

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

**ORDINANCE NO. 2022-PZ-006-21**

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING THE REZONING FOR CERTAIN PROPERTY LOCATED ON WEST OF N HIGHWAY 347 ROAD AND NORTH OF W LOUIS JOHNSON DRIVE ROAD, IN MARICOPA AREA (TAX PARCELS: 510-48-0280, 510-48-027B, 510-48-027C, 510-48-027D AND 510-48-027E FROM SR PAD, CR-3 PAD, CR-4 PAD, CR-5 PAD, AND CB-1 PAD TO R-7 PAD, MD PAD, MR PAD AND C-1 PAD IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. **PZ-006-21**; ESTABLISHING AN EFFECTIVE DATE AND DIRECTING ITS PUBLICATION.

WHEREAS, the Pinal County Board of Supervisors (“Board”) is authorized pursuant to Arizona Revised Statutes § 11-814 to rezone property in order to conserve and promote the public health, safety, convenience and general welfare; and

WHEREAS, on March 1, 2021, the Pinal County Community Development Department (“Department”) received an application from FB5 LLC, Entitlements LLC, Meridian 80 LLC, Tres Points LLC, landowners/applicants, W Holdings, Seth Keeler, agent/representative, of property located on west of N Highway 347 road north of W Louis Johnson Drive Road, in Pinal County (Parcels: 510-48-0280, 510-48-027B, 510-48-027C, 510-48-027D and 510-48-027E), legally described in the attached Exhibit A (the “Property”) to rezone the Property from SR PAD, CR-3 PAD, CR-4 PAD, CR-5 PAD and CB-1 PAD to R-7 PAD, MD PAD, MR PAD and C-1 PAD (Case No. **PZ-006-21**); and

WHEREAS, on April 21, 2022, the Pinal County Planning and Zoning Commission (“Commission”) held a public hearing on Case No. **PZ-006-21**, giving no less than 15-day notice by publication in a newspaper of general circulation in the county seat and by duly posting the area included in the proposed Amendment; and

WHEREAS, following the public hearing, the Commission voted 7-0-1 in favor of forwarding a recommendation of approval to the Board with 1 Stipulations of Approval set forth in the attached Exhibit B (the “Stipulations”); and

NOW, THEREFORE, BE IT ORDAINED by the Pinal County Board of Supervisors as follows:

**Section 1:** The rezoning of the property legally described and depicted in the attached Exhibit A from SR PAD, CR-3 PAD, CR-4 PAD, CR-5 PAD and CB-1 PAD to R-7 PAD, MD PAD, MR PAD and C-1 PAD, is hereby approved subject to 1 Stipulation of Approval set forth in the attached Exhibit B.

**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 8<sup>TH</sup> DAY OF JUNE, 2022, BY THE PINAL COUNTY BOARD OF SUPERVISORS.

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Chairman of the Board

ATTEST:

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Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM:

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Deputy County Attorney

## EXHIBIT A

### LEGAL DESCRIPTIONS - MIDWAY

#### R-7 ZONE (SINGLE RESIDENCE ZONING DISTRICT)

A portion of land being situated within Section 33, Township 5 South, Range 3 East of the Gila and Salt River Meridian, Pinal County, Arizona, being more particularly described as follows:

**COMMENCING** at a found Pinal County Highway Department brass cap in hand hole stamped SW COR SEC 34, accepted as the Southeast corner of said Section 33 from which a found Arizona Department of Transportation (ADOT) brass cap flush accepted as the East quarter corner thereof, bears North 01°54'06" East, 3074.39 feet;

Thence South 89°52'40" West, 1528.66 feet along the south line of the Southeast quarter of said Section 33 to the **POINT OF BEGINNING**;

Thence continuing South 89°52'40" West, 1113.12 feet along said south line to a found 3 inch brass cap flush with sectional markings accepted as the South quarter corner of said Section 33

Thence South 89°54'35" West, 264.30 feet along the south line of said Section 33 to a found 2 inch aluminum cap RLS 18214 accepted as the North quarter corner of Section 5, Township 6 South, Range 3 East of the Gila and Salt River Meridian, Pinal County, Arizona;

Thence South 89°52'36" West, 2377.95 feet along the south line of said Section 33 to a found 3 inch brass cap flush with sectional markings accepted as the Southwest corner of said Section 33;

Thence North 00°39'59" East, 2705.61 feet along the west line of the Southwest quarter of said Section 33 to a found 1/2 inch rebar without identification accepted as the West quarter corner thereof;

Thence North 00°39'52" East, 2705.89 feet along the west line of the Northwest quarter of said Section 33 to a found 2 inch aluminum cap RLS 18214 accepted as the Northwest corner thereof;

Thence North 82°10'39" East, 2737.73 feet along the north line of the Northwest quarter of said Section 33 to a found 1/2 inch rebar without identification accepted as the North quarter corner thereof;

Thence North 82°10'45" East, 2737.80 feet along the north line of the Northeast quarter of said Section 33 to a found ADOT brass cap flush accepted as the Northeast corner of said Section 33;

Thence South 01°53'24" West, 3074.11 feet along the east line of the Northeast quarter of said Section 33 to a found ADOT brass cap flush accepted as the East quarter corner of said Section 33;

Thence South 01°54'06" West, 847.03 feet along the east line of the Southeast quarter of said Section 33;

Thence leaving said east line, North 88°06'12" West, 975.06 feet;

Thence North 85°45'33" West, 847.35 feet to a non-tangent curve, concave northeasterly, having a radius of 5006.25 feet, the center of which bears South 85°45'33" East;

