

Janet Napolitano  
Governor

Mark Winkleman  
State Land  
Commissioner

# Arizona State Land Department



1616 West Adams Street Phoenix, AZ 85007 www.land.state.az.us


DATE March 24, 2005  
APPLICATION NO 16-108746  
PURPOSE Potable water line and sewer line  
FILED BY McDowell Mountain Back Bowl, LLC

<u>                    </u>	ASLD Agriculture Section
<u>          N/A          </u>	ASLD Arizona Preserve Initiative (API)
<u>          X          </u>	ASLD Commercial Leasing & Sales Section
<u>                    </u>	ASLD Engineering Section
<u>          X          </u>	ASLD Environmental Resources & Trespass Section (Copy of SHPO letter w/app w/Arch Study)
<u>                    </u>	ASLD Forestry Section
<u>                    </u>	ASLD Minerals Section
<u>          X          </u>	ASLD Planning Section
<u>                    </u>	ASLD Range Section
<u>                    </u>	ASLD Water Rights Section
<u>          X          </u>	Arizona Department of Agriculture Native Plant Law Specialist
<u>                    </u>	Arizona Department of Environmental Quality
<u>          X          </u>	Arizona Game and Fish Department
<u>          X          </u>	Arizona State Historic Preservation Office (w/cover letter ) w/Arch Study
<u>                    </u>	Arizona Department of Transportation
<u>          X          </u>	Scottsdale City Planning and Zoning Department,
<u>          X          </u>	Scottsdale City Street Department,
<u>                    </u>	County Board of Supervisors
<u>                    </u>	County Flood Control
<u>                    </u>	County Planning and Zoning Department
<u>                    </u>	County Highway Department,
<u>          X          </u>	Other Don Mann, City of Scottsdale Water Resources Department

The State Land Department has received the above-subject application and will process it on its merits

In this connection, we would appreciate any comments which you might elect to submit within 30 DAYS, so that the Department might consider them in making its decision

See enclosed application and maps

Sincerely,  
  
Jim Cross  
Right-of-Way Administrator  
(602) 542-4041

Enclosures

RETURN TO  
 ARIZONA STATE LAND DEPARTMENT  
 PUBLIC COUNTER  
 1616 WEST ADAMS  
 PHOENIX, ARIZONA 85007

SUBMIT FILING FEE

New \$100  
 Renewal \$100  
 Amend \$50

\*Filing fees are non-refundable

- 4.50 DEPARTMENTAL USE ONLY		ROLODEX # <u>6077</u>	
ACCOUNTING	T & C	RECOMMENDATION/INITIAL	DATE
Filing Fee	Exam: <u>[Signature]</u>	Approve _____	_____
New \$100.00	Exam # _____	Deny _____	_____
Renew \$100.00	Int Title _____	Reject _____	_____
Amend \$50.00	App Entry <u>FEB 03 2005</u>	Withdraw _____	_____

APPLICATION FOR RIGHT-OF-WAY ENTERED FEB 02 2005  
 Type or print in ink

APPLICATION NO. 16-108746-00-000

Complete ALL questions, SIGN application and ATTACH appropriate filing fee

1. APPLICANT

McDowell Mountain Back Bowl, LLC an IL  
 Name(s) limited liability co.  
c/o Ms. Theresa O Frankiewicz  
Crown Community Development  
3600 E Thayer Court, Suite 100  
 Mailing Address  
Aurora, IL 60504

2 TYPE OF APPLICATION

NEW  
 RENEWAL  
 AMEND

Reason for amendment.

Christine Sheehy, State Land Prop Inc (602) 944 0614  
 Entry Contact Person State Zip  
Don Sock, Wood Patel, (602) 335-8500  
 Contact Person for Engineering Phone No  
13248

2005 FEB 1 P 1  
 STATE LAND DEPARTMENT

3. REQUEST FOR RIGHT-OF-WAY Applicant hereby makes Right-of-Way application under A.R.S.

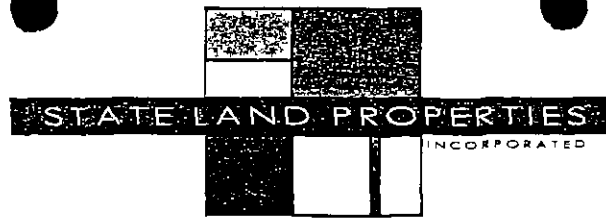
§ 37-461, for the purpose of 12-inch potable waterline and 4" sewer force main  
and temporary construction easement  
(to be located in the Happy Valley Road alignment) over and across the lands  
to be asg to City of Scottsdale  
 hereinafter described for a term of perpetual years, in accordance with the laws of the State of Arizona

and the rules of the State Land Department

4 LEGAL DESCRIPTION:

TWN	RNG	SEC	LEGAL DESCRIPTION	ACRES	COUNTY
<u>4N</u>	<u>5E</u>	<u>2</u>	<u>See attached</u>	_____	<u>Maricopa</u>
_____	_____	_____	<u>S 20FT EX W 20FT</u>	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

SLD USE ONLY CTY GRT PARCEL <u>07 030 9001</u>
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February 1, 2005

Mr James E Gross  
Right-of-way Administrator  
Arizona State Land Department  
1616 W Adams  
Phoenix, AZ 85007

ARIZONA  
STATE LAND  
DEPARTMENT  
2005 FEB - 1 PM 1 33

Re Right-of-way Application #16-108746 for the Happy Valley Road alignment and companion Application # 16-108745 for the 120<sup>th</sup> Street alignment, T4N, R5E, Section 2, Scottsdale, Arizona

Dear Jim

As a follow up to our meeting on January 4, 2005 with you, Greg Keller, Don Sock of Wood Patel, Dave Gulino of Land Development Services and me, I am submitting the attached applications for utility rights-of-ways. As suggested by you, we submitted two separate applications, which should be processed together because they are for the same project. See attached Vicinity Map.

The Applicant, McDowell Mountain Back Bowl, L L C, is developing a 330 acre single-family development located south of the southeast corner of the Happy Valley Road and 120<sup>th</sup> Street alignments, which prompted these applications. See attached Conceptual Land Use Plan.

The Applicant has held several meetings with Doug Mann, City of Scottsdale Water Resources Department, on the sizing and location of a proposed 12-inch potable water line in the 120<sup>th</sup> Street alignment and a 4-inch forced sewer main, an 8-inch gravity sewer line and a 12-inch potable water line in the Happy Valley Road alignment. These lines are sized to serve the adjacent land uses identified on the City of Scottsdale's General Plan, which includes the State Trust land. Please note that the proposed rights-of-way are for utilities only. No roads are planned along these alignments. See attached City of Scottsdale Conceptual Land Use Map and Existing Land Uses map for the area.

Mr James E Gross  
February 1, 2005  
Page 2 of 3

It is the Applicant's intent to assign both of these right-of-ways to the City of Scottsdale at a time acceptable to both the City and the ASLD. The Applicant will assume all financial costs associated with the processing of these Applications with the Arizona State Land Department ("ASLD")

At our meeting on January 4<sup>th</sup> you indicated the ASLD would not look favorably on the inclusion of a sewer lift station on State Trust land even though the City of Scottsdale suggested the lift station be located generally at the Happy Valley Road and 128<sup>th</sup> Street alignments. Mr. Gulino stated that he would contact the adjacent property owner about locating the lift station at the southwest corner of the Happy Valley Road and 128<sup>th</sup> Street alignments otherwise the lift station could be located further to the west on the Applicant's property.

Following our meeting, Mr. Gulino met with Applicant and the adjacent landowner and a decision has not been reached. As a result, the Applications have been submitted with the lift station to be located either in the northeast corner of the Applicant's property or at the southwest corner of 128<sup>th</sup> Street and Happy Valley Road alignments on private land to comply with the ASLD's wishes to not have the lift station on State Trust land. The legal descriptions for the Happy Valley right-of-way are currently written to the 128<sup>th</sup> Street alignment and could be amended to reduce the length of the right-of-way if the lift station is built to the west on the Applicant's property.

The Right-of-way Application along the 120<sup>th</sup> Street alignment is proposed to be 20 feet wide from the northeast corner of the Granite Reef subdivision south to the existing City of Scottsdale Right-of-Way #16-107812, which contains an 8-inch sewer line. A 10 foot wide right-of-way is proposed parallel to Right-of-Way #16-107812. In addition, a Temporary Construction Right-of-Way of 20 feet is requested to run parallel to the perpetual right-of-way requested. The Temporary Construction Right-of-way would be needed for twelve months following the ASLD's granting of the perpetual Right-of-way. See attached Project Area exhibit and legal descriptions.

The Right-of-way Application along the Happy Valley Road alignment is proposed to be 20 feet wide. In addition, a Temporary Construction Right-of-way of 20 feet is requested to run parallel to the perpetual Right-of-way requested. The Temporary Construction Right-of-way would be needed for twelve months following the ASLD's granting of the perpetual Right-of-way. See attached Project Area exhibit and legal descriptions.

