

ORDINANCE 2003 A264

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE PLANNING AND ZONING ORDINANCE FOR PARCELS 403-23-005W, 403-23-005V, 403-23-154A AND A PORTION OF PARCEL 403-23-154 CONTAINING 123.36 ACRES FROM RCU-2A TO PAD WITH UNDERLYING ZONING OF C2 AND C3. THE UNDERLYING ZONING FOR PARCELS 403-23-005W, 403-23-005V, 403-23-154A AND A PORTION OF PARCEL 403-23-154 CONTAINING APPROXIMATELY 104.62 ACRES WILL BE C3 FOR THE WILD LIFE PARK AND THE UNDERLYING ZONING FOR A PORTION OF PARCEL 403-23-154 CONTAINING 18.74 ACRES WILL BE C2 TO ALLOW FOR DEVELOPMENT OF THE HOTEL SITE. THE LOCATION OF THE SITE IS OFF THE COUNTY FACILITY EASEMENT ROAD OFF OF HWY 260 NEAR CHERRY ROAD.

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 2003-010** was filed by Jim Binick of Shepherd-Wesnitzer, agent for Dean and Prayeri Harrison owners, for the purpose of rezoning parcels **403-23-005W, 403-23-005V, 403-23-154A** and a portion of parcel **403-23-154** containing **123.36** acres from **RCU-2A TO PAD** with the underlying zoning for parcels **403-23-005W, 403-23-005V, 403-23-154A** and a portion of parcel **403-23-154** containing **104.62** acres of **C3** and a portion of parcel **403-23-154** containing **18.74** acres of **C2**. The legal descriptions are attached as **Exhibit A**.
 - B. The Zoning Map Change was reviewed by the Planning Commission on **December 4, 2003** in public hearing that was advertised and posted according to state law and by the Town Council on **December 17, 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 2003-10** 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 existing commercially zoned properties and is shown as Mixed Use in 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.
 - C. The Town Council hereby approves **Zoning Map Change 2003-10** for the purpose of accommodating the development of Out of Africa Wild Life Park Resort.

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 in an open meeting by the Town Council, Town of Camp Verde, Arizona, on the **17th day of December 2003**, to be effective when publication and posting, pursuant to ARS 9-813, is completed.*

Approved: Mitch Dickinson
Mitch Dickinson, Mayor

Date: Dec. 18, 2003

Attest: Deborah Barber
Deborah Barber, Town Clerk

Approved as to form:
Julie Kriegh
Julie Kriegh, Town Attorney

EXHIBIT A

OUT OF AFRICA WILDLIFE RESORT

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTIONS 15 AND 16, TOWNSHIP 14 N., RANGE 4 E., G&SRB&M, CAMP VERDE, YAVAPAI COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE N.W. CORNER OF SAID SECTION 15.

THENCE S. $88^{\circ} 36' 13''$ E. (BASIS OF BEARINGS), ALONG THE NORTH SECTION LINE, A DISTANCE OF 1828.16.

THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 7,539.44 FEET, A CENTRAL ANGLE OF $05^{\circ} 03' 43''$, A CHORD BEARING OF S. $31^{\circ} 10' 49''$ E., A CHORD DISTANCE OF 665.87 FEET, A CURVE LENGTH OF 666.09 FEET, TO AN ADOT BRASS CAP.

THENCE S. $28^{\circ} 38' 09''$ E., A DISTANCE OF 696.20', TO A POINT ON THE CENTER LINE OF A 68.00 FOOT WIDE EASEMENT FOR ROADWAY TO THE YAVAPAI COUNTY COMPLEX.

THENCE S. $61^{\circ} 21' 51''$ W., ALONG SAID CENTER LINE, A DISTANCE OF 100.00 FEET.

THENCE ALONG A CURVE TO THE RIGHT ALONG SAID CENTER LINE HAVING A RADIUS OF 936.95 FEET, A CENTRAL ANGLE OF $18^{\circ} 10' 32''$, A CHORD BEARING OF S. $70^{\circ} 27' 48''$ W., A CHORD DISTANCE OF 295.98 FEET, A CURVE LENGTH OF 297.22 FEET.

THENCE S. $79^{\circ} 32' 02''$ W. A DISTANCE OF 75.31 FEET.

