When recorded,
return to:
Marian Sheppard, BOS
(10/13/09 #2)

2009-012826 RESL Page: 1 of 4
10/26/2009 10:04:39 AM Receipt #: 09-6967
Rec Fee: $0 Board Of Supervisors
Gila County, Az, Sadie Tomerlin Dalton, Recorder

RESOLUTION NO. 09-10-02

CASE NO. Z-09-02

A RESOLUTION OF THE GILA COUNTY BOARD OF SUPERVISORS
TO RE-ZONE GILA COUNTY TAX ASSESSOR'S PARCELS
207-07-004, 207-07-005A AND 207-23-011G
OWNER/APPLICANT: GILA COUNTY

WHEREAS, the Gila County Planning and Zoning Commission, at a duly noticed public hearing held on September 24, 2009 has recommended to the Board of Supervisors of Gila County, Arizona, that a zoning request, set forth in the attached Exhibit "A", be adopted as provided in Section 11-829, Arizona Revised Statutes; and

WHEREAS, after holding a public hearing as provided by law, the Gila County Board of Supervisors is of the opinion that the adoption of such recommendation would be in the best interest of Gila County;

NOW, THEREFORE, BE IT RESOLVED that the Gila County Board of Supervisors, at a regularly scheduled and duly noticed public hearing did approve the zoning request set forth in the attached Exhibit "A".

Passed and adopted this 13th day of October 2009.

ATTEST: **Gila County Board of Supervisors**

By: Marilyn Brewer, Deputy Clerk for Steven L. Besich, Clerk of the Board

By: Shirley L. Dawson, Chairman

Approved as to form:

Bryan Chambers, Deputy County Attorney

EXHIBIT "A"
CASE NO. Z-09-02
Request for Rezoning
Applicant/Owner: Gila County

A request for a change in zoning from R1-D7 to M1 for tax parcels 207-07-004 and 207-07-005A and a change in zoning from R1-D8 and TR to M1 for tax parcel 207-23-011G. These parcels are three contiguous properties of approximately 25.44 acres owned by Gila County and are intended for future Gila County offices, equipment and material storage, and vehicle repair buildings. The 004 and 005A parcels are Lot 3 and Lot 4, except for the northwesterly 100' x 108.93', respectively, within the Fairmont Acreage Subdivision. The 011G parcel is a portion of the West one half of the Northwest one quarter of Section 27, Township 1 North, Range 15 East of the Gila and Salt River Meridian. The site is generally located due east of the Cobre Valley Community Hospital near Claypool, AZ.

The Gila County Board of Supervisors adopted this rezoning application with the following conditions:

1. A six foot (6') fence or solid wall shall be constructed along the north and east side of the subject site to buffer sound, dust and commercial type land us activities from the residential areas.
2. Paved access ways and parking spaces shall be constructed for dust control and handicap access in inclement weather.
3. Directional signs to the site shall be placed near the intersection of Hospital Drive and Russell Road to keep traffic off the neighborhood streets.
4. Shop garage, fuel areas and vehicle storage shall be screened from public view.

LEGAL DESCRIPTION FOR 207-07-004 and 207-07-005A:
Lots 3 and 4, FAIRMONT ACREAGE, according to Map No. 45, records of Gila County , Arizona.

EXCEPT that portion of Lot 7 described as follows:

BEGINNING at the Northwesterly corner of Lot 4 of FAIRMONT ACREAGE, shown on Map 45, records of Gila County, Arizona;

THENCE South 89°54'20" East along the right-of-way of Michigan Avenue, as shown on Map No. 45, a distance of 108.93 feet;

THENCE South 00°05'40" West, 100.00 feet;

THENCE North 89°54'20" West, 108.93 feet;

THENCE North 00°05'40" East, along the common boundary of Lot 4 and Lot 5 of said FAIRMONT ACREAGE, 100.00 feet to the Point of Beginning.

LEGAL DESCRIPTION FOR A PORTION OF PARCEL NO. 207-23-011D :
A parcel of land being in the Northwest Quarter of the Northwest Quarter of Section 27, Township 1 North, Range 15 East, Gila and Salt River Meridian, Gila County, Arizona. Said parcel of land is a result of a lot line adjustment as shown on Record of Survey No. 3692, records of the Gila County Recorder, Gila County, Arizona, having a boundary more particularly described as follows:

Commencing at a 4 inch brass cap marking the Northwest corner of said Section 27, from which point a 3 ½" brass cap marking the Southwest Corner of the Northwest Quarter of the Northwest Quarter of said Section 27 bears South 00°13'35" West a distance of 1289.89 feet;

THENCE South 00°13'35" West a distance of 900.55 feet to a 1 ½" aluminum cap stamped LS 14169;

THENCE South 89°46'30" East a distance of 180.40 feet to a 2 ½" aluminum cap stamped LS 39196 and the TRUE POINT OF BEGINNING;

THENCE continuing South 89°46'30" East to a 2 ½" aluminum cap stamped LS 39196, a distance of 1073.72 feet;

THENCE North 55°26'17" East a distance of 93.11 feet;

THENCE North 00°17'15" East a distance of 221.48 feet;

THENCE North 89°42'45" West to a 2 ½" aluminum cap stamped LS 39196, a distance of 1150.44 feet;

THENCE South 00°13'30" West a distance of 275.85 feet to the TRUE POINT OF BEGINNING, having an area of 7.221 acres, more or less.

Together with a 100 foot wide easement for ingress/egress and public utilities as shown on Record of Survey No. 3692 and more particularly described as follows;

Commencing at a 4 inch brass cap marking the Northwest corner of said Section 27, from which point 3 ½" brass cap marking the Southwest Corner of the Northwest Quarter of the Northwest Quarter of said Section 27 bears South 00°13'35" West a distance of 1289.89 feet;

THENCE South 00°13'35" West a distance of 900.55 feet to a 1 ½" aluminum cap stamped LS 14169;

THENCE South 89°46'30" East a distance of 180.40 feet to a 2 ½" aluminum cap stamped LS 39196 and the TRUE POINT OF BEGINNING;

THENCE continuing South 89°46'30" East a distance 100.00 feet;

THENCE North 00°13'30" East a distance of 275.75 feet;

THENCE North 89°42'45" West to a 2 ½" aluminum cap stamped LS 39196, a distance of 100.00 feet;

THENCE South 00°13'30" West a distance of 275.85 feet to the TRUE POINT OF BEGINNING.