In order to save time, the Applicant will be requesting proposals from qualified archaeologists to proceed with a cultural resources survey of the proposed rights-of-ways provided the area has not been previously surveyed. I will contact you when we receive the proposals.

Mr James E Gross  
February 1, 2005  
Page 3 of 3

Please contact Don Sock for any questions on engineering Don's contact information is

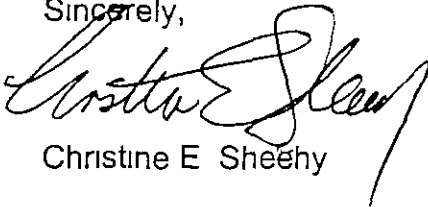
Mr Don Sock  
Assistant Project Manager  
Wood, Patel & Associates, Inc  
602-335-8500 (Phone)  
602-335-8580 (Fax)  
2051 W Northern, Suite 100  
Phoenix, AZ 85021  
[dsock@woodpatel.com](mailto:dsock@woodpatel.com)

I recommend contacting Mr Doug Mann at the City of Scottsdale for notification of the Applications and any questions regarding the City's proposed utility plans for this area Mr Mann can be reached at

Mr Doug Mann  
City of Scottsdale  
Water Resources Department  
480-312-5636 (Phone)  
480-312-5615 (Fax)  
9388 E San Salvador  
Scottsdale, AZ 85258  
[dmann@scottsdaleaz.gov](mailto:dmann@scottsdaleaz.gov)

Please contact me at 602 944 0614 if you have any general questions regarding these Applications Jim, I am looking forward to working with you again!

Sincerely,

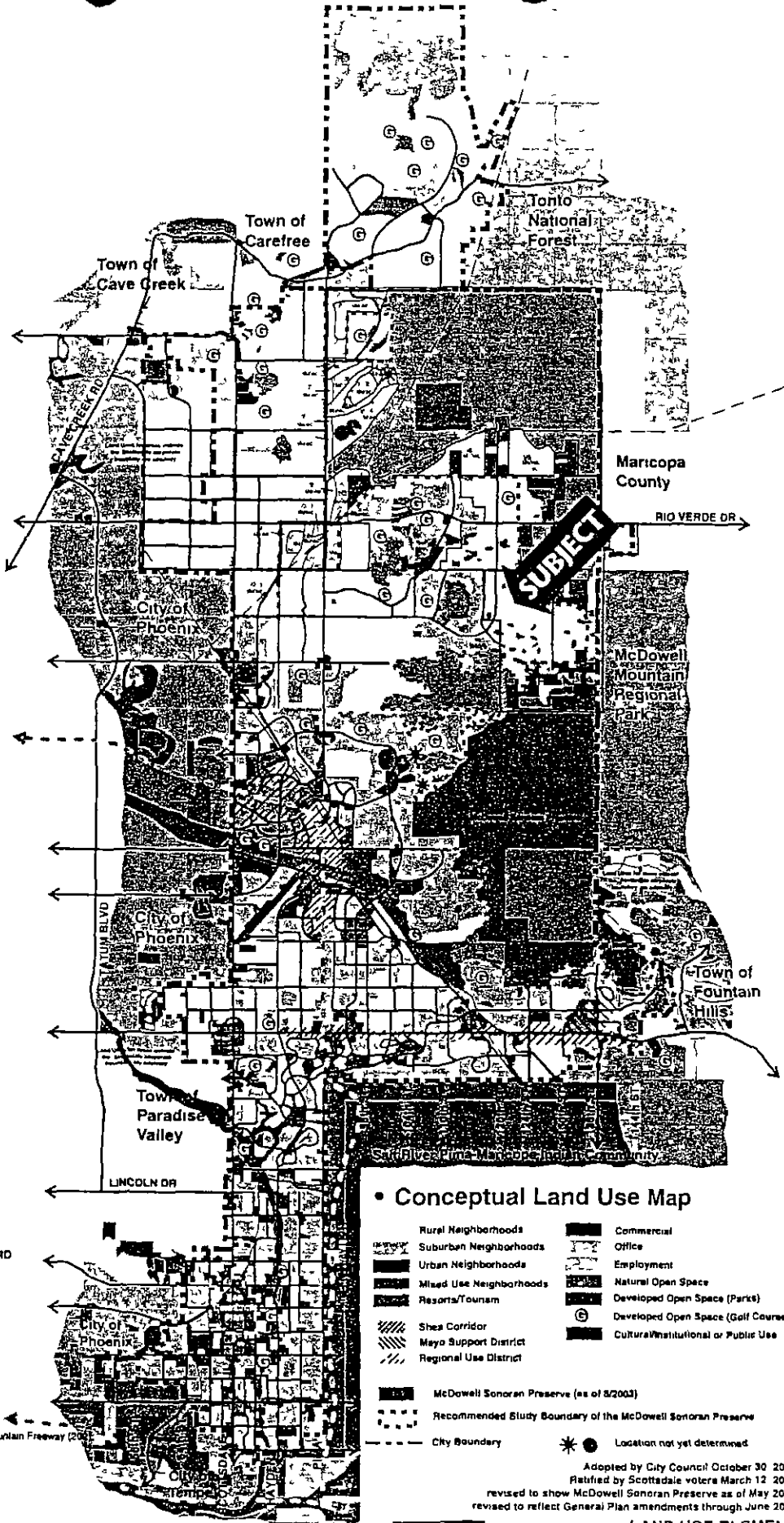


Christine E Sheehy

Enclosures

cc Theresa O Frankiewicz, McDowell Mountain Back Bowl, LLC (Crown  
Community Development)  
Dave Gulino, Land Development Services  
Don Sock, Wood, Patel & Associates

JENNY LYNN  
 CIRCLE MOUNTAIN  
 HONDA BOW  
 ROCKAWAY HILLS  
 DESERT HILLS  
 JOY RANCH  
 STAGECOACH PASS  
 CAREFREE HWY  
 DOVE VALLEY  
 LONE MOUNTAIN  
 DIXILETA  
 DYNAMITE  
 JOMAX  
 HAPPY VALLEY  
 PINNACLE PEAK  
 DEER VALLEY  
 BEARDSLEY  
 OUTER LOOP  
 UNION HILLS  
 BELL RD./FRANK LLOYD WRIGHT BLVD  
 GREENWAY RD  
 THUNDERBIRD RD  
 CACTUS RD  
 SHEA BLVD  
 DOUBLE TREE RANCH RD  
 McCORMICK PKWY  
 INDIAN BEND RD  
 McDONALD DR  
 CHAPARRAL/CAMELBACK RD  
 CAMELBACK RD  
 INDIAN SCHOOL RD  
 THOMAS  
 McDOWELL RD  
 McKELLIPS RD



- Conceptual Land Use Map**
- Rural Neighborhoods
  - Suburban Neighborhoods
  - Urban Neighborhoods
  - Mixed Use Neighborhoods
  - Resorts/Tourism
  - Shea Corridor
  - Maya Support District
  - Regional Use District
  - Commercial
  - Office
  - Employment
  - Natural Open Space
  - Developed Open Space (Parks)
  - Developed Open Space (Golf Courses)
  - Cultural/Institutional or Public Use
  - McDowell Sonoran Preserve (as of 8/2003)
  - Recommended Study Boundary of the McDowell Sonoran Preserve
  - City Boundary
  - Location not yet determined

Adopted by City Council October 30 2001  
 Reaffirmed by Scottsdale voters March 12 2002  
 revised to show McDowell Sonoran Preserve as of May 2004  
 revised to reflect General Plan amendments through June 2004