THENCE N. $04^{\circ} 50' 25''$ E., A DISTANCE OF 310.41 FEET, TO THE N.E. CORNER OF YAVAPAI COUNTY COMPLEX.

THENCE N. $28^{\circ} 39' 05''$ W., A DISTANCE OF 552.74 FEET.

THENCE S. $79^{\circ} 00' 50''$ W., A DISTANCE OF 1,161.36 FEET.

THENCE S. $00^{\circ} 03' 50''$ W., A DISTANCE OF 238.68 FEET.

THENCE N. $55^{\circ} 59' 10''$ W., A DISTANCE OF 49.33 FEET.

THENCE S $79^{\circ} 00' 50''$ W. A DISTANCE OF 437.37 FEET.

THENCE S. $13^{\circ} 29' 45''$ W. A DISTANCE OF 180.70 FEET.

THENCE S. $27^{\circ} 16' 09''$ W. A DISTANCE OF 207.81 FEET.

THENCE S. $79^{\circ} 00' 50''$ W. ALONG THE NORTH LINE OF PROPERTY OWNED BY YAVAPAI COUNTY, A DISTANCE OF 80.00 FEET.

THENCE S. $0^{\circ} 03' 50''$ W. ALONG THE SECTION LINE COMMON TO SAID SECTIONS 15 AND 16, A DISTANCE OF 629.72 FEET.

THENCE N. 89° 45' 50" W. A DISTANCE OF 1618.49 FEET.

THENCE N. 0° 10' 07" E. A DISTANCE OF 2168.75 FEET

THENCE N. 89° 45' 50" W. A DISTANCE OF 1618.49 FEET.

THENCE N. 0° 10' 07" E. A DISTANCE OF 2168.75 FEET.

THENCE S. 87° 47' 39" E. ALONG THE NORTH LINE OF SAID SECTION
16, A DISTANCE OF 1615.65 FEET TO THE POINT OF BEGINNING.

A PARCEL CONTAINING 123.3559 ACRES MORE OR LESS AND AS SHOWN
ON ATTACHED EXHIBIT "A" WHICH IS MADE A PART HEREOF BY THIS
REFERENCE.



OUT OF AFRICA WILDLIFE RESORT

LEGAL DESCRIPTION
FOR C- 3 ZONE

A PARCEL OF LAND IN SECTIONS 15 AND 16, TOWNSHIP 14 N., RANGE 4 E., G&SRB&M, CAMP VERDE, YAVAPAI COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE N.W. CORNER OF SAID SECTION 15.

THENCE S. 88° 36' 13" E. (BASIS OF BEARINGS), ALONG THE NORTH SECTION LINE, A DISTANCE OF 1020.00 FEET.

THENCE S. 20° 51' 23" W. A DISTANCE OF 330.26 FEET.

THENCE S. 50° 42' 38" W. A DISTANCE OF 284.25 FEET.

THENCE S. 44° 03' 42" E. A DISTANCE OF 83.37 FEET.

THENCE N. 79° 00' 50" E. A DISTANCE OF 800.00 FET.

THENCE S. 10° 59' 10" W. A DISTANCE OF 225.00 FEET.

THENCE S. 79° 00' 50" W., A DISTANCE OF 900.00 FEET.

THENCE S. 00° 03' 50" W., A DISTANCE OF 238.68 FEET.

THENCE N. 55° 59' 10" W., A DISTANCE OF 49.33 FEET.

THENCE 79° 00' 50" W. A DISTANCE OF 437.37 FEET.

THENCE S. 13° 29' 45" W. A DISTANCE OF 180.70 FEET.

THENCE S. 27° 16' 09" W. A DISTANCE OF 207.81 FEET.

THENCE S. 79° 00' 50" W. ALONG THE NORTH LINE OF PROPERTY OWNED BY YAVAPAI COUNTY, A DISTANCE OF 80.00 FEET.

THENCE S. 0° 03' 50" W. ALONG THE SECTION LINE COMMON TO SAID SECTIONS 15 AND 16, A DISTANCE OF 629.72 FEET.

THENCE N. 89° 45' 50" W. A DISTANCE OF 1618.49 FEET.