Thence southeasterly along said curve, through a central angle of 17°32'46", an arc length of 1533.11 feet to a tangent line;

Thence South 13°18'20" East, 241.44 feet to the beginning of a tangent curve concave southwesterly, having a radius of 1500.00 feet;

Thence southeasterly along said curve, through a central angle of 13°11'00", an arc length of 345.14 feet to a tangent line;

Thence South 00°07'20" East, 225.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 27,032,665 sq. ft. (620.5846 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

**MD (MIXED DWELLING ZONING DISTRICT)**

A portion of land being situated within the Southeast Quarter of Section 33, Township 5 South, Range 3 East of the Gila and Salt River Meridian, Pinal County, Arizona, being more particularly described as follows:

**COMMENCING** at a found Pinal County Highway Department brass cap in hand hole stamped SW COR SEC 34, accepted as the Southeast corner of said Section 33 from which a found Arizona Department of Transportation (ADOT) brass cap flush accepted as the East quarter corner thereof, bears North 01°54'06" East, 3074.39 feet;

Thence North 01°54'06" East, 1303.83 feet along the east line of the Southeast Quarter of said Section 33 to the **POINT OF BEGINNING**;

Thence leaving said east line, North 82°09'45" West, 327.00 feet to the beginning of a tangent curve concave southerly, having a radius of 2000.00 feet;

Thence westerly along said curve, through a central angle of 16°16'39", an arc length of 568.19 feet to a tangent line;

Thence South 81°33'37" West, 867.77 feet to a non-tangent curve, concave northeasterly, having a radius of 5006.25 feet, the center of which bears North 81°34'29" East;

Thence northwesterly along said curve, through a central angle of 12°39'57", an arc length of 1106.69 feet to a non-tangent line;

Thence South 85°45'33" East, 847.35 feet;

Thence South 88°06'12" East, 975.06 feet to the east line of said Southeast quarter;

Thence along said east line, South 01°54'06" West, 923.54 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 1,718,236 sq. ft. (39.4453 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

**MR (MULTIPLE RESIDENCE ZONE)**

A portion of land being situated within the Southeast Quarter of Section 33, Township 5 South, Range 3 East of the Gila and Salt River Meridian, Pinal County, Arizona, being more particularly described as follows:

COMMENCING at a found Pinal County Highway Department brass cap in hand hole stamped SW COR SEC 34, accepted as the Southeast corner of said Section 33 from which a found Arizona Department of Transportation (ADOT) brass cap flush accepted as the East quarter corner thereof, bears North 01°54'06" East, 3074.39 feet;

Thence South 89°52'40" West, 915.01 feet along the south line of the Southeast quarter of said Section 33 to the POINT OF BEGINNING;

Thence continuing South 89°52'40" West, 613.66 feet along said south line;

Thence leaving said south line, North 00°07'20" West, 225.00 feet to the beginning of a tangent curve concave southwesterly, having a radius of 1500.00 feet;

Thence northwesterly along said curve, through a central angle of 13°11'00", an arc length of 345.14 feet to a tangent line;

Thence North 13°18'20" West, 241.44 feet to the beginning of a tangent curve concave northeasterly, having a radius of 5006.25 feet;

Thence northwesterly along said curve, through a central angle of 04°52'49", an arc length of 426.41 feet to a non-tangent line;

Thence North 81°33'37" East, 790.00 feet;

Thence South 08°26'23" East, 41.50 feet;

Thence South 00°07'24" East, 1294.21 feet to the POINT OF BEGINNING.

The above described parcel contains a computed area of 872,285 sq. ft. (20.0249 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

## C-1 (NEIGHBORHOOD COMMERCIAL ZONING DISTRICT)

A portion of land being situated within the Southeast Quarter of Section 33, Township 5 South, Range 3 East of the Gila and Salt River Meridian, Pinal County, Arizona, being more particularly described as follows:

**BEGINNING** at a found Pinal County Highway Department brass cap in hand hole stamped SW COR SEC 34, accepted as the Southeast corner of said Section 33 from which a found Arizona Department of Transportation (ADOT) brass cap flush accepted as the East quarter corner thereof, bears North 01°54'06" East, 3074.39 feet;

Thence South 89°52'40" West, 915.01 feet along the south line of said Southeast quarter;

Thence leaving said south line, North 00°07'24" West, 1294.21 feet;

Thence North 08°26'23" West, 41.50 feet

Thence North 81°33'37" East, 77.77 feet to the beginning of a tangent curve concave southerly, having a radius of 2000.00 feet;

Thence easterly along said curve, through a central angle of 16°16'39", an arc length of 568.19 feet to a tangent line;

Thence South 82°09'45" East, 327.00 feet to the east line of said Southeast quarter;

Thence South 01°54'06" West, 850.54 feet along said east line;

Thence leaving said east line, South 89°52'40" West, 531.01 feet along the north line of that parcel as described in Fee No. 2015-006818 and the prolongation thereof to the northwest corner of said parcel;

Thence South 00°07'20" East, 420.00 feet along said westerly line to the southwest corner of said parcel;

Thence North 89°52'40" East, 516.17 feet along said southerly line and the prolongation thereof to the east line of said Southeast quarter;

Thence South 01°54'06" West, 33.02 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 1,045,296 sq. ft. (23.9967 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

**EXHIBIT B  
TO  
ORDINANCE NO. 2022-PZ-006-21**

**[Stipulations of Approval]**

1. Approval of this zone change (PZ-006-21) 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.