

ORDINANCE NO. 07-07

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ZONING CERTAIN PROPERTY DESCRIBED IN ZONING CASE ZON 07.03 AND APPROVING IUP 07.01 FOR APPROXIMATELY 313 ACRES GENERALLY BOUNDED BY STATE ROUTE 238 ON THE SOUTH, WHITE ROAD TO THE EAST, HILLER ROAD TO THE NORTH, WITH RALSTON ROAD DIVIDING THE PROPERTY. THE PARCELS OF LAND ARE SITUATED IN PORTIONS OF SECTIONS 13 AND 14 OF TOWNSHIP 4 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AS FOLLOWS:

Section 1: That Section 16-1-4(B) of the Maricopa City Code is hereby amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 07.03 signed by the Mayor and City Clerk, which is attached to this Ordinance as Exhibit "1" and declared a part hereof, changing the below described property on approximately 313 acres from Pinal County Zoning CI-2 (Industrial Zone) to City Zoning CI-2 (Industrial Zone).

LEGAL DESCRIPTION

Beginning at the NE corner of Section 13, T. 4S. -R.2E., G. & S.R.B. & M., Pinal County, Arizona (G.L.O., Brass Cap); thence S. 0 deg. 21' 27" E., along the Easterly line of said Section 13, a distance of 2640.19 feet to the E ¼ corner of said Section 13 (1" I. Pipe filled with concrete); thence along the right-of-way line of the Maricopa Stanfield Irrigation and Drainage District as recorded in Docket 1499, Page 430 thereof, Pinal County Records, Pinal County, Arizona. the following various courses; N. 89 deg. 50' 29" W., 108.00 feet, (N. 89 deg. 42' 53" W., 108.00 feet. Record); thence S. 0 deg. 23' 00" E., 373.72 feet, (S. 0 deg. 15' 36" E., 373.69 feet. Record); thence S. 42 deg. 41' 14" W. 82.12 feet, (S. 42 deg. 48' 48" W., 82.12 feet. Record); thence N. 89 deg. 21' 01" W. 208.99 feet, (N. 89 deg. 13' 25" W. 208.99 feet. Record); thence N. 80 deg. 05' 40" W., 1167.61 feet, (N. 79 deg. 58' 05" W., 1167.64 feet. Record); thence N. 81 deg. 45' 00" W., 955.35 feet, (N. 81 deg. 37' 25" W., 955.38 feet. Record); thence N. 83 deg. 04' 16" W., 650.99 feet, (N. 82 deg. 56' 40" W., 651.01 feet. Record); thence N. 6 deg. 56' 04" E., 5.03 feet, (N. 7 deg. 03' 20" E., 5.03 feet. Record); thence N. 85 deg. 08' 03" W., 1201.29 feet, (N. 85 deg. 00' 27" W., 1201.32 feet. Record); thence N. 86 deg. 28' 39" W., 690.52 feet, (N. 86 deg. 21' 03" W., 690.53 feet. Record); thence N. 3 deg. 31' 40" E., 10.00 feet, (N. 3 deg. 38' 57" E., 10.00 feet. Record); thence N. 86 deg. 28' 39" W., 191.17 feet (N. 86 deg. 21' 03" W., Record) to a point; thence leaving said right-of-way line of the Maricopa Stanfield Irrigation and Drainage District, thence S. 0 deg. 29' 20" W., being parallel with and 33' Easterly of the Westerly line of said Section 13, a distance of 96.11 feet to a point on the Northerly right-of-way line of State Route 238, as per Docket 1463, Page 573 and Docket 1535 Page 573, as are recorded in Pinal County Records, Pinal County, Arizona, said point also be on a curve concave Southerly, and from said point the center point of said curve bears S. 2 deg. 44'

19" W., 34,630.61 feet distant therefrom; thence westerly along the arc of said curve through a central angle of 0 deg. 06' 33", a distance of 66.05 feet; thence N. 0 deg. 29' 20" E., being parallel with and 33.00 feet Westerly of said Westerly line of Section 13, a distance of 336.70 feet; thence S. 89 deg. 30' 40" E., 33.00 feet to a point on the said Section line and from which the NW corner of said Section 13 bears N. 0 deg. 29' 20" E., 2202.75 feet distant therefrom; thence continuing S. 89 deg. 30' 40" E., a distance of 201.25 feet; thence N. 0 deg. 29' 20" E., being parallel with the Westerly line of said Section 13, a distance of 2205.95 feet to a point on the Northerly line of said Section 13, and from which point the NW corner of said Section 13, (BLM Brass Cap) bears S. 89 deg. 34' 50" W., 201.28 feet distant therefrom; thence N. 89 deg. 34' 50" E., along the said Northerly line of Section 13, a distance of 2390.62 feet to the N ¼ corner of said Section 13 (BLM Brass Cap); thence, continuing N. 89 deg. 34' 50" E., along the said Northerly line of Section 13, a distance of 2591.72 feet to the POINT OF BEGINNING.