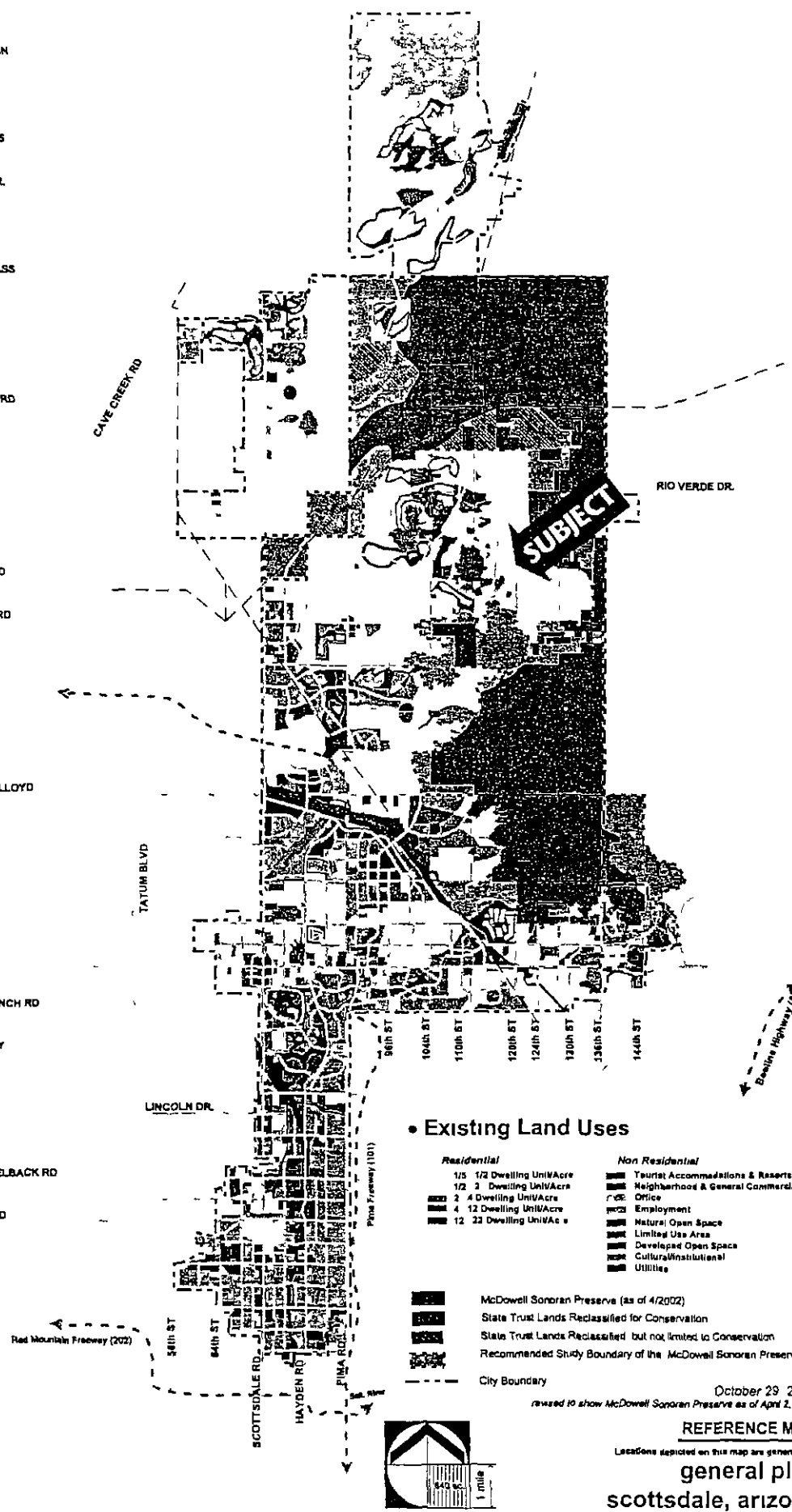
**LAND USE ELEMENT**

Locations depicted on this map are generalized

Land Uses shown outside Scottsdale city boundaries are advisory and use the closest comparable Scottsdale land use categories



JENNY LYNN  
 CIRCLE MOUNTAIN  
 HONDA BOW  
 ROCKAWAY HILLS  
 DESERT HILLS DR.  
 JOY RANCH RD  
 STAGECOACH PASS  
 CAREFREE HWY  
 DOVE VALLEY RD  
 LONE MOUNTAIN RD  
 DIXILETA DR.  
 DYNAMITE BLVD  
 JOMAX RD  
 HAPPY VALLEY RD  
 PINNACLE PEAK RD  
 DEER VALLEY RD  
 BEARDSLEY RD  
 UNION HILLS DR.  
 BELL RD./FRANK LLOYD  
 WRIGHT BLVD  
 GREENWAY RD  
 THUNDERBIRD RD  
 CACTUS RD  
 SHEA BLVD  
 DOUBLE TREE RANCH RD  
 McCORMICK PKWY  
 INDIAN BEND RD  
 McDONALD DR.  
 CHAPARRAL/CAMELBACK RD  
 CAMELBACK RD  
 INDIAN SCHOOL RD  
 THOMAS RD  
 McDOWELL RD  
 McKELLIPS RD



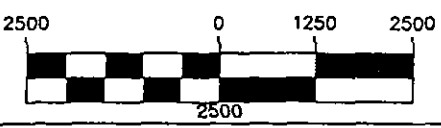
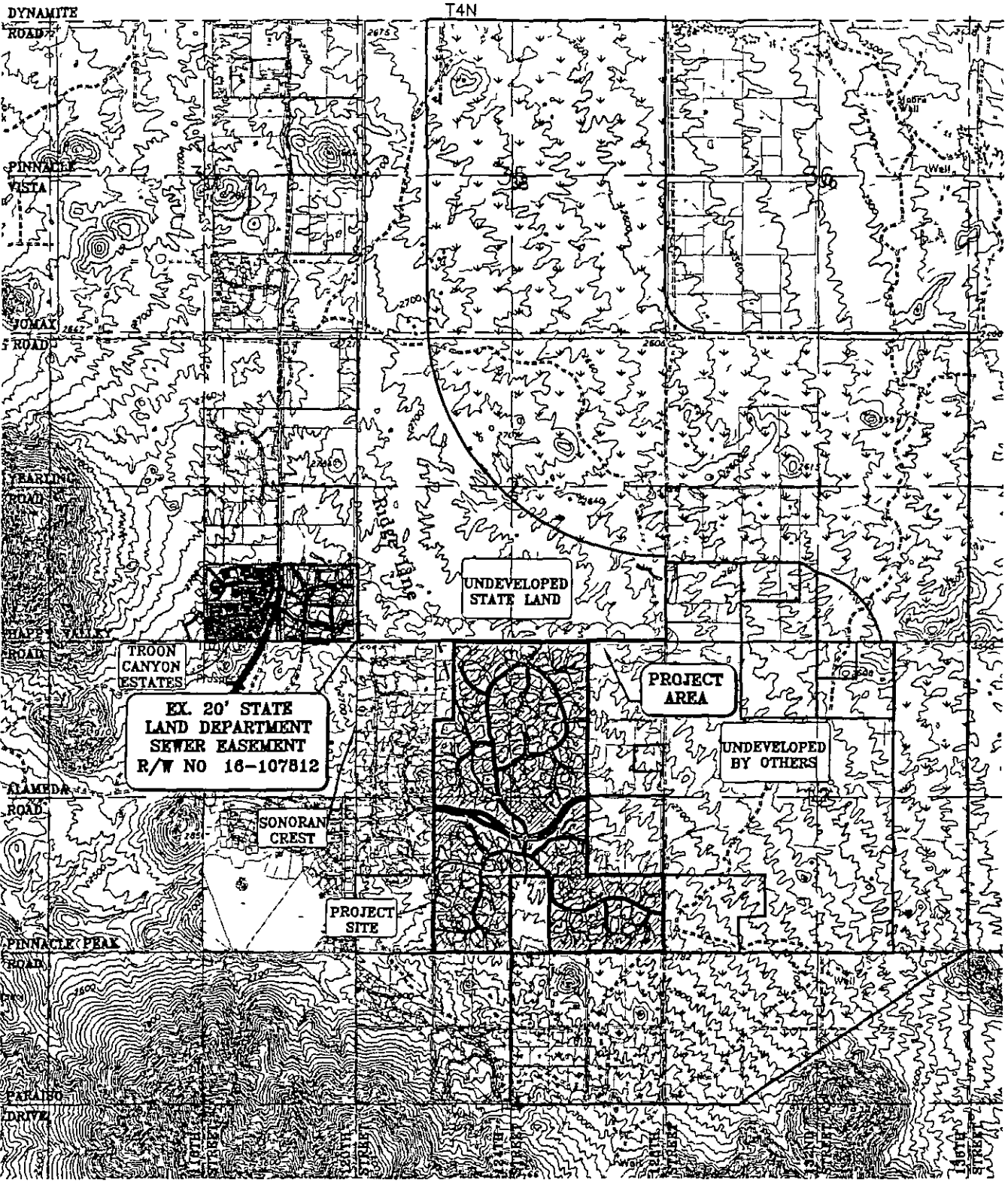
• Existing Land Uses

- |                            |  |
|----------------------------|--|
| <b>Residential</b>         | <b>Non Residential</b>   |
| 1/5 1/2 Dwelling Unit/Acre | Tourist Accommodations & Resorts                               |
| 1/2 3 Dwelling Unit/Acre   | Neighborhood & General Commercial                              |
| 2 4 Dwelling Unit/Acre     | Office   |
| 4 12 Dwelling Unit/Acre    | Employment   |
| 12 22 Dwelling Unit/Acre   | Natural Open Space   |
|                            | Limited Use Area   |
|                            | Developed Open Space   |
|                            | Cultural/Institutional   |
|                            | Utilities  |
|                            | McDowell Sonoran Preserve (as of 4/2002)                       |
|                            | State Trust Lands Reclassified for Conservation                |
|                            | State Trust Lands Reclassified but not limited to Conservation |
|                            | Recommended Study Boundary of the McDowell Sonoran Preserve    |
|                            | City Boundary  |

