



**ANNEXATION**

**PROCESS GUIDE AND APPLICATION**

**Town of Gilbert**  
**Planning and Development Services Division**  
90 East Civic Center Drive  
Gilbert, Arizona 85296

Phone 480/503-6700  
Fax 480/497-4923  
[www.gilbertaz.gov](http://www.gilbertaz.gov)

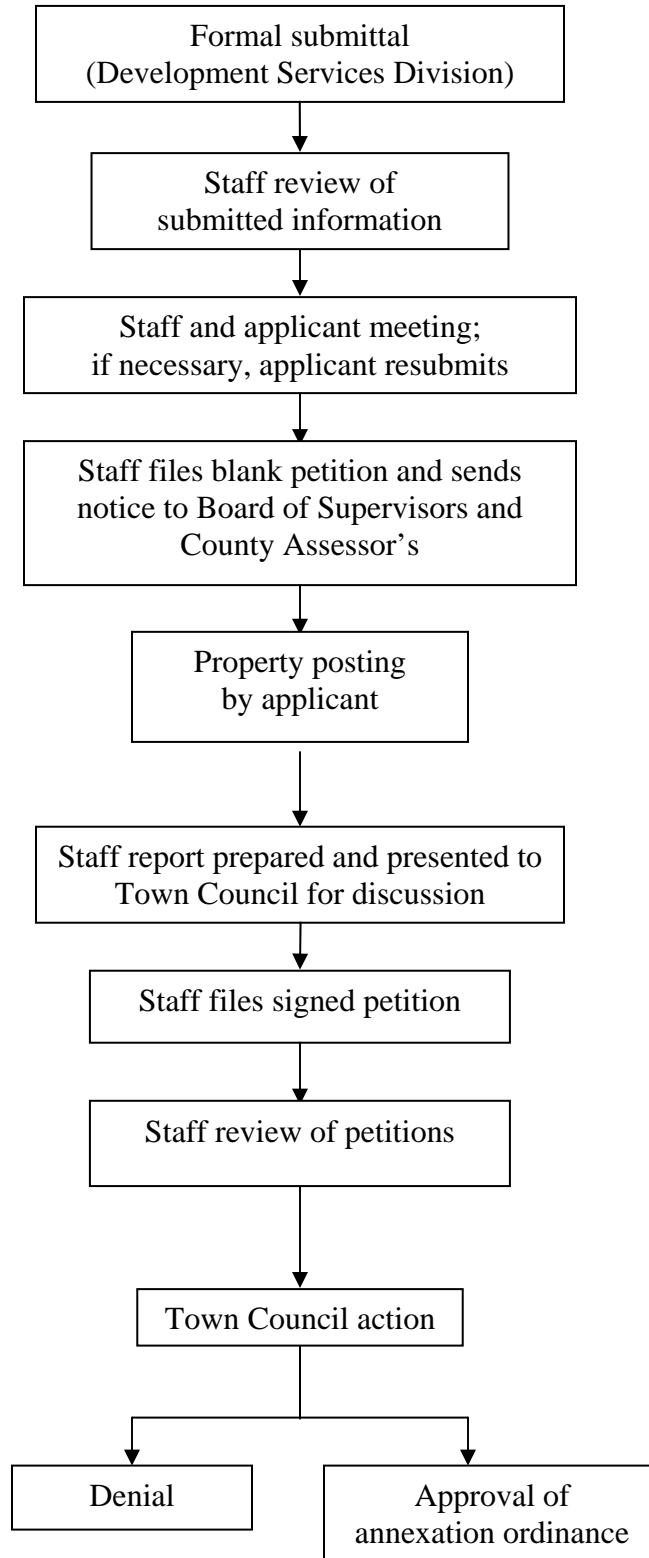
## APPLICATION PROCEDURES ANNEXATION

The following information is provided to assist in the preparation and submittal of an application for Annexation of property to the Town of Gilbert.