THENCE N. 0° 10' 07" E. A DISTANCE OF 2168.75 FEET

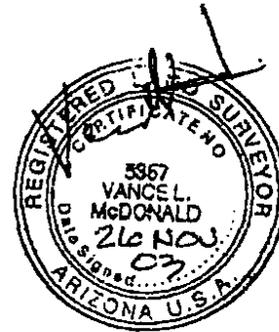
THENCE N. 89° 45' 50" W. A DISTANCE OF 1618.49 FEET.

THENCE N. 0° 10' 07" E. A DISTANCE OF 2168.75 FEET.

THENCE S. 87° 47' 39" E. ALONG THE NORTH LINE OF SAID SECTION 16, A DISTANCE OF 1615.65 FEET TO THE POINT OF BEGINNING.

A PARCEL CONTAINING 104.6183 ACRES MORE OR LESS AND AS SHOWN ON ATTACHED EXHIBIT "A" WHICH IS MADE A PART HEREOF BY THIS REFERENCE.

THIS DESCRIPTION OF PREPARED TO SHOW C-3 ZONING BOUNDARIES, AND NOT TO BE CONSTRUED AS A DIVISION OF THE 123,559 ACRE OUT OF AFRICA WILDLIFE RESORT L.L.C. PROPERTY



OUT OF AFRICA WILDLIFE RESORT

LEGAL DESCRIPTION
FOR C-2 ZONE

A PARCEL OF LAND IN SECTIONS 15 AND 16, TOWNSHIP 14 N., RANGE 4 E., G&SRB&M, CAMP VERDE, YAVAPAI COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR REFERENCE AT THE N.W. CORNER OF SAID SECTION 15.

THENCE S. 88° 36' 13" E. (BASIS OF BEARINGS), ALONG THE NORTH SECTION LINE, A DISTANCE OF 1020.00 TO THE TRUE POINT OF BEGINNING.

THENCE CONTINUING S. 88° 36' 13" E. A DISTANCE OF 808.16 FEET.

THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 7,539.44 FEET, A CENTRAL ANGLE OF 05° 03' 43", A CHORD BEARING OF S. 31° 10' 49" E., A CHORD DISTANCE OF 665.87 FEET, A CURVE LENGTH OF 666.09 FEET, TO AN ADOT BRASS CAP.

THENCE S. 28° 38' 09" E., A DISTANCE OF 696.20', TO A POINT ON THE CENTER LINE OF A 68.00 FOOT WIDE EASEMENT FOR ROADWAY TO THE YAVAPAI COUNTY COMPLEX.

THENCE S. 61° 21' 51" W., ALONG SAID CENTER LINE, A DISTANCE OF 100.00 FEET.

THENCE ALONG A CURVE TO THE RIGHT ALONG SAID CENTER LINE HAVING A RADIUS OF 936.95 FEET, A CENTRAL ANGLE OF 18° 10' 32", A CHORD BEARING OF S. 70° 27' 48" W., A CHORD DISTANCE OF 295.98 FEET, A CURVE LENGTH OF 297.22 FEET.

THENCE S. 79° 32' 02" W. A DISTANCE OF 75.31 FEET.

THENCE N. 04° 50' 25" E., A DISTANCE OF 310.41 FEET, TO THE N.E. CORNER OF YAVAPAI COUNTY COMPLEX.

THENCE N. 28° 39' 05" W., A DISTANCE OF 552.74 FEET.

THENCE S. 79° 00' 50" W., A DISTANCE OF 261.36 FEET.

THENCE N. 10° 59' 10" W. A DISTANCE OF 225.00 FEET.

THENCE S. 70° 00' 50" W. A DISTANCE OF 800.00 FEET.

THENCE N. 44° 03' 42" W. A DISTANCE OF 83.37 FEET.

THENCE N. 50° 42' 38" E. A DISTANCE OF 284.25 FEET.

THENCE N. 20° 51' 23" E. A DISTANCE OF 330.26 FEET TO THE TRUE POINT OF BEGINNING.

A PARCEL CONTAINING 18.74 ACRES MORE OR LESS.

THIS DESCRIPTION IS PREPARED
TO SHOW C-2 ZONING BOUNDARIES
AND IS NOT TO BE CONSTRUED AS A
DIVISION OF THE 123,559 ACRE OUT
OF AFRICA WILDLIFE RESORT L.L.C.
PROPERTY.