October 29 2001  
 revised to show McDowell Sonoran Preserve as of April 2, 2002

REFERENCE MAP

Locations depicted on this map are generalized  
**general plan**  
**scottsdale, arizona**



**LEGEND**

-  Project Boundry
-  Project Site
-  McDowell Sonoran Preserve
-  Existing 5 Foot Contours



**McDOWELL MOUNTAIN BACK BOWL**

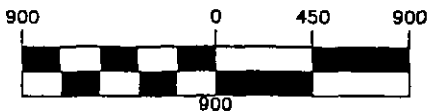
VICINITY MAP

**WOOD/PATEL ASSOCIATES**  
 Civil Engineers  
 Hydrologists  
 Land Surveyors  
 (602) 335-8500



UNDEVELOPED  
STATE LAND

PROJECT  
SITE



LEGEND

- Project Boundry
- Project Site
- McDowell Sonoran Preserve

Existing 5 Foot  
Contours

McDOWELL MOUNTAIN BACK BOWL

CONCEPTUAL LANDUSE

WOOD/PATEL  
ASSOCIATES  
Civil Engineers  
Hydrologists  
Land Surveyors  
(602) 335-8500

5. BURIED RIGHT-OF-WAY

- a How deep will the line be buried? 8 feet for gravity line  
5 feet for water line What is the diameter of the line? 12-inch gravity sewer  
4 feet for sewer force main 12-inch water  
4-inch sewer
- b What materials will be used in the line? Ductile Iron for water; pvc for sewer force main  
(PVC, metals, fiber optic/conduit, etc.) lines
- c Will the line be adjacent to an existing road right-of-way? Yes \_\_\_ No X.
- d Will the line be within an existing road right-of-way? Yes \_\_\_ No X
- e Will the line cross drainage way(s)? Yes \_\_\_ No \_\_\_\_\_. Unknown at this time A  
jurisdictional delineation is pending
- f Will the line require above ground appurtenances? Yes X No \_\_\_\_\_. If yes, describe the specific appurtenances in detail, including the dimensions(s) and required construction: \_\_\_\_\_  
Manholes & valves for water line; vent pipes for sewer force main

6. ABOVE GROUND RIGHT-OF-WAY.

- a. Is the line to be installed on the ground? Yes \_\_\_ No X Above the ground? Yes \_\_\_ No \_\_\_
- b What is the diameter of the line? \_\_\_\_\_
- c. What type of material will be used in the line? \_\_\_\_\_  
(PVC, metal, fiber optic/conduit, etc )
- d. Does the line require poles? Yes \_\_\_ No \_\_\_ Towers? Yes \_\_\_ No \_\_\_ If yes, provide the following information:  
width \_\_\_\_\_ height (after installation) \_\_\_\_\_, wood \_\_\_\_\_  
metal \_\_\_\_\_ color \_\_\_\_\_ number of wires or lines to be attached \_\_\_\_\_
- e. Will the line be adjacent to or within an existing road right-of-way? Yes \_\_\_ No \_\_\_\_\_. If yes, will the surface area to the roadway described for the line, be at grade \_\_\_\_\_, below grade \_\_\_\_\_, or above grade \_\_\_\_\_.
- f. Will the line cross drainage way(s)? Yes \_\_\_ No \_\_\_\_\_.
- g. Describe any construction that will be required. \_\_\_\_\_

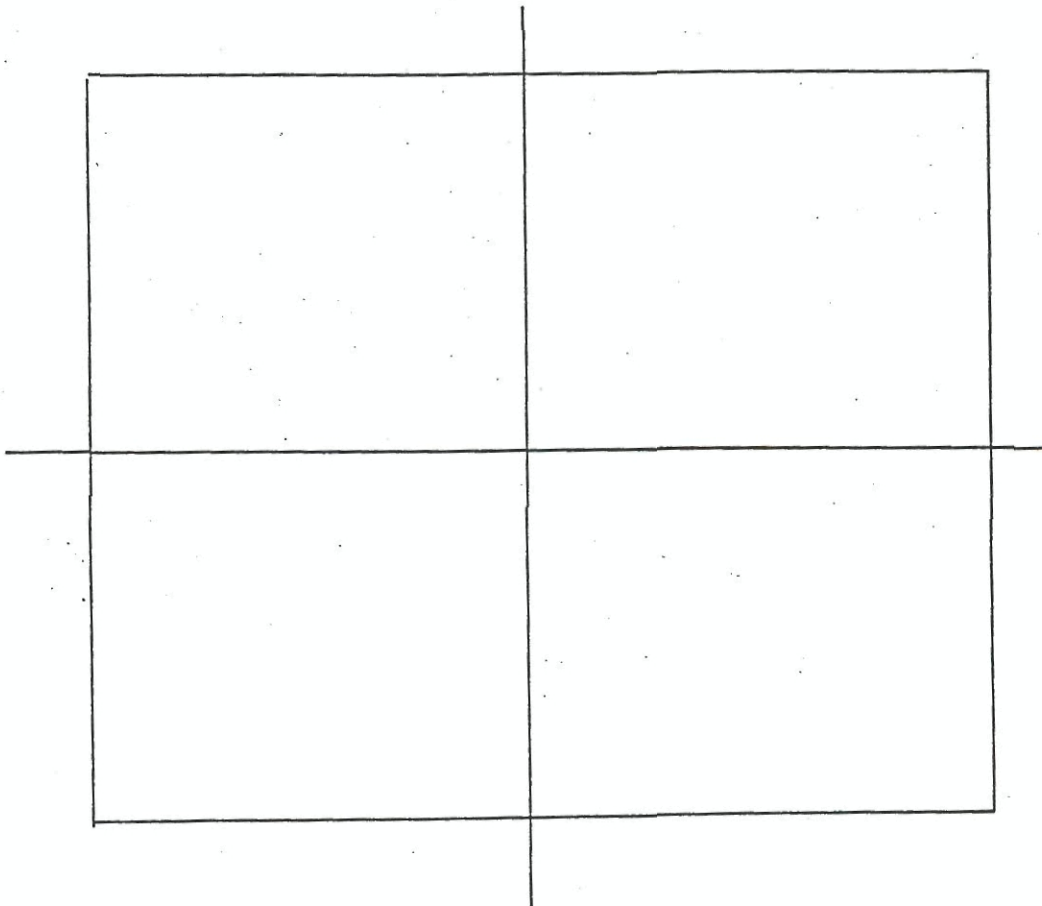
7. ADDITIONAL RIGHT-OF-WAY INFORMATION:

- a. Is the proposed right-of-way to be used in conjunction with any application for a state lease, permit or sale (commercial, mineral, etc.)? Yes \_\_\_ No X. If yes, give the application lease type and number: \_\_\_\_\_
- b. Are there any improvements that would be disturbed if this application is approved (water tanks, wells, fences, building, etc )? Yes \_\_\_ No \_\_\_\_\_. If yes, list and indicate the location of each improvement on the map on page 3 of this application. Unknown at this time

- c. If approved, will the construction and the maintenance of the right-of-way interfere with or intrude upon the existing lessee's rights under any existing lease? Yes  No . If yes, describe in detail: \_\_\_\_\_
- d. Is the proposed right-of-way to serve property? Yes  No . If yes, what is the name of the fee title owner? McDowell Mountain Back Bowl, LLC
- e. If the right-of-way is a road, is it to provide access to a landlocked parcel? Yes  No . If yes, name the connecting road that is the point of legal access \_\_\_\_\_  
(Not applicable.)
- f. Are there any unusual circumstances concerning the right-of-way that the State Land Department should know about? Yes  No . Specify: \_\_\_\_\_
- g. If construction is required, when is proposed construction anticipated to begin? January 2006.

**8. APPLICANT COMPLETE AND SIGN PAGE 4.**

North



**CERTIFICATION:** Pursuant to A.R.S. Title 37 and the Rules of the Arizona State Land Department, A.A.C. Title 12, Chapter 5, you must complete the following information pertinent to you and/or the organization you represent and sign the certification or your application will not be processed. NOTE: Applicant must complete item #1.

