ORDINANCE NO. 853

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ANNEXING CERTAIN LAND GENERALLY TO THE EAST OF THE SOUTHEAST CORNER OF THE TOWN BOUNDARIES (PORTIONS OF SECTIONS 6 AND 7) FROM THE TOWN OF STAR VALLEY PURSUANT TO A.R.S. §9-471.02.

WHEREAS, the Town of Star Valley's western boundary is adjacent to the Town of Payson's eastern boundary; and

WHEREAS, the Town of Payson is considering annexing a parcel of private property (known as "Fox Farm") to the east of Payson that is surrounded on three sides by national forest land located within Star Valley; and

WHEREAS, the only vehicular access to Fox Farm is from Payson, passing through the forest service land located within Star Valley; and

WHEREAS, Star Valley and Payson believe it is prudent for planning, maintenance, and orderly development purposes that the vehicular access for Fox Farm be in the same municipality as Fox Farm itself; and

WHEREAS, Payson believes the annexation of Fox Farm into Payson could be done in a much more orderly, simpler, and a smaller land mass area if the land immediately to the west of Fox Farm were within Payson's boundaries; and

WHEREAS, Payson has been informed that Star Valley desires and will agree by Ordinance to deannex the forest service land immediately to the west of Fox Farm containing the vehicular access to Fox Farm ("the Land") (see diagram in Exhibit A depicting the Land and Exhibit B containing a legal description of the Land); and

WHEREAS, Payson desires to annex the Land; and

WHEREAS, Star Valley and Payson desire to follow the procedures set forth in A.R.S. §9-471.02 to accomplish this deannexation/annexation,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ORDAIN AS FOLLOWS:

Section 1. The Town of Payson will annex the Land, contingent upon the Town of Star Valley passing an Ordinance to deannex the Land. A legal description of the Land is attached as Exhibit B.

Section 2. The annexation set forth in Section 1 is contingent upon the fulfillment of all of the conditions of A.R.S. §9-471.02 prior to December 31, 2014.

JUL 31 2014 D.1

First Public Hearing

Second Public Hearing AUG 14 2014 D.2

Section 3. The Clerk of the Town of Payson is directed, upon receipt of an approved Ordinance from the Town of Star Valley agreeing to deannex the Land, to file a copy of this Ordinance with the Gila County Board of Supervisors.

Section 4. The Town of Payson is hereby authorized to take all other actions necessary to carry out the purposes of this Ordinance.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of _____, 2014, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

_____
Kenny J. Evans, Mayor

ATTEST:

_____
Silvia Smith, Town Clerk

APPROVED AS TO FORM:

