When recorded return to:
Clerk of the Board
P.O. Box 827
Florence AZ 85132

ORDINANCE NO. 2024-PZ-PD-004-24

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING AN ABANDONMENT OF A PAD OVERLAY FOR CERTAIN PROPERTIES AS DESCRIBED IN CASE PZ-PD-052-98, LOCATED WEST OF SUNLAND GIN RD AND SOUTH OF THE ARIZONA CITY AREA, (TAX PARCELS: 409-01-001A, 409-01-001B, 409-06-0040, 409-02-0010, 500-50-0020, AND 500-50-0040) IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. **PZ-PD-004-24**; ESTABLISHING AN EFFECTIVE DATE AND DIRECTING ITS PUBLICATION.

WHEREAS, in order to conserve and promote the public health, safety, convenience and general welfare, and consistent with its authority under Arizona Revised Statutes § 11-814, the Pinal County Board of Supervisors (the "**Board**") is authorized pursuant to Pinal County Development Services Code Chapters 2.175 and 2.176 to approve the amendment of a Planned Area Development (PAD) Overlay Zoning District ("**PAD**") to abandon and remove a PAD from subject properties (PZ-PD-052-98); and,

WHEREAS, on May 7, 2024, the Pinal County Community Development Department (the "**Department**") received an application from Arnoldo B. Burruel, owner, Matthew Pagan – Enel North American Inc, Sonak Solar Project LLC and Rose Law Group PC, applicant, to amend an existing PAD overlaying certain Pinal County Assessor tax parcels as hereinafter described (the "**Existing PAD**") by abandoning and removing the Existing PAD, which parcels cumulatively comprise approximately 1887.5 ± acres (described in case PZ-PD-052-98) and which are located west of Sunland Gin Road, south of Arizona City in unincorporated Pinal County (specifically tax parcels: 409-01-001A, 409-01-001B, 409-06-0040, 409-02-0010, 500-50-0020, and 500-50-0040), as legally described in the attached **Exhibit "A"** (the "**Properties**"); and,

WHEREAS, the application to amend the Existing PAD to abandon the same was designated as Department case no. PZ-PD-004-24; and,

WHEREAS, the underlying zoning for the Properties shall remain unchanged subsequent to abandonment of the Existing PAD; and,

WHEREAS, on October 17, 2024, the Pinal County Planning and Zoning Commission (the "**Commission**") held a public hearing on Case No. PZ-PD-004-24, giving no less than 15-days' notice by publication in a newspaper of general circulation in the county seat and by duly posting the area included in the proposed abandonment of the Existing PAD (the "**P&Z Public Hearing**"); and,

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WHEREAS, following the P&Z Public Hearing the Commission voted 9-0 in favor of forwarding a recommendation of approval of case no. PZ-PD-004-24 to the Board with one (1) Stipulation of Approval as set forth in the attached **Exhibit "B"** (the "**Stipulation**").

NOW, THEREFORE, BE IT ORDAINED by the Board as follows:

Section 1: Subject to the Stipulation set forth in the attached **Exhibit "B"**, the Existing PAD overlaying the Properties as described in case PZ-PD-052-98 and as identified in **Exhibit "A"** is hereby amended by abandoning and removing the Existing PAD from the Properties, which shall retain their underlying zoning designations unless and until rezoned.

Section 2: This Ordinance shall take effect 30 days after the date of its adoption.

Section 3: This Ordinance shall be published at least once in a newspaper of general circulation in the County seat after its adoption.

PASSED AND ADOPTED THIS 20TH DAY OF NOVEMBER, 2024, BY THE PINAL COUNTY BOARD OF SUPERVISORS.