1. Is this application made in the name of: (Applicant must check one) \_\_\_\_\_ Individual(s) \_\_\_\_\_ Husband & Wife  
 \_\_\_\_\_ Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Ltd. Partnership \_\_\_\_\_ Estate \_\_\_\_\_ Trust  Ltd. Liability Co.  
 \_\_\_\_\_ Joint Venture \_\_\_\_\_ Municipality \_\_\_\_\_ Political Subdivision \_\_\_\_\_ Other (specify) \_\_\_\_\_

2. INDIVIDUAL(S) OR HUSBAND & WIFE: Complete the following for each applicant:

NAME	AGE	MARITAL STATUS
_____	_____	_____
_____	_____	_____

3. CORPORATION: Complete the following:  
 (A) Do you have authority from the Arizona Corporation Commission to do business in the State of Arizona? Yes \_\_\_ No \_\_\_  
 (B) Is the corporation presently in good standing with the Arizona Corporation Commission? Yes \_\_\_ No \_\_\_  
 (C) In what state are you incorporated? \_\_\_\_\_  
 (D) Is the legal corporate name and Arizona business address the same as stated in this application? Yes \_\_\_ No \_\_\_  
 If no, state the Legal Corporate Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 (Street or Box Number) (City) (State) (Zip)

4. LIMITED LIABILITY COMPANY: Complete the following:  
 (A) If an out-of-state limited liability company: Have you filed for a Certificate of Registration with the Arizona Corporation Commission?  Yes \_\_\_ No \_\_\_  
 (B) If an Arizona limited liability company: Have you filed Articles of Organization with the Arizona Corporation Commission? \_\_\_ Yes \_\_\_ No \_\_\_  
 (C) Are you authorized by the Arizona Corporation Commission to transact business in Arizona?  Yes \_\_\_ No \_\_\_

5. PARTNERSHIP OR JOINT VENTURE: Complete the following for each authorized partner or principal in the partnership or joint venture:

NAME	BUSINESS ADDRESS	AGE	MARITAL STATUS
_____	_____	_____	_____
_____	_____	_____	_____

6. LIMITED PARTNERSHIP: Is this Limited Partnership on file with the Arizona Secretary of State?  Yes  No  
 Complete the following for the authorized general partner(s) only:  

GENERAL PARTNER(S) NAME	BUSINESS ADDRESS
_____	_____
_____	_____

7. ESTATE: Complete the following and attach a copy of the court or estate document(s):  
 Name of the court-appointed administrator or personal representative: \_\_\_\_\_  
 List the type and date of issuance of the court or Estate document: \_\_\_\_\_  
 (Date issued) (Type of Document)

8. TRUST: (A) Complete the following pursuant to A.R.S. § 33-404, for each beneficiary of the Trust:

NAME	ADDRESS	AGE	MARITAL STATUS
_____	_____	_____	_____
_____	_____	_____	_____

or (B) Identify the Trust document by title, document number, and county where document is recorded: \_\_\_\_\_

9. I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT THE INFORMATION AND STATEMENTS CONTAINED HEREIN, TOGETHER WITH ALL EXHIBITS AND ATTACHMENTS ARE TRUE, CORRECT AND COMPLETE AND THAT I/WE HAVE AUTHORITY TO SIGN THIS DOCUMENT.

\_\_\_\_\_ SIGNATURE(S)  
 Signature of Applicant (Individual) \_\_\_\_\_ Date \_\_\_\_\_  
 Signature of Applicant (Individual) \_\_\_\_\_ Date \_\_\_\_\_

Signature: \_\_\_\_\_ Title: Authorized Rep

ARIZONA  
 STATE LAND  
 DEPARTMENT  
 2005 FEB - 1 P  
 : : 98

ARIZONA STATE LAND DEPARTMENT ENVIRONMENTAL DISCLOSURE QUESTIONNAIRE  
 These two pages are part of the application - DO NOT DETACH

The purpose of this questionnaire is to give the Department an opportunity to detect proposed land uses that may have potential environmental impacts and risks and to consider these impacts and risks in the processing of the application

If you have questions regarding this questionnaire, please contact the State Land Department, Environmental Section at (602) 542-2119 Other Federal, State, County and local agencies may also need to be contacted regarding environmental regulations

PLEASE INDICATE BELOW THE TYPE(S) OF POTENTIAL ENVIRONMENTAL IMPACTS FROM YOUR CURRENT OR PROPOSED USE

<u>YES</u>	<u>NO</u>	<u>WILL YOUR USE INVOLVE</u>	<u>TYPE OF ENVIRONMENTAL IMPACT</u>
	<input checked="" type="checkbox"/>	<u>WASTE TIRES</u> The collection of waste tires? If yes, explain	_____
	<input checked="" type="checkbox"/>	<u>LEAD ACID BATTERIES</u> The sale and disposal of lead acid batteries? If yes, explain	_____
	<input checked="" type="checkbox"/>	<u>DISCHARGE IMPACTING GROUNDWATER</u> Generating a discharge that may potentially impact groundwater? If yes, explain	_____
	<input checked="" type="checkbox"/>	<u>PESTICIDES</u> ? If yes, explain use	_____
	<input checked="" type="checkbox"/>	<u>DRY WELLS</u> ? If yes ADEQ Registration #(s)	_____
<input checked="" type="checkbox"/>		<u>POTABLE WATER (DRINKING WATER) SYSTEMS</u> ? If yes, explain	<u>proposed water line built to city and state standards.</u>
<input checked="" type="checkbox"/>		<u>WASTEWATER COLLECTION AND TREATMENT SYSTEMS</u> Wastewater collection and/or treatment? If yes, explain	<u>Proposed sewer line built to city and state standards</u>
	<input checked="" type="checkbox"/>	<u>AIR CONTAMINANTS/AIR POLLUTION CONTROL</u> Air contaminant emissions? If yes, explain	_____
	<input checked="" type="checkbox"/>	<u>SOLID WASTE - GENERAL</u> Solid waste generation transportation, treatment, recycling storage or disposal? If yes explain	_____
	<input checked="" type="checkbox"/>	<u>SOLID WASTE MEDICAL WASTE</u> Medical waste generation, transportation, treatment, recycling, storage or disposal? If yes, explain	_____
	<input checked="" type="checkbox"/>	<u>SOLID WASTE SEWAGE SLUDGE/SEPTAGE</u> (Septic Tank Waste) Sewage sludge/septage generation, transportation, treatment, storage, use or disposal? If yes explain	_____
	<input checked="" type="checkbox"/>	<u>USED OIL</u> Used oil generation, transportation, storage, recycling, use disposal, marketing or burning? If yes, explain	_____
	<input checked="" type="checkbox"/>	<u>RECYCLING ACTIVITIES</u> ? If yes, explain	_____
	<input checked="" type="checkbox"/>	<u>SPECIAL WASTE</u> Special waste (asbestos, motor vehicle shredding waste) generation, transportation, treatment, recycling storage or disposal? If yes, explain	_____
	<input checked="" type="checkbox"/>	<u>HAZARDOUS WASTE GENERATOR</u> Generating hazardous waste? If yes, explain	_____
	<input checked="" type="checkbox"/>	<u>HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL</u> ? If yes, explain	_____

(OVER)

YES NO WILL YOUR USE INVOLVE TYPE OF ENVIRONMENTAL IMPACT

X HAZARDOUS WASTE TRANSPORTATION? If yes explain \_\_\_\_\_

X UNDERGROUND STORAGE TANK (UST)? If yes, explain \_\_\_\_\_

X ABOVEGROUND STORAGE TANK (AST)? If yes, explain \_\_\_\_\_

X HAZARDOUS SUBSTANCES? If yes, explain \_\_\_\_\_

X CURRENTLY UNCLASSIFIED WASTE Will your use involve currently unclassified waste containing the following? (A R S §49-854) If yes, check appropriate waste category

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Polychlorinated biphenyls (PCBs) | <input type="checkbox"/> Oil and gas exploration drilling muds                               | <input type="checkbox"/> Petroleum contaminated soil    |
| <input type="checkbox"/> Incinerator ash                  | <input type="checkbox"/> Categorical industrial pretreatment sludge                          | <input type="checkbox"/> Commercial/industrial septage  |
| <input type="checkbox"/> Petroleum refining waste         | <input type="checkbox"/> Radioactive waste   | <input type="checkbox"/> Used Antifreeze                |
| <input type="checkbox"/> Slag and refractory material     | <input type="checkbox"/> Uranium ore tailings  | <input type="checkbox"/> Contaminated process equipment |
| <input type="checkbox"/> Precious metals recycling        | <input type="checkbox"/> Industrial catalysts  | <input type="checkbox"/> Industrial Sludges             |
| <input type="checkbox"/> Aluminum dross                   | <input type="checkbox"/> Industrial sands (excluding mining or mineral processing operation) |   |

If checked, explain waste generation process \_\_\_\_\_

X SUPERFUND SITES Is the State Trust land located in a National Priority List (NPL, Federal Superfund) area or in a Water Quality Assurance Revolving Fund (WQARF, State Superfund) study area?

If yes, NPor WQARF area name \_\_\_\_\_

X LAND DISTURBANCE If land disturbance will occur, will it be on previously undisturbed land? If yes, explain Land disturbance will occur in order to install the proposed utility lines.

