

ORDINANCE NUMBER 726

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, REZONING A PORTION OF YAVAPAI COUNTY APN 406-06-303E FROM THE PRESENT ZONING OF I-2 (HEAVY INDUSTRIAL) TO C -2 (HEAVY COMMERCIAL).

WHEREAS, at a public hearing held on November 28, 2022, the Planning & Zoning Commission unanimously voted in support of a proposal to rezone certain land located at 597 East SR89A (APN 406-06-303E); and

WHEREAS, the requirements of A.R.S. § 9-462.04 have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That the following described parcel of land, APN 406-06-303E, lying within the City of Cottonwood, Yavapai County, Arizona, is hereby reclassified from I-2 (Heavy Industrial) to C-2 (Heavy Commercial).

LEGAL DESCRIPTION

A parcel of land being a portion of Section 3, T 15 North, R 3 East, G.&S.R&M, Yavapai County, Arizona, also a portion of that property recorded in Bk. 4213 of Official Records, Page 863, being more particularly described as follows;

To find the TRUE POINT OF BEGINNING, begin at the locally accepted Northwest corner of said Section 3, being a found cotton spindle;

Thence South 00 degrees 17 minutes 45 seconds West (R&C), along the West line of said Section 3, a distance of 1324.57 ft. (R&C), to a point being the calculated position of the North one-sixteenth comer between Sections 3 and 4;

Thence South 89 degrees 32 minutes 31 seconds East (C), South 89 degrees 30 minutes 23 seconds East (R), along the South line of the Northwest quarter of the Northwest quarter of said Section 3, a distance of 1313.62 ft. (C), 1313.82 ft. (R.), to a calculated position for the Northwest one-sixteenth comer of said Section 3;

Thence North 00 degrees 01 minutes 20 seconds West (R&C), a distance of 25.00 ft. (R&C); Thence North 89 degrees 36 minutes 03 seconds West (R&C), a distance of 214.89 ft. (R&C);

Thence North 00 degrees 50 minutes 02 seconds East (R&C), a distance of 165.35 ft (R.&C), to a found five-eighths inch re-bar with plastic cap stamped "L.S. 40829";

Thence North 89 degrees 45 minutes 58 seconds West (M), North 89 degrees 34 minutes 26 seconds West (R), a distance of 29.01 ft. (R&M), to a found one-half inch re-bar with plastic cap stamped "L.S. 29263";

Thence North 89 degrees 45 minutes 58 seconds West (M), North 89 degrees 34 minutes 26 seconds West (R), along the South line of that parcel recorded in Bk. 4591, Pg. 411, a distance of 20.99 ft. (R&M), to a found pipe tag stamped "L.S. 29263";

Thence North 89 degrees 36 minutes 18 seconds West (M), North 89 degrees 35 minutes 19 seconds West (R), along the said South line of that parcel recorded in Bk. 4591, Pg. 411, a distance of 356.00 ft. (M), to the TRUE POINT OF BEGINNING, being a set one-half inch re-bar with plastic cap stamped "L.S. 29263";

Thence North 89 degrees 36 minutes 18 seconds West (M), South 89 degrees 35 minutes 19 seconds West (R), along said South line of that parcel recorded in Bk. 4591, Pg. 411, a distance of 32.08 ft. (M), to a found one-half inch re-bar in concrete;

Thence North 89 degrees 39 minutes 34 seconds West (M) along said South line of that parcel recorded in Bk. 4591, Pg. 411, a distance of 82.10 ft. (M), 82.97 ft. (R), to a found one-half inch re-bar with plastic cap stamped "L.S. 25384";

Thence North 89 degrees 27 minutes 51 seconds West (M), North 89 degrees 29 minutes 09 seconds West (R), along said South line of that parcel recorded in Bk. 4591, Pg. 411, a distance of 59.95 ft (M), 60.07 ft. (R), to a found one-half inch re-bar with plastic cap stamped "L.S. 32224" being the Southwest corner of said parcel recorded in Bk. 4591, Pg. 411;

Thence North 00 degrees 14 minutes 17 seconds West (M), North 00 degrees 13 minutes 04 seconds West (R), along the West line of said parcel recorded in Bk. 4591, Pg. 411, a distance of 193.78 ft. (M), 193.75 ft. (R), to a found one-half inch re-bar with plastic cap stamped "L.S. 32224";

Thence North 31 degrees 31 minutes 10 seconds East (M), North 31 degrees 32

minutes 42 seconds East (R), along the said West line of that parcel recorded in Bk. 4591, Pg. 411, a distance of 336.67 ft. (M), 336.90 ft. (R), to a found one-half inch re-bar with plastic cap stamped "L.S. 29263";

Thence North 31 degrees 32 minutes 42 seconds East (R&M), along the West line of said parcel recorded in Bk. 4591, Pg. 411, a distance of 50.65 ft (R&M) to a point on the Southerly right-of-way line of U.S. Highway 89A per Bk. 9 Maps and Plats, Pg. 81, being a found one-half inch re-bar with plastic cap stamped "L.S. 31017";

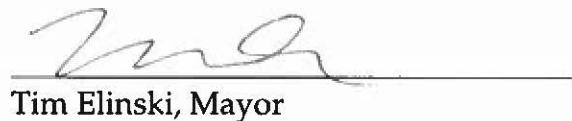
Thence South 58 degrees 27 minutes 00 seconds East (R.M& Basis of Bearings for this description), along the said Southerly right-of-way line of U.S. Highway 89A per Bk. 9 Maps and Plats, Pg. 81, a distance of 251.32 ft (M), to a set one-half inch re-bar with plastic cap stamped "L.S. 29263"

Thence leaving the said Southerly right-of-way line of U.S. Highway 89A per Bk. 9 Maps and Plats, Pg. 81, South 31 degrees 33 minutes 00 seconds West (M), a distance of 462.01 ft. (M), to the TRUE POINT OF BEGINNING.

Section 2: That at least three (3) copies of the zoning map of the City of Cottonwood, Arizona, as hereby amended be kept in the office of the City Clerk for public use and inspection.

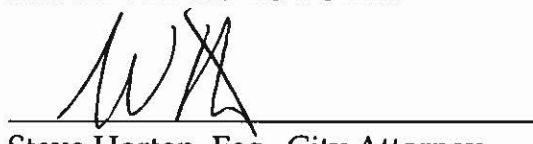
Section 3: Severability: That if any section, subsection, sentence, clause, phrase or portion of this ordinance adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, THIS 3RD DAY OF JANUARY 2023.



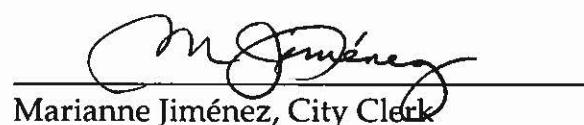
Tim Elinski, Mayor

APPROVED AS TO FORM:



Steve Horton, Esq., City Attorney

ATTEST:



Marianne Jiménez, City Clerk

