TOWN OF CAREFREE, ARIZONA
ORDINANCE #2015-04

ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE
TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA,
APPROVING APPLICATION 15-06-RZ, A REZONE FROM
GENERAL OFFICE (GO) AND RURAL-43 SINGLE-FAMILY
RESIDENTIAL (RURAL-43) TO A RESIDENTIAL PLANNED UNIT
PLANNED DEVELOPMENT (RUPD) FOR PROPERTIES
DESCRIBED AS MARICOPA COUNTY ASSESSOR’S PARCEL
NUMBERS 216-26-177B, 216-26-177D, AND A PORTION OF 216-
26-827 (EASTWOOD REZONE).

WHEREAS, On July 17, 2015, Keystone at Cave Creek LLC (the “Applicant”) filed
an application to rezone certain real properties (the “Application”), changing the
zoning districts of the properties generally located west of the southwest corner of
Pima Road and Cave Creek Road and as more specifically described as Maricopa
County Assessor’s Parcel Numbers 216-26-177B, 216-26-177D, and a portion of
216-26-827 shown in Exhibit “A” from General Office (GO) and Rural-43 Single-
Family Residential (Rural-43) to a Residential Planned Unit Planned Development
(RUPD), and;

WHEREAS, the Town sent notification of the Application in conformance with Town
regulations including notification to property owners and any homeowners
associations within 500 feet of the boundary line of the development site;

WHEREAS, The Applicant conducted a Citizen Participation Meeting on July 9,
2015, seeking public input, and;

WHEREAS, The Town of Carefree’s Planning and Zoning Commission held a
Public Hearing on October 19, 2015 in regards to the Application, and;

WHEREAS, The Town of Carefree’s Planning and Zoning Commission found that
the rezoning will serve and will not adversely impact the public health, safety, and
welfare of the Town, and is in accordance with the Town of Carefree General Plan
2030, and;

WHEREAS, The Town of Carefree’s Planning and Zoning Commission, on October
19, 2015, voted to recommend approval of the Application, and forward such
recommendation to the Town Council, and;

WHEREAS, the Town of Carefree Town Council held a public hearing on December
1, 2015 in regards to the Application and has considered the issues relating thereto,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the
Town of Carefree, Maricopa County, Arizona, as follows:
Section 1. The Application is hereby approved, and the Zoning Map designation for the Property is hereby changed from Garden Office (GO) and Rural-43 Single-Family Residential (Rural-43) to a Residential Planned Unit Planned Development (RUPD) attached as Exhibit A.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Carefree, Arizona, this 15th day of December, 2015.

Ayes 7  Noes 0  Abstentions 0  Absent 0

TOWN OF CAREFREE, an Arizona Municipal Corporation

Les Peterson, Mayor

ATTEST:

Kandace French, Town Clerk

APPROVED AS TO FORM:

Michael W. Wright, Town Attorney
EXHIBIT A: MAP AND LEGAL DESCRIPTIONS
CURRENT PARCEL LEGAL DESCRIPTIONS:

1. Parcel 216-26-177B:

THAT PORTION OF THE SOUTHEAST QUADRANT OF SECTION 36, TOWNSHIP 6 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36, THENCE SOUTH 89 DEGREES 52 MINUTES 37 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 36, A DISTANCE OF 598.92 FEET, THENCE NORTH 00 DEGREES 02 MINUTES 57 SECONDS WEST ALONG A LINE PARALLEL TO THE EAST LINE OF SAID SECTION 36, A DISTANCE OF 1316.41 FEET TO THE MONUMENT LINE OF THE CAVES CREEK-CAMP CREEK ROAD, THENCE ALONG SAID MONUMENT LINE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 716.20 FEET AND A CENTRAL ANGLE OF 1 DEGREE 16 MINUTES 02 SECONDS WEST, THENCE ALONG SAID MONUMENT LINE NORTH 54 DEGREES 12 MINUTES 30 SECONDS EAST, A DISTANCE OF 625.00 FEET TO A POINT OF TANGENCY WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 716.20 FEET AND A CENTRAL ANGLE OF 1 DEGREE 16 MINUTES 02 SECONDS WEST ALONG SAID MONUMENT LINE NORTH 54 DEGREES 12 MINUTES 30 SECONDS EAST, A DISTANCE OF 625.00 FEET, THENCE SOUTH 00 DEGREES 16 MINUTES 02 SECONDS WEST, ALONG A LINE PARALLEL TO THE EAST LINE OF SAID SECTION 36, A DISTANCE OF 1316.41 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36, THENCE SOUTH 89 DEGREES 52 MINUTES 37 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 36, A DISTANCE OF 598.92 FEET, THENCE NORTH 00 DEGREES 02 MINUTES 57 SECONDS WEST ALONG A LINE PARALLEL TO THE EAST LINE OF SAID SECTION 36, A DISTANCE OF 1316.41 FEET TO A POINT ON THE MONUMENT LINE OF CAVES CREEK-CAMP CREEK ROAD, EAST SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS THAT BEARS NORTH 34 DEGREES 23 MINUTES 02 SECONDS WEST, A DISTANCE OF 716.20 FEET, THENCE NORTHEASTERLY ALONG SAID MONUMENT LINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 1 DEGREE 16 MINUTES 02 SECONDS WEST ALONG SAID MONUMENT LINE AND SAID CURVE, AN ARC LENGTH OF 1316.41 FEET, THENCE NORTH 54 DEGREES 12 MINUTES 30 SECONDS EAST CONTINUING ALONG SAID MONUMENT LINE, A DISTANCE OF 625.00 FEET, THENCE SOUTH 00 DEGREES 02 MINUTES 57 SECONDS EAST, A DISTANCE OF 625.00 FEET, THENCE SOUTH 89 DEGREES 52 MINUTES 37 SECONDS EAST, A DISTANCE OF 227.22 FEET, THENCE SOUTH 00 DEGREES 02 MINUTES 57 SECONDS EAST ALONG A LINE PARALLEL TO SAID EAST LINE, A DISTANCE OF 691.14 FEET TO THE TRUE POINT OF BEGINNING, AND