_____
Chairman of the Board

ATTEST:

_____
Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM:

_____
Deputy County Attorney

EXHIBIT "A"
TO
ORDINANCE NO. 2024-PZ-PD-004-24

LEGAL DESCRIPTION (SONAK SOLAR)

THE FOLLOWING REAL PROPERTY LOCATED IN THE COUNTY OF PINAL, STATE OF ARIZONA:
Tract 1: APN 409-01-001A
The Southwest Quarter of Section 1, Township 10 South, Range 6 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

Tract 2: APN 409-01-001B Government Lots 1, 2, 3 and 4; The South Half of the North Half; and the Southeast Quarter of Section 1, Township 10 South, Range 6 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

Tract 3: APN 409-06-0040 Government Lots 1, 2, 3 and 4; the South Half of the North Half; and the South Half of Section 6, Township 10 South, Range 7 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

LESS AND EXCEPT:
A parcel of land situated in a portion of Section 6, Township 10 South, Range 7 East of Gila and Salt River Base and Meridian, Pinal County, Arizona, more particularly described as follows: Commencing at the Northeast Corner of said Section 6; thence South 00 degrees 16 minutes 01 second West, along the East line of said Section 6, a distance of 474.75 feet; thence departing said East line, North 89 degrees 43 minutes 59 seconds West, a distance of 40.00 feet to the point of beginning; thence South 00 degrees 16 minutes 01 seconds, along a line parallel with and 40.00 feet West of said East line, a distance of 799.69 feet; thence North 89 degrees 43 minutes 59 seconds West, a distance of 10.00 feet; thence North 00 degrees 16 minutes 01 seconds East, along a line parallel with and 50.00 feet West of said East line, a distance of 599.69 feet; thence North 89 degrees 43 minutes 59 seconds West, a distance of 10.00 feet; thence North 00 degrees 16 minutes 01 seconds East, along a line parallel with and 60.00 feet West of said line, a distance of 200.00 feet; thence South 89 degrees 43 minutes 59 seconds East, a distance of 20.00 feet to the point of beginning.

Tract 4: APN 409-02-0010 The North Half of Section 12, Township 10 South, Range 6 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

Tract 5: APN 500-50-0020 Government Lots 13, 14, 23 and 24 in Section 36, Township 9 South, Range 6 East of the Gila
and Salt River Base and Meridian, Pinal County, Arizona,

LESS AND EXCEPT:
A parcel of land situated in a portion of Section 36, Township 9 South, Range 6 East of Gila and Salt River Base and Meridian, Pinal County, Arizona, more particularly described as follows: Commencing at the Southeast Corner of said Section 36; thence South 89 degrees 48 minutes 53 seconds West along the South line of said Section 36, a distance of 40.00 feet to the point of beginning; thence continuing South 89 degrees 48 minutes 53 second West, a distance of 80.28 feet; thence departing said South line, North 09 degrees 29 minutes 23 seconds East, a distance of 299.15 feet; thence North 00 degrees 11 minutes 10

EXHIBIT "A" (CONT'D)
TO
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LEGAL DESCRIPTION (SONAK SOLAR)

seconds West, along a line parallel with and 70.00 feet West of the East line of Government Lot 24, a distance of 850.63 feet; thence North 89 degrees 48 minutes 50 seconds East, a distance of 10.00 feet; thence North 00 degrees 11 minutes 10 seconds West, a distance of 171.85 feet; thence North 00 degrees 06 minutes 21 seconds East, along a line parallel with and 60.00 feet West of the East line of Government Lot 13, a distance of 198.07 feet; thence North 89 degrees 48 minutes 50 seconds East, a distance of 10.00 feet; thence North 00 degrees 06 minutes 21 seconds East, a distance of 700.21 feet; thence South 89 degrees 53 minutes 39 seconds East, a distance of 10.00 feet to a point 40.00 feet West of the East line of said Government Lot 13; thence South 00 degrees 06 minutes 21 seconds West, parallel to said East line, a distance of 898.18 feet; thence South 00 degrees 11 minutes 10 seconds East, along a line parallel with and 40.00 feet West of the East line of said Government Lot 24, a distance of 1317.42 feet to the point of beginning.

Tract 6: APN 500-50-0040 Lots 17, 18 and 19, Section 36, Township 9 South, Range 6 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

EXHIBIT "B"
TO
ORDINANCE NO. 2024-PZ-PD-004-24

[Stipulations of Approval]

1. Approval of this zone change (PZ-PD-004-24) will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals.