

TOWN OF CAREFREE, ARIZONA

ORDINANCE NO. 2002-09

**AN ORDINANCE OF THE TOWN OF CAREFREE, ARIZONA,
REZONING CERTAIN REAL PROPERTY DESCRIBED IN
ZONING APPLICATION Z02-02, CAVE CREEK CAREFREE
PARTNERS, FROM R1-35 (SINGLE-FAMILY RESIDENTIAL) TO
GO (GARDEN OFFICE) AND AMENDING THE TOWN OF
CAREFREE ZONING DISTRICT MAP TO REFLECT THIS
REZONING.**

WHEREAS, the Common Council of the Town of Carefree, Arizona finds that rezoning certain real property described in EXHIBIT "B" CAREFREE OFFICE PARK LEGAL DESCRIPTION (the "Property") from R1-35 (Single-Family Residential) to GO (Garden Office) will serve and will not adversely affect the public health, safety and general welfare of the Town, and that necessary safeguards for the protection of adjacent property and the permitted uses thereof will be provided if such rezoning is granted:

**BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE
TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA AS FOLLOWS:**

Section 1. Pursuant to ARTICLE XX. of the 1996 Amended Planning and Zoning Ordinance of the Town of Carefree, and upon the findings of staff and the recommendation of the Planning and Zoning Commission and the Town Council, the "Property" as described in Exhibit "B" is hereby rezoned from R1-35 to Garden Office.

Section 2. The rezoning shall be and is subject to the "Conditions for Approval" attached hereto as EXHIBIT "A".

Section 3. The Town of Carefree Zoning Map is hereby amended to reflect the issuance of the rezoning granted hereunder.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Carefree, Arizona, the 7th day of May 2002.

Ayes _____ Noes _____ Abstentions _____ Absent _____

TOWN OF CAREFREE

By: _____

Edward C. Morgan, Mayor

ATTEST:

Elizabeth L. Wise, Town Clerk

APPROVED AS TO FORM:

Thomas K. Chenal, Town Attorney

EXHIBIT "B"
CAREFREE OFFICE PARK
CAREFREE, ARIZONA

LEGAL DESCRIPTION

A portion of the Southeast quarter of the Southeast quarter of Section 5, Township 5 North, Range 4 East, Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

Beginning at the Southeast corner of said Section 5; thence North 00 degrees 03 minutes 37 seconds East along an assumed bearing and along the East line of said Section 5, a distance of 55 feet to the true point of beginning of the herein described parcel;

Thence continuing North 00 degrees 03 minutes 37 seconds East and along the East line of said Section 5, a distance of 1267.72 feet to the Northeast corner of the Southeast quarter of the Southeast quarter of said Section 5;

Thence continuing South 89 degrees 59 minutes 35 seconds West along the North line of the Southeast quarter of the Southeast quarter of said Section 5, a distance of 176.72 feet to a point on the East right-of-way line of Cave Creek Road;

Thence South 27 degrees 27 minutes 57 seconds West along the East right-of-way line of Cave Creek Road 1428.78 feet to a point 55 feet North of the South line of said Section 5, said point lies on the North right-of-way line of Carefree Highway;

Thence North 89 degrees 59 minutes 56 seconds East along a line parallel to and 55 feet North of the South line of said Section 5, and along the North right-of-way line of Carefree Highway, a distance of 834.35 feet to a point on the East line of said Section 5 and the true point of beginning.

Excepting therefrom those portions as condemned for County highway purposes as set forth in final condemnation recorded December 14, 1989, in instrument no. 89-574909.