



ORDINANCE 2005 A304

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 407-09-043 AND 407-09-043A CONSISTING OF APPROXIMATELY 26.76 ACRES FROM YAVAPAI COUNTY ZONING OF M1-10A TO CAMP VERDE ZONING OF C3-2A. THIS REZONING IS TO ALLOW FOR COMMERCIAL DEVELOPMENT. LOCATION OF THE PROPERTY IS ON COURRY DRIVE OFF OF SR 260.

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 2005-09** was filed by the Town of Camp Verde on behalf of the owners, for the purpose of rezoning parcels **407-09-043 and 407-09-043A from M1-10A to C3-2A**. The legal description is attached as **Exhibit A**.
- B. The Zoning Map Change was reviewed by the Planning Commission on **March 3, 2005** in a public hearing that was advertised and posted according to state law and by the Town Council on **March 25, 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 2005-09** 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. A General Plan Amendment has been approved by Resolution 2005-628 for these parcels to Commercial; therefore, the proposed zoning map change is consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.
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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by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.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 25th day of March 2005, to be effective when publication and posting, pursuant to ARS 9-813, is completed.

Approved: 
Mitch Dickinson, Mayor
John Reddell-Vice Mayor

Date: 4-4-05

Attest: 
Deborah Barber, Town Clerk

Approved as to form:

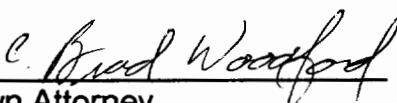

Town Attorney

EXHIBIT A

PARCEL I: 407-09-043

A TRACT OF LAND IN THE EAST HALF OF SECTION 31, TOWNSHIP 15 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 31 (A FOUND BLM BRASS CAP 1964) FROM WHICH THE NORTHEAST CORNER OF SECTION 31 (A FOUND BLM BRASS CAP 1964) BEARS NORTH 00 DEGREES, 07 MINUTES, 26 SECONDS EAST, 5294.76 FEET (RECORD NORTH 00 DEGREES, 07 MINUTES, 26 SECONDS EAST);

THENCE NORTH 00 DEGREES, 06 MINUTES, 24 SECONDS EAST, 1323.54 FEET (RECORD NORTH 00 DEGREES, 07 MINUTES, 26 SECONDS EAST, 1323.62 FEET) TO A FOUND 1/2 INCH REBAR WITH PLASTIC CAP (RLS 9078) AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 88 DEGREES, 27 MINUTES, 16 SECONDS WEST, 664.68 FEET (RECORD NORTH 88 DEGREES, 27 MINUTES, 14 SECONDS WEST, 664.65 FEET) TO A SET 1/2 INCH REBAR WITH PLASTIC CAP (LS 25384);

THENCE NORTH 00 DEGREES, 06 MINUTES, 50 SECONDS EAST, 658.62 FEET (RECORD NORTH 00 DEGREES, 06 MINUTES, 52 SECONDS EAST, 658.82 FEET) TO A SET 1/2 INCH REBAR WITH PLASTIC CAP (LS 25384);

THENCE NORTH 88 DEGREES, 43 MINUTES, 45 SECONDS WEST, 664.89 FEET (RECORD NORTH 88 DEGREES, 43 MINUTES, 43 SECONDS WEST, 664.88 FEET) TO A 1/2 INCH REBAR WITH PLASTIC CAP (LS 25384);

THENCE NORTH 00 DEGREES, 06 MINUTES, 17 SECONDS EAST, 655.45 FEET (RECORD NORTH 00 DEGREES, 06 MINUTES, 18 SECONDS EAST, 655.44 FEET) TO A FOUND 1/2 INCH REBAR WITH PLASTIC CAP (RLS 9078);

THENCE SOUTH 89 DEGREES, 02 MINUTES, 19 SECONDS EAST, 775.71 FEET (RECORD SOUTH 89 DEGREES, 00 MINUTES, 12 SECONDS EAST, 775.73 FEET) TO A SET 1/2 INCH REBAR WITH PLASTIC CAP (LS 25384);

THENCE ALONG THE WEST RIGHT OF WAY OF HIGHWAY 260 AND A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 02 DEGREES, 03 MINUTES, 48 SECONDS, A RADIUS OF 23018.32 FEET (RECORD 23018.32 FEET), A LENGTH OF 828.97 FEET AND A CHORD BEARING SOUTH 34 DEGREES, 39 MINUTES, 15 SECONDS EAST, 828.92 FEET TO A FOUND ARIZONA HIGHWAY DEPARTMENT BRASS CAP STAMPED P.O.C. STA. 476+51.26-1963;

THENCE CONTINUING ALONG THE RIGHT OF WAY AND A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 00 DEGREES, 20 MINUTES, 40 SECONDS, A RADIUS OF 23018.32 FEET (RECORD 23018.32 FEET) A LENGTH OF 138.37 FEET AND A CHORD BEARING SOUTH 35 DEGREES, 51 MINUTES, 29 SECONDS EAST, 138.37 FEET TO A SET 1/2 INCH REBAR WITH PLASTIC CAP (LS 25384);

THENCE SOUTH 00 DEGREES, 09 MINUTES, 59 SECONDS WEST, 539.71 FEET (RECORD SOUTH 00 DEGREES, 07 MINUTES, 26 SECONDS WEST, 539.89 FEET) TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING:

A PARCEL OF LAND LOCATED IN THE EAST 1/2 OF SECTION 31, TOWNSHIP 15 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID EAST 1/2, FROM WHICH AN ALUMINUM CAP MARKED "ABCOR ENGINEERING #15858", MARKING THE NORTHWEST CORNER OF SAID EAST 1/2 BEARS NORTH 00 DEGREES, 05 MINUTES, 20 SECONDS EAST, A DISTANCE OF 5238.54 FEET;

THENCE NORTH 00 DEGREES, 05 MINUTES, 20 SECONDS EAST, ALONG THE WEST LINE OF SAID EAST 1/2, A DISTANCE OF 1623.03 FEET;

THENCE SOUTH 88 DEGREES, 43 MINUTES, 43 SECONDS EAST, ALONG A NORTH LINE OF THE PARCEL OF LAND DESCRIBED IN BOOK 2481 OF OFFICIAL RECORDS, PAGE 486, RECORDS OF YAVAPAI COUNTY, ARIZONA, A DISTANCE OF 1269.07 FEET;

THENCE NORTH 00 DEGREES, 06 MINUTES, 36 SECONDS EAST, ALONG A WEST LINE OF SAID PARCEL, A DISTANCE OF 806.28 FEET;

THENCE NORTH 55 DEGREES, 54 MINUTES, 12 SECONDS EAST, ALONG THE CENTERLINE OF THE EASEMENT DESCRIBED IN BOOK 2615 OF OFFICIAL RECORDS, PAGE 976, RECORDS OF YAVAPAI COUNTY, ARIZONA, A DISTANCE OF 72.55 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES, 06 MINUTES, 36 SECONDS EAST, ALONG THE WEST LINE OF THE PARCEL OF LAND DESCRIBED IN BOOK 2025 OF OFFICIAL RECORDS, PAGE 212, RECORDS OF YAVAPAI COUNTY, ARIZONA, A DISTANCE OF 130.73 FEET;

THENCE SOUTH 89 DEGREES, 02 MINUTES, 23 SECONDS EAST, ALONG THE NORTH LINE OF LAST SAID PARCEL, A DISTANCE OF 188.22 FEET;

THENCE SOUTH 55 DEGREES, 54 MINUTES, 12 SECONDS WEST, ALONG SAID CENTERLINE, A DISTANCE OF 227.57 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL II: 407-09-043A

A PARCEL OF LAND LOCATED IN THE EAST 1/2 OF SECTION 31, TOWNSHIP 15 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID EAST 1/2, FROM WHICH AN ALUMINUM CAP MARKED "ABCOR ENGINEERING #15858", MARKING THE NORTHWEST

CORNER OF SAID EAST 1/2 BEARS NORTH 00 DEGREES, 05 MINUTES, 20 SECONDS EAST, A DISTANCE OF 5238.54 FEET;

THENCE NORTH 00 DEGREES, 05 MINUTES, 20 SECONDS EAST, ALONG THE WEST LINE OF SAID EAST 1/2, A DISTANCE OF 1623.03 FEET;

THENCE SOUTH 88 DEGREES, 43 MINUTES, 43 SECONDS EAST, ALONG A NORTH LINE OF THE PARCEL OF LAND DESCRIBED IN BOOK 2481 OF OFFICIAL RECORDS, PAGE 486, RECORDS OF YAVAPAI COUNTY, ARIZONA, A DISTANCE OF 1269.07 FEET;

THENCE NORTH 00 DEGREES, 06 MINUTES, 36 SECONDS EAST, ALONG A WEST LINE OF SAID PARCEL, A DISTANCE OF 1038.67 FEET;

THENCE SOUTH 89 DEGREES, 02 MINUTES, 23 SECONDS EAST, ALONG A NORTH LINE OF LAST SAID PARCEL, A DISTANCE OF 334.63 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 78 DEGREES, 33 MINUTES, 53 SECONDS EAST, A DISTANCE OF 330.03 FEET;

THENCE NORTH 89 DEGREES, 02 MINUTES, 23 SECONDS WEST, ALONG A NORTH LINE OF THE PARCEL DESCRIBED IN BOOK 2025 OF OFFICIAL RECORDS, PAGE 212, RECORDS OF YAVAPAI COUNTY, ARIZONA, A DISTANCE OF 410.03 FEET;

THENCE NORTH 55 DEGREES, 54 MINUTES, 12 SECONDS EAST, ALONG THE CENTERLINE DESCRIBED IN EASEMENT RECORDED IN BOOK 2615 OF OFFICIAL RECORDS, PAGE 976, RECORDS OF YAVAPAI COUNTY, ARIZONA, A DISTANCE OF 104.46 FEET TO THE TRUE POINT OF BEGINNING.