

Recorded by:
City Clerk, City of Glendale
5850 West Glendale Avenue
Glendale, Arizona 85301

City of Glendale, Arizona

ORDINANCE NO. 2688 NEW SERIES

(PLEASE DO NOT REMOVE ~ THIS IS PART OF THE OFFICIAL DOCUMENT)

ORDINANCE NO. 2688 NEW SERIES

ELAINE M. SCRUGGS
MAYOR

ATTEST:

PAMELA HANNA
City Clerk

STATE OF ARIZONA)
County of Maricopa) ss
City of Glendale)

(SEAL)

APPROVED AS TO FORM:

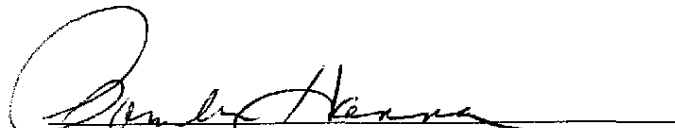
CRAIG TINDALL
City Attorney

I, the undersigned, Pamela Hanna, being the duly qualified City Clerk of the City of Glendale, Maricopa County, Arizona, certify that the foregoing Ordinance No. 2688 New Series is a true, correct and accurate copy of Ordinance No. 2688 New Series, passed and adopted at a regular meeting of the Council of the City of Glendale, held on the 23rd day of June, 2009, at which a quorum was present and voted in favor of said Ordinance.

REVIEWED BY:

Given under my hand and seal this 24th day of June, 2009.

PAM KAVANAUGH
Assistant City Manager


CITY CLERK

ORDINANCE NO. 2688 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ACKNOWLEDGING THE INVALIDITY OF THE CITY OF GLENDALE'S ATTEMPT TO ABANDON THE ANNEXATION OF ANNEXATION AREA NO. 137 LOCATED BETWEEN NORTHERN AND GLENDALE AVENUES, BOUNDED BY 95TH AVENUE ON THE WEST AND THE 87TH ALIGNMENT ON THE EAST; AND DECLARING AN EMERGENCY.

WHEREAS, on November 27, 2001, the City Council adopted and approved Ordinance No. 2229, New Series, annexing territory located within the exterior boundaries of the City of Glendale in the vicinity of 91st and Northern Avenues, which was described in the ordinance and known as Annexation Area No. 137;

WHEREAS, said annexation of Annexation Area No. 137 was in accordance with Arizona Revised Statutes Section 9-471, et seq.;

WHEREAS, on May 28, 2002, the City Council adopted and approved Ordinance No. 2258, New Series, ostensibly seeking to repeal Ordinance No. 2229, New Series and abandon its attempt to annex Annexation Area No. 137;

WHEREAS, the City's authority to annex and deannex areas is solely derived from state statute and no authority is granted by statute to abandon an annexation; and

WHEREAS, the attempted action by the City Council to invalidate the annexation of Annexation Area No. 137 was not authorized by statute.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the City of Glendale's attempt to abandon its annexation with the adoption of Ordinance No. 2258, New Series was ineffective and a nullity; but, to the extent necessary, that Ordinance No. 2258, New Series, is hereby repealed in its entirety.

SECTION 2. That the City of Glendale, Maricopa County, Arizona, declares its interior boundary to have been extended and increased inclusive of the territory described as Annexation Area No. 137 as of December 27, 2001.

SECTION 3. Whereas the immediate operation of the provisions of this Ordinance is necessary for the preservation of the public peace, health, and safety of the City of Glendale, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage, adoption, and approval by the Mayor and Council of the City of Glendale, and it is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

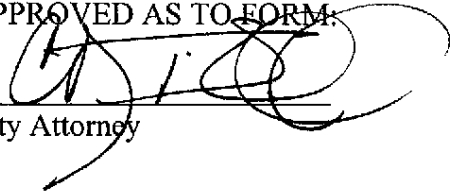
PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 23rd day of June, 2009.


MAYOR

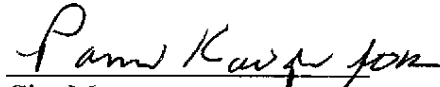
ATTEST:


City Clerk (SEAL)

APPROVED AS TO FORM:


City Attorney

REVIEWED BY:


City Manager