_____
Timothy M. Wright, Town Attorney

Exhibit A
to
Ordinance 853

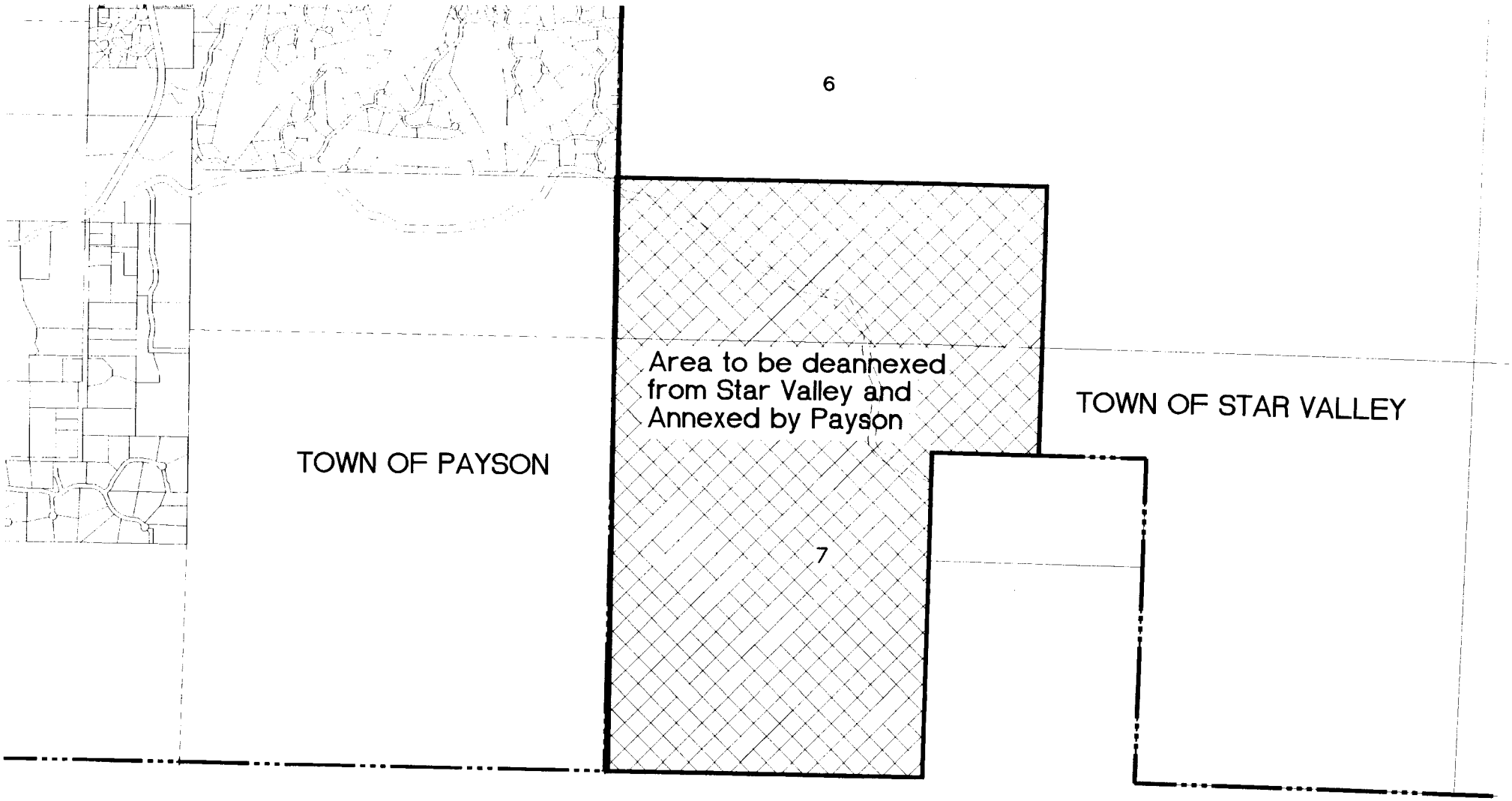

EXHIBIT A

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Exhibit B
to
Ordinance 853

EXHIBIT B

LEGAL DESCRIPTION
OF
PROPERTY DEANNEXED FROM TOWN OF STAR VALLEY
AND
ANNEXED BY TOWN OF PAYSON

The following described property located within Gila County, Arizona:

The south one-half of the southwest quarter of Section 6, Township 10 North, Range 10 East of the Gila and Salt River Meridian;

The south one-half of the north one-half of the southwest quarter of Section 6, Township 10 North, Range 10 East of the Gila and Salt River Meridian;

The south one-half of the southeast quarter of Section 6, Township 10 North, Range 10 East of the Gila and Salt River Meridian;

The south one-half of the north one-half of the southeast quarter of Section 6, Township 10 North, Range 10 East of the Gila and Salt River Meridian;

The northwest quarter of Section 7, Township 10 North, Range 11 East of the Gila and Salt River Meridian;

The west one-half of the northeast quarter of Section 7, Township 10 North, Range 11 East of the Gila and Salt River Meridian;

The northeast one quarter of the northeast quarter of Section 7, Township 10 North, Range 11 East of the Gila and Salt River Meridian;

The southwest quarter of Section 7, Township 10 North, Range 11 East of the Gila and Salt River Meridian;

The northwest quarter of the southeast quarter of Section 7, Township 10 North, Range 11 East of the Gila and Salt River Meridian;

And

The southwest quarter of the southeast quarter of Section 7, Township 10 North, Range 11 East of the Gila and Salt River Meridian.