X WATER WELLS Are there open and/or abandoned water wells on the property? If yes, submit a site diagram showing location(s) and use(s)

X ADJACENT LAND USES To the best of your knowledge, are adjacent lands subject to any of the above-referenced environmental impacts? If yes, explain \_\_\_\_\_

X ON-SITE INSPECTION/ENVIRONMENTAL ASSESSMENT To the best of your knowledge, has an on-site inspection and/or an environmental site assessment been performed at this location?

If yes, explain \_\_\_\_\_

PREVIOUS ENVIRONMENTAL IMPACT To the best of your knowledge, has any environmental impact been reported previously to ADEQ?

If yes, explain UNKNOWN

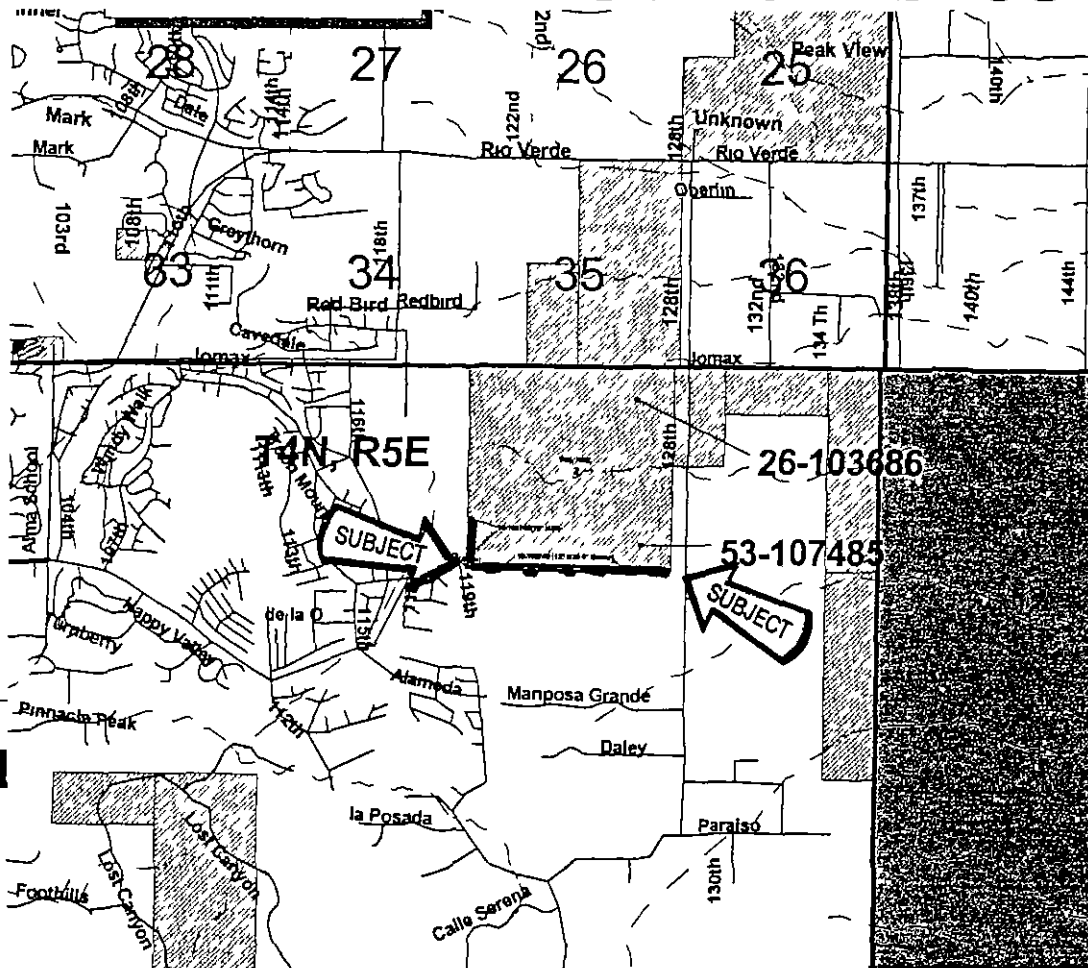
ADDITIONAL COMMENTS







# 16-108745 & 16-108746 Water and Sewer Lines



Interstates  
Highway



Interstates  
Highways  
Major Arterials



Streams - All Levels  
Intermittent Streams  
Perennial Streams  
Intermittent Canals  
Perennial Canals  
Intermittent Shorelines  
Perennial Shorelines  
Indefinite Boundaries  
Definite Boundaries



Township Lines

- Private
- State Trust
- USBLM
- Forest Service
- Indian Reservation
- Military
- Wildlife Refuge
- State & Local Parks
- Other
- Natl. Parks / Monuments
- Section Lines

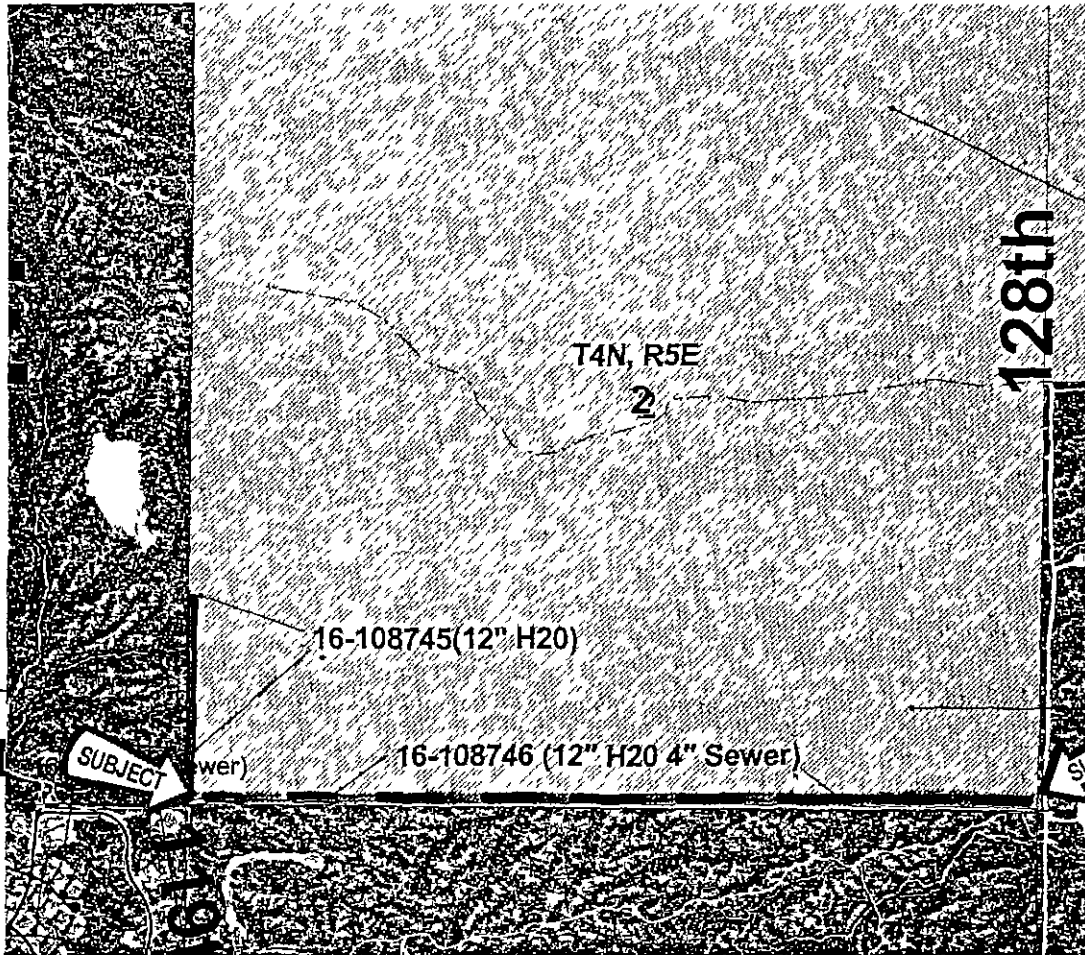


The Arizona State Land Department makes no warranties, implied or expressed with respect to the information shown on this map.




Map produced by the Arizona State Land Department on March 23, 2005.









ASLD GIS Original/Updated/Printed Date

# 16-108745 & 16-108746 Water and Sewer Lines













**Highways**  
 Interstates  
 Highways

**Major Arterials**  
 Interstates  
 Highways  
 Major Arterials

**Streams - All Levels**  
 Intermittent Streams  
 Perennial Streams  
 Intermittent Canals  
 Perennial Canals  
 Intermittent Shorelines  
 Perennial Shorelines  
 Indefinite Boundaries  
 Definite Boundaries

 Township Lines

 Private  
 State Trust  
 USBLM  
 Forest Service  
 Indian Reservation  
 Military  
 Wildlife Refuge  
 State & Local Parks  
 Other  
 Natl. Parks / Monuments  
 Section Lines



The Arizona State Land Department makes no warranties, implied or expressed, with respect to the information shown on this map.