1. *Application Filing* – For an application to be accepted, the applicant must provide all of the required information described on the submittal checklist at the time of formal submittal. Ensuring the accuracy of the request is the responsibility of the applicant. Applications will not be accepted or processed without an adequate description of the “Request” being submitted. Applications received after 4:00 p.m. will be processed the next business day. Incomplete applications will not be accepted.
2. *Staff Review* – Upon receiving a complete application, the submitted information will be routed to Town staff and affected agencies for review and comment. After this review is completed, the comments will be consolidated and returned to the applicant within thirty (30) days of submission for a minor and major Annexation. The applicant is responsible for addressing staff comments and submitting revised information. Staff will then respond to the resubmittal within ten (10) days for a minor Annexation and fifteen (15) days for a major Annexation.
3. *Blank Petition* – Staff will file a blank petition in the office of the Maricopa County Recorder setting forth a legal description and an accurate map of all the exterior boundaries of the property proposed to be annexed. Signatures cannot legally be obtained on an annexation petition until the expiration of a thirty (30) day waiting period following the date of filing the blank petition.
4. *Notice to County* – Notice and a copy of the filing must be filed with the Clerk of the Maricopa County Board of Supervisors and the County Assessor. The map must include all county rights-of-way and roadways with no taxable value that are within or contiguous to the exterior boundaries of the area of the proposed annexation.
5. *Property Posting (Sign)* – Notice of Public Hearing for an Annexation must be posted in at least three (3) conspicuous public places on the property and at least six (6) calendar days prior to the date of the public hearing. The applicant is responsible for posting the sign on the property, subject to the following specifications and requirements:
  - a. Posting, maintenance, and removal of signs are the responsibility of the applicant. The applicant must remove all signs within ten (10) days of the public hearing. If the sign is not removed on time, the Town will remove the sign and charge the applicant a removal fee;
  - b. The signs must comply with the attached sign criteria;
  - c. The applicant must submit a signed and dated affidavit of posting, and color photos of the posted signs prior to the public hearing; and
  - d. Failure of the applicant to provide evidence of posting will result in a postponement of the public hearing. The applicant will be charged a fee for the postponement.

6. *Staff Report for Hearing* – After the staff comments have been addressed and the project has been scheduled for the public hearing, the Planning Department will prepare a report describing the proposed annexation for the Town Council. A copy of the staff report will be made available to the public and the applicant prior to the public hearing.
7. *Public Hearing* – The Town Council must conduct one public hearing for comment on the annexation application. Regular Town Council meetings occur on the first and third Tuesday of each month at 7:00 p.m. and are held at the Municipal Center in the Council Chambers, 50 E. Civic Center Drive. The applicant or a project representative must be present at the hearing.
8. *Filing of Signed Petition and Expiration* – A signed petition for annexation must be filed with the Development Services division within one year after the last day of the thirty (30) day waiting period. A new application must be submitted if the property owner desires to annex the property after this deadline. At the time of filing the petition for annexation, the petitioner must submit a sworn affidavit verifying that no part of the property proposed to be annexed is already subject to an earlier filing for annexation.
9. *Staff Review of Petitions* – Staff will verify that the petition contains the signatures of the owners of one-half or more in value of the real and personal property and more than one-half of the persons owning real and personal property that would be subject to taxation by the Town in the event of annexation, as shown by the last assessment of the property. If legal requirements are met, an annexation ordinance will be prepared.
10. *Town Council Action* – At least 30 days following the public hearing, the Planning Department will prepare a report describing the proposed annexation and transmitting the draft annexation ordinance to the Town Council for adoption. A copy of the staff report will be made available to the public and the applicant prior to the meeting. Annexation of the property occurs by adoption of the annexation ordinance. The annexation ordinance will become effective 30 days after it is signed by the Mayor, usually the day following the Council action.

