

RESOLUTION NO. 2845

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE REVERSIONARY CLAUSE OF ORDINANCE NUMBER 784, SECTION 3.FF, RELATING TO REAL PROPERTY GENERALLY LOCATED ON EITHER SIDE OF AIRPORT ROAD, EAST OF VISTA ROAD AND WEST OF THE PAYSON AIRPORT, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBERS 302-39-006A, 302-39-006B, AND 302-39-006C, TO EXTEND THE TIME FOR RECEIVING AN APPROVED FINAL PLAT UNTIL SEPTEMBER 11, 2030.
(MONTEZUMA CASTLE LAND EXCHANGE REZONING)

WHEREAS, on August 5, 2010, the Mayor and Council passed Ordinance Number 784 rezoning certain real property comprising portions of the Montezuma Castle Land Exchange ("MCLE"), more particularly described on Exhibit 1 hereto, from R1-175 to R3, R1-8, R1-18, C-2, C-3, and M-2; and

WHEREAS, the MCLE comprises 221.5 acres divided into 17 Blocks, with a specific zoning district for each Block; and

WHEREAS, Section 3.FF of Ordinance 784 required the land owners to meet all of the conditions enumerated in Section 3 of the Ordinance and to receive an approved final plat from the Town within five years of the approval date of the zoning change, and provided for reversion of the zoning back to the original R1-175 designation if any of those conditions could not be met within the five year time frame; and

WHEREAS, citing the depressed real estate market and slow economic recovery, the MCLE land owners have requested that the Town extend the deadline for compliance with Section 3 of Ordinance 784 to September 11, 2030 and allow each owner to "Block Plat" and develop his property independently with the necessary infrastructure improvements; and

WHEREAS, the Town of Payson desires to extend the deadline for compliance with Section 3 of Ordinance 784 to September 11, 2030, to allow the land owners sufficient time for development of their properties,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:

Section 1. Section 3.FF of Ordinance Number 784 is hereby amended, and as amended shall read as follows:

MAY 21 2015 *D. I.*

If any conditions listed in Section 3 of Ordinance Number 784 cannot be met or the applicant has not received an approved Final Plat for any parcel described in Exhibit 1 of this Ordinance by September 11, 2030, then the rezoning for that/those parcel(s) may revert to the original R1-175 zoning designation, pending Council action.

Section 2. All other portions of and provisions in Ordinance Number 784 shall remain unchanged.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, this 21st day of May, 2015, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Hector M. Figueroa, Town Attorney