

ORDINANCE NO. 2023-18

AN ORDINANCE OF THE CITY OF PEORIA, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF PEORIA, ARIZONA, MARICOPA COUNTY, STATE OF ARIZONA PURSUANT TO THE PROVISIONS OF ARIZONA REVISED STATUTES, SECTION 9-471(O), BY ANNEXING THERETO CERTAIN COUNTY RIGHT-OF-WAY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF PEORIA, CONTINGENT UPON APPROVAL BY THE MARICOPA COUNTY BOARD OF SUPERVISORS, AND PROVIDING FOR AN EFFECTIVE DATE FOR THE ANNEXATION.

WHEREAS, the territory described in Exhibit A, attached hereto and incorporated herein by reference thereto, and as illustrated on the map attached hereto as Exhibit B, which is likewise incorporated herein reference thereto, is existing Maricopa County Right-of-Way (hereafter "Right-of-Way"), known as 83rd Avenue south of Acoma Drive; and

WHEREAS, Arizona Revised Statutes Section 9-471(O) allows annexation of a county right-of-way with no taxable real property adjacent to the city by mutual consent of the governing bodies of the county and city; and

WHEREAS, the City of Peoria, Arizona is desirous of extending and increasing the corporate limits of the City of Peoria, Arizona to include the right of way; and

WHEREAS, the right-of-way is adjacent to the existing corporate limits of the City of Peoria, Arizona for the entire length of the proposed annexation; and

WHEREAS, the governing body of Maricopa County, Arizona contemplates giving its mutual consent to the annexation of such territory within the County right-of-way by the City of Peoria, Arizona; and

WHEREAS, by adoption of this ordinance, it is the intent and desire of the Mayor and Council of the City of Peoria, Arizona, to mutually consent to and to annex the right-of-way to the City of Peoria, Arizona, and to give their mutual consent thereto;

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NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Peoria, Arizona as follows:

SECTION 1. That the territory in the Maricopa County right-of-way as described in Exhibits A and B attached hereto is hereby annexed to the City of Peoria, Arizona, and that the present corporate limits of the City of Peoria, Arizona are hereby extended and increased to include the Maricopa County right-of-way described in Exhibits A and B attached hereto, all of which such right-of-way is contiguous for the entire length thereof to the present corporate limits of the City of Peoria, Arizona.

SECTION 2. That a copy of this Ordinance, together with an accurate map of the territory hereby annexed to the City of Peoria, Arizona, certified by the Mayor of said City be forthwith filed and recorded in the office of the County Recorder of Maricopa County, Arizona.

SECTION 3. The annexation herein provided for shall become effective upon the last of the following to occur:

1. The effective date of this Ordinance, in the manner prescribed by law, or
2. The date that the consent of the governing body of Maricopa County, Arizona consenting the annexation herein enacted shall become effective in the manner provided by law.

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PASSED AND ADOPTED by the Mayor and Council of the City of Peoria,
Arizona this 14th day of November, 2023.

Jason Beck, Mayor

ATTEST:

Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

Emily Jurmu, City Attorney

ATTACHMENTS:

Exhibit A – Legal Description
Exhibit B - Map