## Annexation Process



## **ANNEXATION CONTENT REQUIREMENTS**

### **1. Project Narrative**

- Description of proposed Annexation; and
- Provide an explanation on how the proposed annexation meets state law requirements.

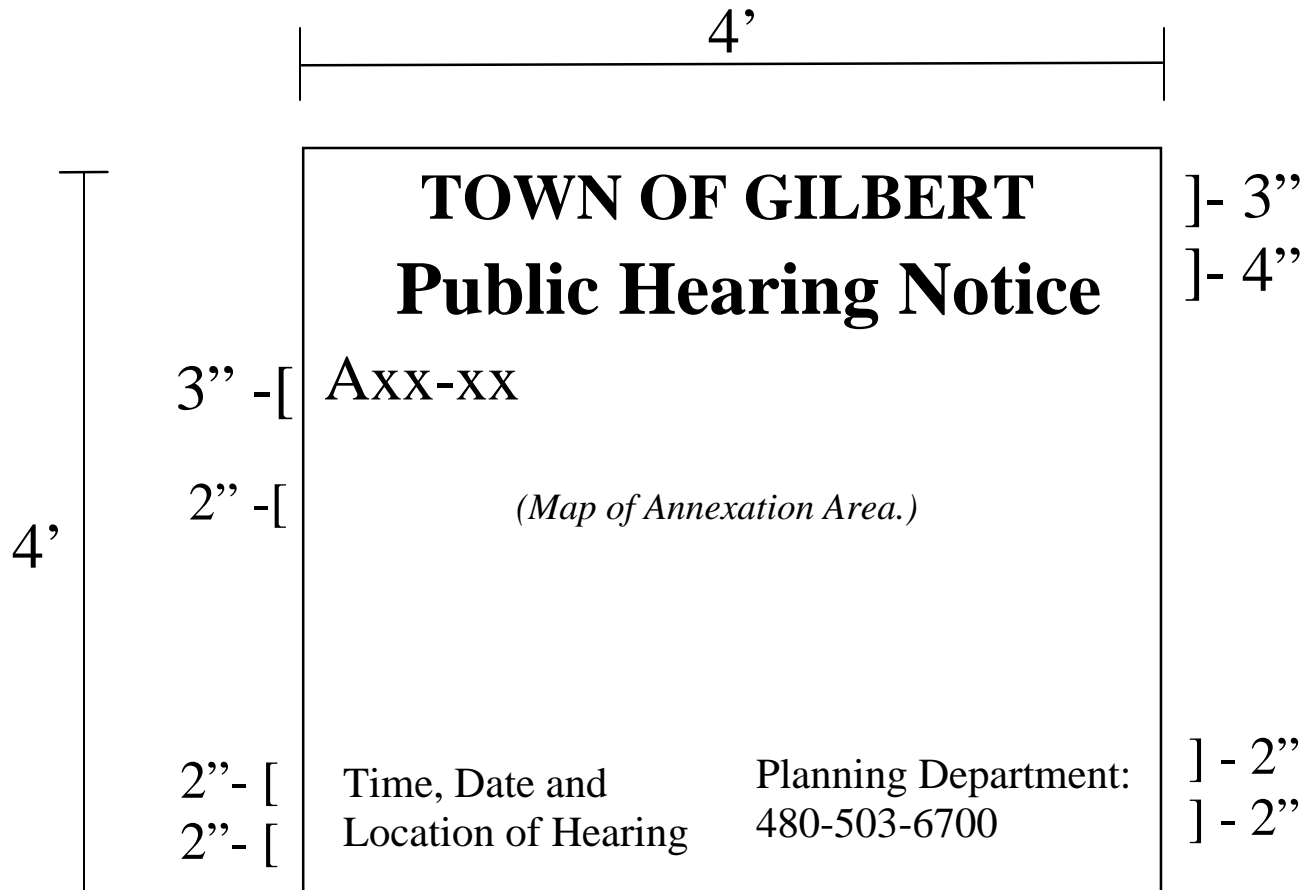
### **2. Annexation Exhibit**

- Vicinity Map;
- Scale, north arrow, and dimensions;
- Gross Acres;
- All exterior boundaries;
- County rights-of-way and roadways; and
- Registered Engineer signature and seal.