EXCEPT 1/18TH OF ALL GAS, OIL METALS AND MINERAL RIGHTS AS RESERVED TO THE STATE OF ARIZONA, IN THE PATENT OF SAID LAND.

BASIS OF BEARING

SOUTH LINE OF THE SE 1/4 OF SEC. 36, T.6 N. R.4 E.
BEARING: N89°52'37"E (COA'S RECORD OF SURVEY, BK 1096, PG 43)
2. **Parcel 216-26-177D:**

That portion of the Southeast Quarter of Section 36, Township 6 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at the Southeast corner of said Section 36; Thence South 89 degrees 52 minutes 37 seconds West along the South line of said Section 36, a distance of 1147.45 feet; Thence North 00 degrees 02 minutes 57 seconds West along a line parallel with the East line of said Section 36, a distance of 796.48 feet to the true point of beginning;

Thence continuing North 00 degrees 02 minutes 57 seconds West, a distance of 518.63 feet to a point on the Monument line of Cave Creek—Camp Creek Road, last said point being the beginning of a non-tangent curve to the left having a radius that bears North 34 degrees 29 minutes 28 seconds West, a distance of 716.20 feet, Thence northeasterly along said monument line and said curve through a central angle of 1 degree 09 minutes 52 seconds an arc length of 14.56 feet; Thence North 54 degrees 21 minutes 03 seconds East continuing along said monument line, a distance of 62.05 feet; Thence South 00 degrees 02 minutes 57 seconds East, a distance of 40.56 feet; Thence South 35 degrees 57 minutes 35 seconds East, a distance of 328.95 feet; Thence South 14 degrees 50 minutes 02 seconds West, a distance of 762.26 feet; Thence North 74 degrees 20 minutes 36 seconds West, a distance of 335.92 feet to the true point of beginning.

Except 1/16th of all gas, oil, metals and mineral rights as reserved to the State of Arizona, in patent of said land.

**BASIS OF BEARING**

South line of the SE 1/4 of Sec. 36, T6 N., R4 E.

Bearing: N89°52'32"E (CDA's Record of Survey, BK 1088, PG 43)

3. **Parcel 216-26-827 (a portion of Lot 2C):**

The North Half of Lot 2C, of the Lot Split, Lot 2, as defined in Book 1135 of Surveys, page 14, records of Maricopa County, being situated in the Southeast Quarter of Section 36, Township 6 North, Range 4 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at a rebar with cap 16557 at the northwest corner of said Lot 2C; thence South 74 degrees 20 minutes 36 seconds East (an assumed bearing), along the north line of said Lot 2C, 335.92 feet to a rebar with illegible cap within a large yucca at the northeast corner of said Lot 2C;

thence South 31 degrees 53 minutes 27 seconds West, along the east line of said Lot 2C, 88.33 feet;

thence North 74 degrees 20 minutes 36 seconds West, 287.38 feet to a point on the west line of said Lot 2C;

thence North 0 degrees 02 minutes 57 seconds West, along said west line, 88.09 feet to the POINT OF BEGINNING.

Containing an area of 0.6067 acres, more or less.