and a plastic cap atop a 1/2" rebar stamped L.S. 26925;

Thence North 07° 37' 36" East, a distance of 192.32 feet, along said right-of-way line, to a plastic cap atop a 1/2" rebar stamped L.S. 19825;

Thence North 88° 37' 56" West (R1), a distance of 588.19 feet, along the North line of said (R1), to the TRUE POINT OF BEGINNING;

Subject parcel of land contains 3.466 acres, more or less, and is subject to all conditions, exceptions, easements and or right-of-ways, of the public record that may be pertinent .

EXHIBIT A

All that portion of the Northwest quarter of the Southeast quarter of Section 31, Township 14 North, Range 5 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the Northeast corner of the Northwest quarter of the Southeast quarter of said Section 31, said point being common with the Southeast corner of the Verde Hills Subdivision as shown by the plat of record as Book 7 of Maps, Page 20, in the office of the Yavapai County Recorder;

thence South 00 degrees 02 minutes 40 seconds East along the East line of said Northwest quarter of the Southeast quarter, 25.0 feet;

thence North 89 degrees 50 minutes West, 275.00 feet to the Northwest corner of Mary L. Shaffer Tract as described in instrument recorded October 4, 1961 as Book 235, of Official Records, Page 45, and the TRUE POINT OF BEGINNING;

thence North 89 degrees 50 minutes West, 360.0 feet to a point;

thence South 00 degrees 02 minutes 40 seconds East, 89.25 feet;

thence South 89 degrees 50 minutes East, 360.0 feet to the Southwest corner of said Shaffer Tract;

thence North 00 degrees 02 minutes 40 seconds West along the West line of said Tract 89.25 feet to the TRUE POINT OF BEGINNING;

EXCEPT the East 240 feet of the above described tract.

EXHIBIT A

**Parcel 403-22-007A:** SECTION 25, TOWNSHIP 14N, RANGE 4 E. A RECT. PCL ALONG THE E-W MIDSECTION LINE THE MOST SW COR LYING AT THE CENTER OF SEC 25-14N-4E CONT 3.01 ACRES.

**Parcel 403-22-007B:** SECTION 25, TOWNSHIP 14N, RANGE 4E. A RECT. PCL. ADJ TO THE N-S MIDSECTION LINE. THE SW COR. APPROX. 258' N OF THE CENTER SECTION 25-14N-4E CONT. 2.99 ACRES.

**PARCEL 403-22-027H:** SECTION 25, TOWNSHIP 14N, RANGE 4E. A RECT. PCL. APPROX. 39X229 THE SE COR LYING AT THE CENTER SECTION 25-14N-4E CONT .20 AC.

**PARCEL 403-22-027J:** SECTION 25, TOWNSHIP 14N, RANGE 4E. AN IRREG PCL ADJ TO ACCESS RD AND THE N-S MIDSECTION LINE THE SW COR BEING APPROX 229' N OF THE CENTER SEC 25-14N-4E CONT 1.75 AC.