Map produced by the Arizona State Land Department on March 23, 2005.

ASLD DC Copyright/Design/Map  
Jim Green

Wood, Patel & Associates, Inc  
(602) 335-8500  
www.woodpatel.com

January 27, 2005  
WP # 042054 08  
Page 1 of 2  
See Exhibit "A"

**PARCEL DESCRIPTION**  
**McDowell Mountain Back Bowl**  
**Proposed 20-foot Water and Sewer Easement**

A parcel of land lying within Section 2, Township 4 North, Range 5 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows

The south 20 feet of said Section 2

**EXCEPTING THEREFROM**

An existing 20-foot State Land Department Sewer Easement, recorded in R/W No 16-107812, being the west 20 feet of the south 320 feet of said Section 2

Containing 2.4149 acres, or 105,193 square feet of land, more or less

Subject to existing rights-of-way and easements

This parcel description was prepared without the benefit of survey fieldwork and is based on client provided information. Any monumentation noted in this parcel description is based on said information.

Y:\WP\Parcel Descriptions\042054 08 McDowell Mountain Back Bowl Proposed 20 foot Water and Sewer Easement.doc



T.C.E.

Wood, Patel & Associates, Inc  
(602) 335-8500  
www.woodpatel.com

January 27, 2005  
WP # 042054 08  
Page 1 of 2  
See Exhibit "A"

**PARCEL DESCRIPTION**  
**McDowell Mountain Back Bowl**  
**Proposed Temporary Construction Easement**

A parcel of land lying within Section 2, Township 4 North, Range 5 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows

The north 20 feet of the south 40 feet of said Section 2

**EXCEPTING THEREFROM**

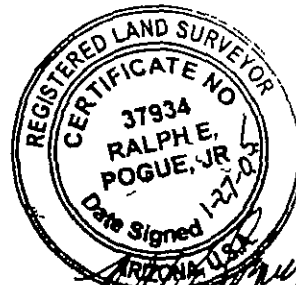
The west 30 feet of said Section 2

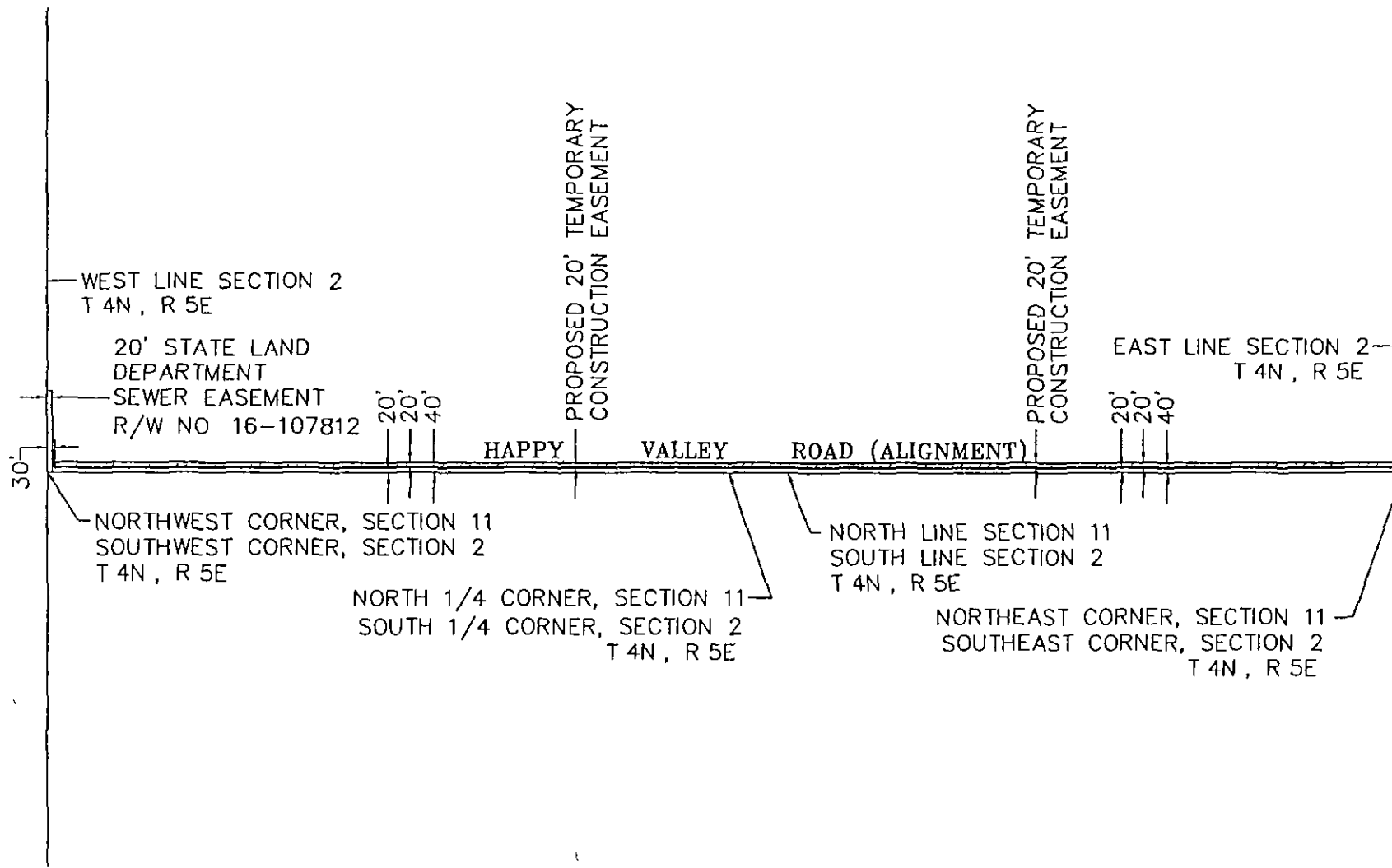
Containing 2.4103 acres, or 104,993 square feet of land, more or less

Subject to existing rights-of-way and easements

This parcel description was prepared without the benefit of survey fieldwork and is based on client provided information. Any monumentation noted in this parcel description is based on said information.

Y:\WP\Parcel Descriptions\042054 08 McDowell Mountain Back Bowl Proposed Temporary Construction Easement L06.doc



