

EXHIBIT 3

DRAFT RESOLUTION

RESOLUTION NO. 2017-26

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA AMENDING THE LAND USE MAP OF THE PEORIA GENERAL PLAN FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL FOR THE CITY OF PEORIA, ARIZONA; AND PROVIDING FOR SEPARABILITY AND AN EFFECTIVE DATE.

WHEREAS, the General Plan heretofore adopted by the City of Peoria, Arizona provides for periodic review and amendment;

WHEREAS, the City of Peoria is required to follow the procedures of A.R.S. 9-461.06 in adopting any amendments to the General Plan; and

WHEREAS, the Peoria Planning and Zoning Commission, after due and proper notice as required by law, held a public hearing regarding amendment number GPA16-0003, on December 30, 2016; and

WHEREAS, after such public hearing and consideration of GPA16-0003, the Peoria Planning and Zoning Commission recommended adoption of GPA16-0003 on January 19, 2017, a copy of which recommendation is on file with the City Clerk of the City of Peoria, Arizona, and which said case number GPA16-0003 was transmitted to the Mayor and Council of the City of Peoria prior to the meeting of February 21, 2017; and

WHEREAS, after due and proper consideration of such GPA16-0003, the Mayor and Council of the City of Peoria, Arizona have found that GPA16-0003 will properly aid in the orderly growth and development of the City of Peoria, Arizona.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AS FOLLOWS:

Section 1. Amendment to the Peoria General Plan

1. The City Council of the City of Peoria, Arizona, does hereby accept and adopt amendment number GPA16-0003, amending the Land Use Map of the Peoria General Plan, for the area described in Exhibits A1-A2.

SECTION 2. Separability.

In the event any part, portion or paragraph of this Resolution is found to be invalid by any court of competent jurisdiction, the invalidity of such part, portion, or paragraph shall not affect any other valid part, portion, or paragraph of this Resolution and effectiveness thereof;

SECTION 3. This Resolution shall become effective in the manner provided by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria,
Maricopa County, Arizona this 21st day of February, 2017.

Cathy Carlat, Mayor

Date Signed _____

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen Burg, City Attorney

EXHIBIT A1

LEGAL DESCRIPTION

OF A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

LEGAL DESCRIPTION

APN 142-33-238A

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 34;

THENCE NORTH ALONG THE WEST LINE OF THE SOUTHEAST QUARTER, A DISTANCE OF 40.00 FEET;

THENCE EASTERLY 40.00 FEET NORTHERLY OF THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 322.29 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 37 MINUTES 32 SECONDS EAST, 1270.817 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND 322.81 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION;

THENCE EASTERLY ALONG SAID NORTH LINE, A DISTANCE OF 157.34 FEET;

THENCE SOUTH 00 DEGREES 39 MINUTES 06 SECONDS WEST, 1271.307 FEET TO A POINT 40.00 FEET NORTH OF THE SOUTH LINE OF SECTION 34;

THENCE WESTERLY ALONG A LINE 40.00 FEET NORTH AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 156.82 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

SITE AREA 197,393.21 SQUARE FEET OR 4.53 ACRES MORE OR LESS.

EXHIBIT A2

