



## ORDINANCE 2005 A299

**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 404-28-018L, 404-28-018V AND 404-28-018Y CONSISTING OF APPROXIMATELY 3.5 ACRES FROM R1L-35 TO C2. THIS REZONING IS TO ALLOW FOR COMMERCIAL DEVELOPMENT. LOCATION OF THE PROPERTY IS ON FINNIE FLAT ROAD NEXT TO DPS AND ADOT YARD.**

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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 2005-04** was filed by Kimstock LLC owners, for the purpose of rezoning parcels **404-28-018L, 404-28-018V and 404-28-018Y from R1L-35 to C2**. The legal description is attached as **Exhibit A**.
- B. The Zoning Map Change was reviewed by the Planning Commission on **February 3, 2005** in a public hearing that was advertised and posted according to state law and by the Town Council on **February 23, 2005**.
- 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 2005-04** 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 shown on the Town's General Plan Land Use Map as Commercial; therefore, the proposed zoning map change is consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.
  - C. The owner agrees to place a deed restriction on the property to protect the trail along Faulkner Wash.
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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by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.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 in an open meeting by the Town Council, Town of Camp Verde, Arizona, on the **23rd day of February 2005**, to be effective when publication and posting, pursuant to ARS 9-813, is completed.*

Approved:   
Mitch Dickinson, Mayor

Date: Feb. 23, 2005

Attest:   
Deborah Barber, Town Clerk

Approved as to form:

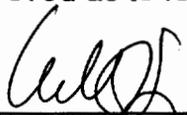
  
Town Attorney

EXHIBIT A

No. 254-217-318817

**PARCEL 1:**

A portion of the North half of Section 31, Township 14 North, Range 5 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the West quarter corner of said Section 31;

Thence North 01 degrees, 50 minutes, 51 seconds East, along the West line of said Section 31, a distance of 1,239.64 feet to the South right-of-way of Highway 260 - Finney Flat Road and the TRUE POINT OF BEGINNING;

Thence North 89 degrees, 18 minutes, 01 seconds East, along said right-of-way, 200.10 feet;

Thence South 01 degrees, 50 minutes, 51 seconds West, 400.40 feet;

Thence South 89 degrees, 18 minutes, 01 seconds West, 200.09 feet to the West line of said Section 31;

Thence North 01 degrees, 50 minutes, 51 seconds East, 400.40 feet to the TRUE POINT OF BEGINNING.

EXCEPT that portion conveyed to the State of Arizona, in Book 3219 of Official Records, Page 316.

**PARCEL 2:**

A portion of the North half of Section 31, Township 14 North, Range 5 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the West quarter corner of said Section 31;

Thence North 01 degrees, 50 minutes, 51 seconds East, along the West line of said Section 31, a distance of 1,239.54 feet to the South right-of-way of Highway 260 - Finney Flat Road;

Thence North 89 degrees, 18 minutes, 01 seconds East, along said right-of-way, 200.10 feet to the TRUE POINT OF BEGINNING;

Thence continuing North 89 degrees, 18 minutes, 01 seconds East, along said right-of-way, 200.09 feet;

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Thence South 01 degrees, 50 minutes, 51 seconds West, 306.08 feet;

Thence Southerly, on a curve to the right, having a radius of 500.00 feet, through a central angle of 10 degrees, 55 minutes, 13 seconds, a distance of 95.30 feet;

Thence South 89 degrees, 18 minutes, 01 seconds West, 191.03 feet;

Thence North 01 degrees, 50 minutes, 51 seconds East, 400.40 feet to the TRUE POINT OF BEGINNING.

EXCEPT that portion conveyed to the State of Arizona, in Book 3219 of Official Records, Page 316.

EXCEPT any portion of the following described property in Quit Claim Deed recorded in Book \_\_\_\_\_ of Official Records, Page \_\_\_\_\_:

The following is a description of a Parcel of land located within the North half of Section 31, Township 14 North, Range 5 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona, being a portion of that parcel of land described in Book 3566 of Official Records, Page 524, [Record Source #1 (R1)] in the Office of the Yavapai County Recorder, and is more particularly described as follows:

FOR REFERENCE COMMENCE at the West 1/4 corner of said Section 31;

Thence North 01 degrees, 50 minutes, 51 seconds East, (R1), a distance of 839.24 feet along the West line of Section 31;

Thence North 89 degrees, 18 minutes, 01 seconds East, a distance of 200.09 feet (R1), to a point on the South line of (R1), and TRUE POINT OF BEGINNING;

Thence North 46 degrees, 51 minutes, 50 seconds East, a distance of 282.61 feet to a point on the East line of (R1);

Thence South 01 degrees, 50 minutes, 51 seconds West, (R1), a distance of 96.57 feet to the BEGINNING of a non-tangent curve to the right, having a radius of 500.00 feet and a Radial Bearing of South 88 degrees, 09 minutes, 16 seconds East, rebar stamped L.S. 26925;

Thence along said curve to the right, through a central angle of 10 degrees, 55 minutes, 13 seconds, an arc distance of 95.30 feet, (R1), to a point on the South line of said (R1) and the end of said curve to the right;

Thence South 89 degrees, 18 minutes, 01 seconds West, a distance of 191.03 feet, along the said South line to the TRUE POINT OF BEGINNING.

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**PARCEL 3:**

The following is a description of a Parcel of land located within the North half of Section 31, Township 14 North, Range 5 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona, being a portion of that Parcel of land described in Book 3683 of Official Records, Page 99, [Record Source #1 (R1)] in the office of the Yavapai County Recorder and is more particularly described as follows:

FOR REFERENCE COMMENCE at the West 1/4 corner of said Section 31;

Thence North 01 degrees, 50 minutes, 51 seconds East, (R1), a distance of 839.24 feet along the West line of Section 31;

Thence North 89 degrees, 18 minutes, 01 seconds East, a distance of 200.09 feet, to a point on the South line of that Parcel of land described in Book 3566 of Official Records, Page 524, records of the Yavapai County Recorder;

Thence North 46 degrees, 51 minutes, 50 seconds East, a distance of 282.61 feet to a point on the West line of (R1) and the TRUE POINT OF BEGINNING;

Thence North 01 degrees, 50 minutes, 51 seconds East, (R1), a distance of 192.99 feet along said West line, to a point on the South right-of-way line of State Route 260, (General Crook Trail);

Thence North 89 degrees, 13 minutes, 53 seconds East, a distance of 124.30 feet along said right-of-way line to an A.D.O.T. Alum. cap in Conc.;

Thence South 00 degrees, 35 minutes, 22 seconds East, a distance of 10.00 feet along said right-of-way line, to an A.D.O.T. Alum. cap in Conc.;

Thence North 89 degrees, 15 minutes, 48 seconds East, a distance of 67.28 feet along said right-of-way line, to a plastic cap atop a 5/8" rebar stamped L.S. 26925;

Thence South 46 degrees, 51 minutes, 50 seconds West, a distance of 271.19 feet to the TRUE POINT OF BEGINNING.

EXCEPT that portion conveyed to the State of Arizona, in Book 3219 of Official Records, Page 325 and in Book 3219 of Official Records, Page 328.