Subject to a 100 foot wide right-of-way and easement for an El Paso Natural Gas Company high pressure natural gas line as described in Docket 568, Page 87 thereof, Pinal County Records, Pinal County, Arizona.

And also subject to a 33.00 foot wide easement for declared roadway over the Northerly 33.00 feet of said Section 13, and over the Easterly 33.00 feet of said Section 13, as described in Docket 375, Page 572 thereof Pinal County Records, Pinal County, Arizona.

Subject to any and all existing easements and or rights-of-way affecting the above described property.

Section 2: Further, those conditions of approval imposed by the Maricopa City Council as part of Case ZON 07.03 are hereby expressly incorporated into and adopted as part of this Ordinance by this reference.

Section 3: IUP 07.01 is hereby approved and granted to Sierra Estrella Landfill, Inc., as set forth on Exhibit 2 hereto.

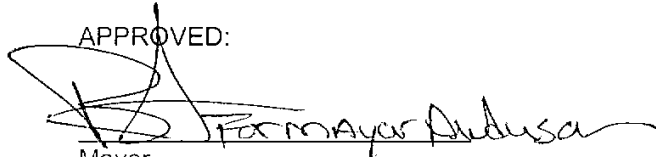
Section 4: Sections 1 through 3 shall not be severable. If any of the provisions contained in Sections 1 through 3 are successfully referred or are declared to be invalid, void, unenforceable, ineffective, or otherwise not applicable to the property described in Exhibit 1, then Ordinance No. 07-07 shall be invalid and void in its entirety.

Section 5: To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

Section 6: This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

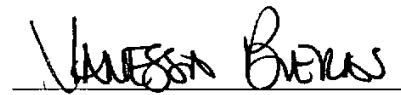
PASSED AND ADOPTED by the Mayor and City Council of the City of Maricopa,
Arizona, this 9th day of April, 2007.

APPROVED:



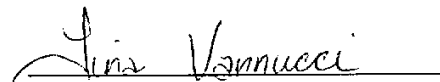
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

EXHIBIT 1

26 Nov 03 Plinal County Ct-2 to City of Maricopa Ct-2

NOTES

Ref: 33-06166-823-1N

~~SECRET~~ CONFIDENTIAL

STEARING: JIMMY BOY

Evofit 7630 II

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Mayor

City Clerk

ALLISON BRIDGES

EXHIBIT 2

IUP 07.01
Industrial Use Permit

WHEREAS, the Maricopa Planning and Zoning Commission has recommended to the City Council of the City of Maricopa, that an Industrial Use Permit be granted to Sierra Estrella Landfill, Inc. for the purpose described below; on that property described below; and,

WHEREAS, after a public hearing as provided by law, the City Council of the City of Maricopa is of the opinion that the adoption of such recommendation for an Industrial Use Permit for the purpose described below would be in the best interest and welfare of the City of Maricopa.

NOW, THEREFORE, the Industrial Use Permit is granted to Sierra Estrella Landfill, Inc. with the attached stipulations.

Property Description: Section 13 north of Arizona State Highway 238, T4s, R2E, G&SRB&M.

Tax Parcel #: 510-79-002C, 510-80-003B and 510-79-003C


Purpose: To allow a private sanitary landfill on a 313+ acre parcel in the CI-2 zone.

Stipulations:


- 1) This Industrial Use Permit is issued for the operation of a private sanitary landfill as shown and set forth in the application submittal documents provided by the applicant;
- 2) The application shall adhere to all Federal, State, County and City regulations and shall obtain all required permits and approval including but not limited to building, planning clearance, septic, solid waste storage, aquifer protection, access, retention/detention, air quality, etc.; and
- 3) Truck traffic be regulated within legal limits by Sierra Estrella Landfill, Inc.

Dated this 9th day of April, 2007.

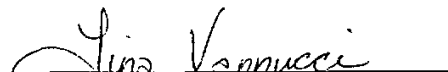
APPROVED:


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney