

**ORDINANCE NO. O2014.55**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE CITY OF TEMPE ZONING MAP, PURSUANT TO THE PROVISIONS OF ZONING AND DEVELOPMENT CODE PART 2, CHAPTER 1, SECTION 2-106 AND 2-107, RELATING TO THE LOCATION AND BOUNDARIES OF DISTRICTS.**

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NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

**Section 1.** That the City of Tempe Zoning Map is hereby amended, pursuant to the provisions of Zoning and Development Code, Part 2, Chapter 1, Sections 2-106 and 2-107, by removing the below described property from the R-4, Multi-Family Residential District and designating it as R-5, Multi-Family Residential District on 12.62 acres.

LEGAL DESCRIPTION

Parcel No. 1:

That portion of the South half of the South half of Section 26, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

COMMENCING at the Southeast corner of said Section 26;

Thence North 00° 49' 23" East along the Easterly line of said Section 26, a distance of 1221.47 feet recorded, (1221 .19 feet measured) to a point, said point being the Southeast corner of Hughes Acres Unit Six, according to Book 114 of Maps, Page 42, records of Maricopa County, Arizona;

Thence North 00° 16' 35" West, recorded (North 89° 18' 55" West Measured) along the Southerly line of Hughes Acres Unit Six, a distance of 537.00 feet to the True Point of Beginning;

Thence South 00° 43' 25" West, a distance of 454.00 feet recorded (453.68 feet measured), to a point;

Thence continuing, South 45° 43' 25" West, a distance of 168.40 feet to a point;

Thence North 89° 16' 35" West, a distance of 75.00 feet to a point;

Thence South 45° 43' 25" West, a distance of 30.00 feet to a point;

Thence North 89° 16' 35" West, a distance of 681.00 feet to a point;

Thence North 00° 43' 25" East, a distance of 181.00 feet to point;

Thence North 89° 16' 35" West, a distance of 68.00 feet to point;

Thence North 00° 43' 25" East, a distance of 414.00 feet recorded, (413.20 feet measured), to a point on the Southeasterly line of Hughes Acres Unit Four, according to Book 110 of Maps, Page 25, records of Maricopa County, Arizona;

Thence South 89° 16' 35" East recorded, (South 89° 18' 55" East measured), along the Southerly line of Hughes Acres Unit Four and Hughes Acres Unit Six, a distance of 865.00 feet to the True Point of Beginning.

Parcel No. 2:

Two non-exclusive easements for ingress, egress and public utilities, one 36.00 feet in width and one 40.00 feet in width, and two exclusive easements for signs as provided for in that certain easement agreement dated October 3, 1980, recorded November 18, 1980, in Docket 14837, Page 666, records of Maricopa County, Arizona.

Parcel No.3

A non-exclusive easement for drainage as provided in that certain easement agreement dated November 13, 1980 recorded November 18, 1980, in Docket 14837, page 708, records of Maricopa County, Arizona.

Parcel No. 4

A non-exclusive easement for locating, maintaining and/or repairing the wall as provided in that certain easement agreement dated August 5, 1982, recorded November 23, 1982 in Docket 16438, page 334.

TOTAL AREA IS 12.62 GROSS ACRES.

**Section 2.** Further, those conditions of approval imposed by the City Council as part of **Case # ZON14001** are hereby expressly incorporated into and adopted as part of this ordinance by this reference.

**Section 3.** Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

**PASSED AND ADOPTED** BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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Mark W. Mitchell, Mayor

ATTEST:

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Brigitta M. Kuiper, City Clerk

APPROVED AS TO FORM:

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Judith R. Baumann, City Attorney