### **3. Legal Description**

- Metes and bounds description of the property including total gross acreage, sealed and signed by a Registered Engineer or Surveyor; and
- Electronic file of legal description with an electronic signature.

**Criteria for Annexation Hearing Sign**  
*(Minimum Dimensions)*



**COLORS: Body to be Brilliant Yellow and lettering to be Flat Black**

- Height of sign must be 8 feet from finished grade to the top of the sign.
- Contact the Planning Department regarding placement and number of signs.
- Applicant must post 3 signs at least 6 calendar days prior to the hearing date.
- Applicant must remove signs within 10 working days of final action.



# ANNEXATION APPLICATION

Received By: \_\_\_\_\_

**Project Name:** \_\_\_\_\_  
(A fee will be imposed for any future project name change.)

**Address or Location:** \_\_\_\_\_

**Tax Parcel Numbers:** \_\_\_\_\_ **Gross Acres:** \_\_\_\_\_

**Request:**     Major (> 40 gross acres)     Minor (<= 40 gross acres)     Occupied Residential

**Request Details:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Number of existing dwelling units and addresses:** \_\_\_\_\_ **Number of residents occupying existing dwelling units:** \_\_\_\_\_

**General Plan Character Area:**     Santan     Heritage District  
(if applicable)     Gateway     Morrison Ranch

**Overlay Zoning District:**     Santan Freeway Corridor     Williams Gateway Airport

**Property Owner:**

Name (print): \_\_\_\_\_ E-mail: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Signature\*: \_\_\_\_\_ Date: \_\_\_\_\_

\* A letter of authorization from the property owner is required if the application is not signed by the owner.

**Applicant/Contact:**

Company: \_\_\_\_\_  
Contact Name: \_\_\_\_\_ E-mail: \_\_\_\_\_  
(print) \_\_\_\_\_  
Address: \_\_\_\_\_  
City, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Legality of Annexation**  
(Staff use only)

Location of Annexation:     Inside Annexation strip     Outside Annexation strip

Annexation area meets minimum State requirements:     Yes     No

## Fee Calculation Sheet

(For Town Use)

Major Annexation (over 40 gross acres)	\$ _____
Minor Annexation (40 gross acres and under)	\$ _____
Occupied residential (one or more homes)	\$ _____

<b>FOR STAFF USE ONLY</b>			
Submittal Date	_____	Case Number	_____
Fee Paid	_____	EDEN Permit Number	_____
Receipt Number		EDEN Permit Type	<b>PANN</b>

## Annexation Checklist

(Waiver of any of the following submittal requirements must be documented  
by Town Staff in the Town's Customer Agreement Binder)

