

**ORDINANCE NO. 2013.45**

**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 adding a Planned Area Development Overlay to the existing GID, General Industrial District and designating it as GID (PAD), General Industrial District with a Planned Area Development Overlay on 76.30 acres.

LEGAL DESCRIPTION

A parcel of land lying within Section 17, Township 1 North, Range 4 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the center of said Section 17, a brass cap in handhole, from which the east quarter corner of said section, a brass cap flush, bears South 89°21'28" East, a distance of 2610.12 feet;

**THENCE** along the east-west mid-section line of said section, South 89°21'28" East, a distance of 1.16 feet, to the centerline of Rio Salado Parkway as shown on Final Plat recorded in Book 962, page 18, Maricopa County Records (M.C.R.);

**THENCE** leaving said east-west mid-section line, along said centerline, North 00°30'19" West, a distance of 216.01 feet, to the beginning of a curve;

**THENCE** northerly along said curve, having a radius of 573.00 feet, concave easterly, through a central angle of 36°04'23", a distance of 360.76 feet, to a point of intersection with a non-tangent line;

**THENCE** leaving said centerline, North 54°25'56" West, a distance of 65.00 feet, to the northerly right-of-way line of said Rio Salado Parkway and the southerly most southeast corner of Lot 3 of West Rio Salado as shown on said Final Plat and the **POINT OF BEGINNING**;

**THENCE** leaving said northerly right-of-way line, along the southerly line of said Lot 3, North 55°12'00" West, a distance of 185.58 feet;

**THENCE** North 89°24'30" West, a distance of 1192.52 feet;

**THENCE** leaving said southerly line, North 29°41'05" West, a distance of 647.79 feet, to the northerly line of said Lot 3 and a point of intersection with a non-tangent curve;

**THENCE** along said northerly line, easterly along said curve, having a radius of 6609.94 feet, concave southerly, whose radius bears South 23°52'57" East, through a central angle of 13°36'45", a distance of 1570.42 feet, to a point of intersection with a non-tangent line;

**THENCE** North 82°45'32" East, a distance of 92.90 feet, to the northeast corner of said Lot 3 and the

northwest corner of Lot 2 as shown on said Final Plat;

**THENCE** leaving said northerly line, along the northerly line of said Lot 2, North 82°45'32" East, a distance of 85.79 feet;

**THENCE** North 77°56'00" East, a distance of 125.37 feet, to that certain corner of the Dvortac Site described in Bureau of Land Management Grant No. AZA 29508 and shown on said Final Plat;

**THENCE** leaving said northerly line, along those certain Dvortac Site lines and curves as follows, South 58°44'48" West, a distance of 266.89 feet;

**THENCE** North 83°03'01" West, a distance of 141.06 feet;

**THENCE** South 81°49'55" West, a distance of 76.39 feet;

**THENCE** South 59°17'20" West, a distance of 126.65 feet;

**THENCE** South 26°41'52" West, a distance of 108.06 feet;

**THENCE** South 05°16'42" East, a distance of 120.36 feet;

**THENCE** South 24°35'26" East, a distance of 149.85 feet;

**THENCE** South 52°07'22" East, a distance of 118.11 feet;

**THENCE** South 77°15'12" East, a distance of 55.00 feet, to a point of intersection with a non-tangent curve;

**THENCE** northeasterly along said curve, having a radius of 230.00 feet, concave northwesterly, whose radius bears North 00°02'55" East, through a central angle of 51°24'19", a distance of 206.35 feet, to a point of intersection with a non-tangent curve;

**THENCE** northerly along said curve, having a radius of 230.00 feet, concave westerly, whose radius bears North 46°26'33" West, through a central angle of 99°46'17", a distance of 400.51 feet, to a point of intersection with a non-tangent line;

**THENCE** North 58°44'48" East, a distance of 423.50 feet, to the northerly line of said Lot 2 and a point of intersection with a non-tangent curve;

**THENCE** leaving said certain Dvortac Site lines and curves, along said northerly line and the northerly line of Lot 1 as shown on said Final Plat, easterly along said curve, having a radius of 6417.75 feet, concave southerly, whose radius bears South 07°25'44" East, through a central angle of 12°33'27", a distance of 1406.58 feet, to a point of intersection with a non-tangent line;

**THENCE** continuing along the northerly line of said Lot 1, South 81°28'42" East, a distance of 305.33 feet, to the northeast corner of said Lot 1;

**THENCE** leaving said northerly line, along the easterly line of said Lot 1, South 01°28'57" East, a distance of 1583.17 feet, to the northerly right-of-way line of said Rio Salado Parkway, the southeast corner of said Lot 1 and a point of intersection with a non-tangent curve;

**THENCE** leaving said easterly line, along said northerly right-of-way line and the southerly lines of said Lots 1, 2 and 3, northwesterly along said curve, having a radius of 508.00 feet, concave northeasterly, whose radius bears North 29°26'38" East, through a central angle of 17°17'09", a distance of 153.26 feet, to the curve's end;

**THENCE** North 43°16'13" West, a distance of 486.29 feet, to the beginning of a curve;

**THENCE** northwesterly along said curve, having a radius of 638.00 feet, concave southwesterly, through a central angle of 46°05'01", a distance of 513.15 feet, to the curve's end;

**THENCE** North 89°21'14" West, a distance of 563.47 feet, to the beginning of a curve;

**THENCE** southwesterly along said curve, having a radius of 638.00 feet, concave southeasterly, through a central angle of 55°04'42", a distance of 613.31 feet, to the **POINT OF BEGINNING**.

Containing 76.3074 acres, or 3,323,951 square feet of land, more or less.

Subject to existing rights-of-way and easements.

**Section 2.** Further, those conditions of approval imposed by the City Council as part of **Case # PAD13009** 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 \_\_\_\_\_, 2013.

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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