

ORDINANCE No. 16-131

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE TOWN OF DEWEY-HUMBOLDT, YAVAPAI COUNTY, STATE OF ARIZONA, IN ANNEXATION CASE NUMBER ANX 16-01, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO BY ANNEXING CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING TOWN LIMITS OF THE TOWN OF DEWEY-HUMBOLDT AND ADOPTING INITIAL TOWN ZONING FOR SAID PROPERTY.

Whereas, on August 30, 2016, the Town of Dewey-Humboldt filed in the office of the Yavapai County Recorder a blank petition setting forth a description and an accurate map of the entire area to be annexed, showing the exterior boundaries of territory contiguous to the Town of Dewey-Humboldt, and showing any county rights-of-way and roadways with no taxable value within or contiguous to the exterior boundaries; and

Whereas, the annexation petition does not include any territory for which an unsuccessful annexation was attempted by the Town of Dewey-Humboldt within forty-five days after completion of the unsuccessful attempt; and

Whereas, a notice and copy of the filing was given to the Clerk of the Yavapai County Board of Supervisors and to the Yavapai County Assessor; and

Whereas, notice of public hearing to consider the proposed annexation was given as required by A.R.S. Section 9-471(A)(3) and the public hearing was held on September 20, 2016; and

Whereas, at least thirty (30) days have elapsed since the filing of the blank petition with the Yavapai County Recorder's Office; and

Whereas, a written petition was filed in the office of the Yavapai County Recorder and signed by the owners of one-half or more in value of the real and personal property and more than one-half of the persons owning real and personal property that would be subject to taxation by the Town of Dewey-Humboldt in the event of annexation, as shown by the last assessment of said property; and

Whereas, the petition was circulated and filed in the office of the Yavapai County Recorder within one (1) year after the last day of the thirty (30) day waiting period under the statute; and

Whereas, an affidavit was filed with the Yavapai County Recorder along with said petition verifying that no part of the territory for which the filing is made is already subject to an earlier filing for annexation; and

Whereas, said territory is contiguous to the Town of Dewey-Humboldt, and not now embraced within its limits, and the petition is asking that the property more particularly hereinafter described be annexed to the Town of Dewey-Humboldt, and that the corporate limits of the Town of Dewey-Humboldt be extended and increased so as to embrace said territory; and

Whereas, the Mayor and Council of the Town of Dewey-Humboldt, Arizona desire to comply with said petition and extend and increase the corporate limits of the Town of Dewey-Humboldt to include said territory; and

Whereas, said petition sets forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed to the Town of Dewey-Humboldt, and has attached to it an accurate map of the territory desired to be annexed; and

Whereas, no alterations increasing or reducing the territory sought to be annexed have been made after said petition was signed by a property owner; and

Whereas, no state lands were encompassed in this annexation; and

Whereas, proper and sufficient certification and proof of the foregoing facts are now on file with the Town of Dewey-Humboldt, Arizona, together with the original petition referred to herein.

Now, Therefore, Be it ordained by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, as follows:

SECTION 1. That the following described territory be, and the same is, annexed to the Town of Dewey-Humboldt, and that the present corporate limits be, and the same hereby are, extended and increased to include the territory contiguous to the present Town Limits, as described in the Legal Description, Exhibit A, and shown on the map of the boundaries, Exhibit B, both of which are attached hereto and incorporated herein.

SECTION 2. Pursuant to A.R.S. Section 9-471(L) the zoning classification for the property shall be R1-70 (Residential; Single Family 70,000 square feet minimum lot size), which permits densities and uses no greater than those permitted by Yavapai County immediately before the annexation.

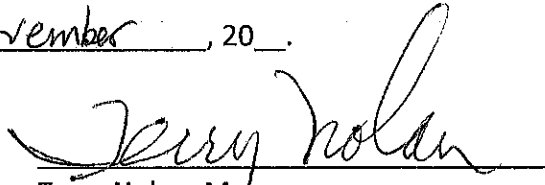
PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this 15th day of November, 2016 by the following vote:

AYES: five (5)

NAYES: zero (0) ABSENT: two (2)

EXCUSED: 0 ABSTAINED: 0

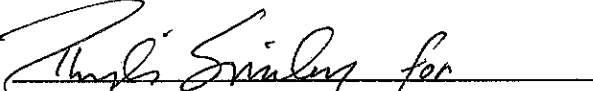
APPROVED this 15th day of November, 2016.


Terry Nolan, Mayor

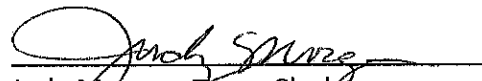
ATTEST:


Judy Morgan, Town Clerk

APPROVED AS TO FORM:


Susan D. Goodwin, Town Attorney

I, JUDY MORGAN, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 16-131 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA ON THE 15th DAY OF November, 2016, WAS POSTED IN THREE PLACES ON THE 16th DAY OF November, 2016


Judy Morgan, Town Clerk

The following exhibits are attached hereto and incorporated herein:

- A. Legal Description
- B. Annexation Map