<b>REQUIRED MATERIALS</b>	<b>Applicant Checklist</b>	<b>Staff Verification</b>
<b>Application</b> .....	<input type="checkbox"/>	<input type="checkbox"/>
<b>Fee</b> (see Planning fee schedule).....	<input type="checkbox"/>	<input type="checkbox"/>
<b>Project Narrative</b> .....	<input type="checkbox"/>	<input type="checkbox"/>
<b>Proposition 207 Waiver Form with required Exhibits:</b>		
• Exhibit A – Title Report..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Exhibit B – Legal Description & Map of Site..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Exhibit C – Requested action setting forth any modifications, changes, deletions, or additions ..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Legal Description</b> (8.5" x 11").....	<input type="checkbox"/>	<input type="checkbox"/>
<b>Legal Description</b> (Electronic file).....	<input type="checkbox"/>	<input type="checkbox"/>
<b>Maricopa County Assessor Parcel Map</b> (8.5" x 11") (Highlight project area and provide parcel numbers).....	<input type="checkbox"/>	<input type="checkbox"/>
<b>Annexation Exhibit:</b>		
• 6 copies – Blueline or blackline prints (24" x 36") <b>folded</b> to approximately (9" x 12").....	<input type="checkbox"/>	<input type="checkbox"/>
• 1 copy – (8.5" x 11") laser print or photo reduction (photocopy of color rendered plan not acceptable) .....	<input type="checkbox"/>	<input type="checkbox"/>
• 1 copy – (8.5" x 11") PMT (Photo Mechanical Transfer) <i>must be</i> <i>submitted following an initial staff review</i> , but prior to scheduling the item for a Town Council agenda.	<input type="checkbox"/>	<input type="checkbox"/>
 <b>STAFF ACTION ITEMS</b>		
(8.5" x 11") PMT required for Annexation Exhibit prior to scheduling the item for a public hearing.....		<input type="checkbox"/>
Verification of sign removal (10 days after public hearing).....		<input type="checkbox"/>

**AFFIDAVIT OF SIGN POSTING**

The undersigned Applicant has complied with the Town of Gilbert's Public Hearing notification requirements for the Annexation proposal, (case number) located at \_\_\_\_\_ on \_\_\_\_\_.

(See attached photo exhibit of posted sign)

For Applicant:

\_\_\_\_\_  
Sign Company Name

\_\_\_\_\_  
Sign Company Representative

Subscribed and sworn to me on this \_\_\_\_\_ day of \_\_\_\_\_, 2006 by \_\_\_\_\_.

IN WITNESS WHEREOF, I Hereto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

Project No. \_\_\_\_\_

**TOWN OF GILBERT**

**AGREEMENT TO WAIVE CLAIMS FOR DIMINUTION IN VALUE**

**PURSUANT TO A.R.S. § 12-1134**

I/We, \_\_\_\_\_, (“Owner”) am/are all of the owner(s) of real property (“Property”) generally located at \_\_\_\_\_, consisting of approximately \_\_\_\_ acres, as shown in the evidence of ownership ( *Exhibit A* ) and is legally described and shown on the map in *Exhibit B*, both of which are attached to this Agreement.

The Property is subject to the land use laws of the Town of Gilbert, Arizona. For purposes of this Waiver, “land use law” shall be defined as set forth in A.R.S. § 12-1136.

I/We have requested that the Town take/approve the land use action (“Requested Action”) as set forth in *Exhibit C*, which is attached to this Agreement.

I/We acknowledge that as the request is processed for approval, changes may be made to the details and requirements for approval of the request. Some of these changes may materially alter the request, so that the final approval may be substantially different than originally requested. I/We understand and agree that execution of an additional waiver will be required for approval if the request is altered.

I/We acknowledge that the Requested Action may alter my/our rights to use, divide, sell or possess our Property, and that, pursuant to A.R.S. § 12-1134, as the owner of property directly regulated by a land use law, I/we may be entitled to compensation from the Town for diminution of value in the property if the action I/we have requested from the Town reduces the fair market value of the above described property.

By signing this Agreement, I/we hereby agree to waive any and all claims for diminution in value for the Property which may arise pursuant to A.R.S. § 12-1134 as a result of the Town’s actions, including but not limited to approvals, denials or conditions of approvals with respect to the above-described Requested Action.

I/we hereby further understand that the Town is acting in reliance upon my/our representations in this waiver.

Project No. \_\_\_\_\_  
Waiver of Claims for Diminution in Value  
Signature Page

\_\_\_\_\_  
Property Owner  
By Its \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF ARIZONA        )  
  ) ss.  
County of Maricopa        )

SUBSCRIBED AND SWORN before me this \_\_\_\_ day of \_\_\_\_\_, 200\_, by  
\_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires:  
  
\_\_\_\_\_

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