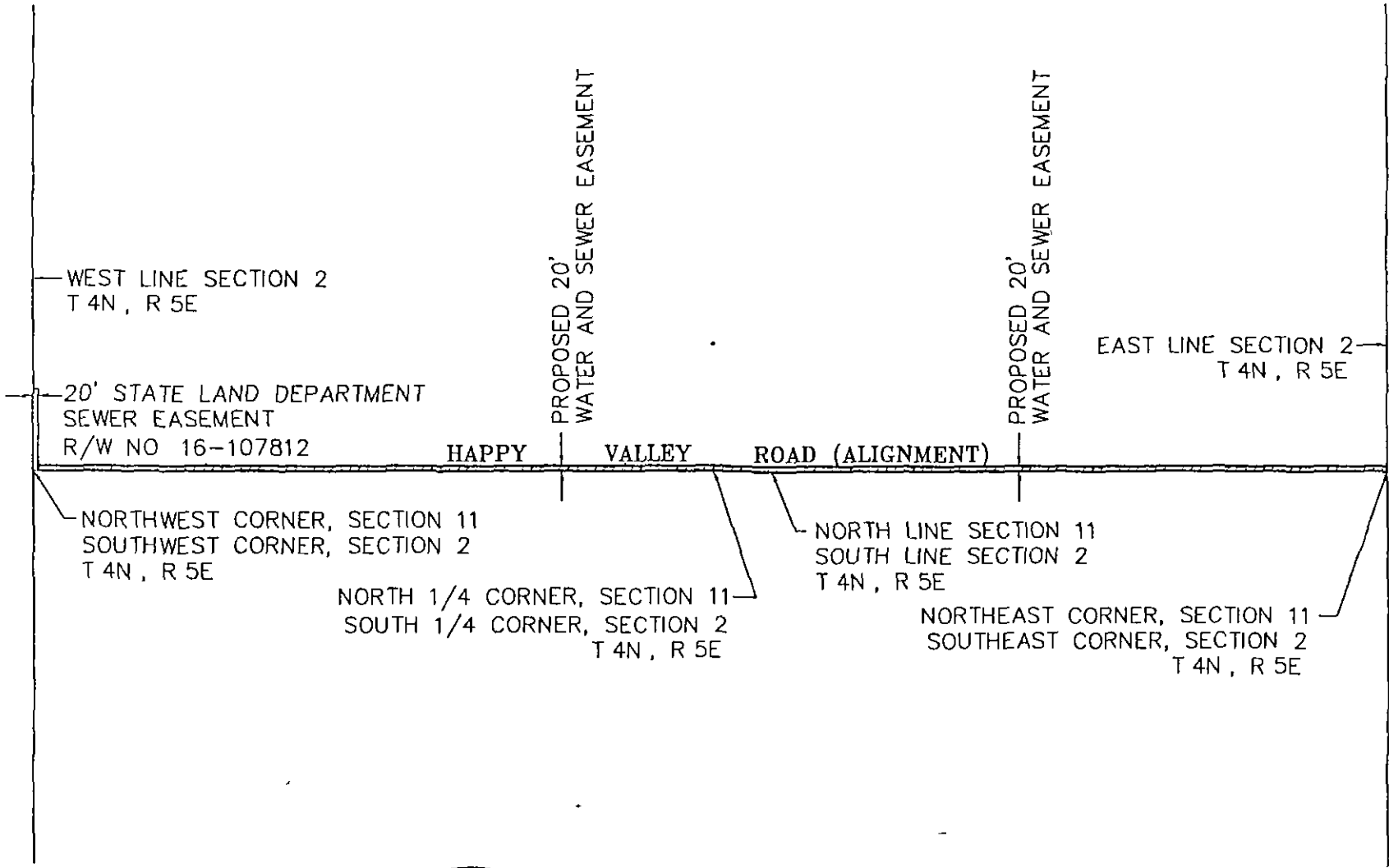


**WOOD/PATEL**  
 2051 West Northern  
 Phoenix, AZ 85021  
 Phone (602) 335-8500  
 Fax (602) 335-8580



**EXHIBIT "A"**  
 MCDOWELL MOUNTAIN BACK BOWL  
 PROPOSED TEMPORARY CONSTRUCTION EASEMENT  
 01-27-05  
 WP#042054 08  
 PAGE 2 OF 2  
 NOT TO SCALE

T \2004\042054\LEGAL\2054L06-DB\DWG\2054L06 DWG

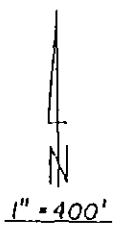


**WOOD/PATEL**  
 2051 West Northern  
 Phoenix, AZ 85021  
 Phone (602) 335-8500  
 Fax (602) 335-8580

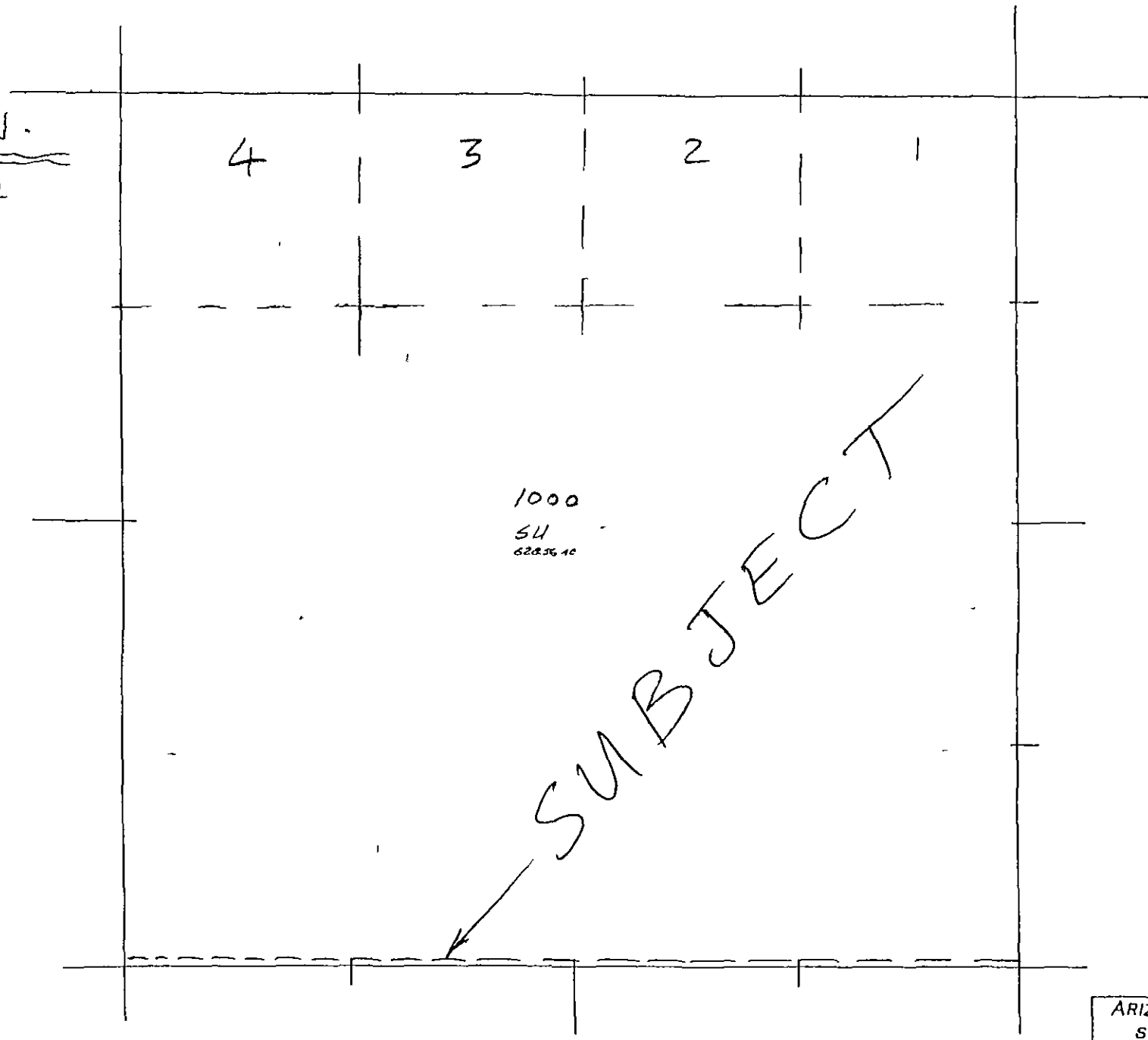


**EXHIBIT "A"**  
 MCDOWELL MOUNTAIN BACK BOWL  
 PROPOSED 20-FOOT WATER AND SEWER EASEMENT  
 01-27-05  
 WP#042054 08  
 PAGE 2 OF 2  
 NOT TO SCALE  
 T \2004\042054\LEGAL\2054L04-DB\DWG\2054L04 DWG

2-4N, 5E  
Surface



R.O.W.  
16-107812



1000  
SU  
628.56 AC

SUBJECT

EAST			
4	3	2	1
3716	3742	3718	3722
WEST 1000 GLO 2 628.56 AC 1000 SOUTH			

REV 8-13-3 1VM  
Revised 8-7-80 L.B

ARIZONA STATE LAND DEPT  
Sec 2-4N, 5E Surface  
MARICOPA County

5-11-79 OK

By Arizona State Land Department  
No warranty is made with respect to future  
values of these maps

Janet Napolitano  
Governor

Mark Winkleman  
State Land  
Commissioner

# Arizona State Land Department



1616 West Adams Street Phoenix, AZ 85007 www.land.state.az.us

DATE March 24, 2005  
APPLICATION NO 16-108745  
PURPOSE Potable water line  
FILED BY McDowell Mountain Back Bowl, LLC

<u>                    </u>	ASLD Agriculture Section
<u>  N/A          </u>	ASLD Arizona Preserve Initiative (API)
<u>  X             </u>	ASLD Commercial Leasing & Sales Section
<u>                    </u>	ASLD Engineering Section
<u>  X             </u>	ASLD Environmental Resources & Trespass Section (Copy of SHPO letter w/app w/Arch Study
<u>                    </u>	ASLD Forestry Section
<u>                    </u>	ASLD Minerals Section
<u>  X             </u>	ASLD Planning Section
<u>                    </u>	ASLD Range Section
<u>                    </u>	ASLD Water Rights Section
<u>  X             </u>	Arizona Department of Agriculture Native Plant Law Specialist
<u>                    </u>	Arizona Department of Environmental Quality
<u>  X             </u>	Arizona Game and Fish Department
<u>  X             </u>	Arizona State Historic Preservation Office (w/cover letter ) w/Arch Study
<u>                    </u>	Arizona Department of Transportation
<u>  X             </u>	Scottsdale City Planning and Zoning Department,
<u>  X             </u>	Scottsdale City Street Department
<u>                    </u>	County Board of Supervisors
<u>                    </u>	County Flood Control
<u>                    </u>	County Planning and Zoning Department,
<u>                    </u>	County Highway Department
<u>  X             </u>	Other Don Mann, City of Scottsdale Water Resources Department

The State Land Department has received the above-subject application and will process it on its merits

In this connection, we would appreciate any comments which you might elect to submit within 30 DAYS, so that the Department might consider them in making its decision

See enclosed application and maps

Sincerely,

Jim Gross  
Right-of-Way Administrator  
(602) 542-4041

Enclosures



RETURN TO

ARIZONA STATE LAND DEPARTMENT  
PUBLIC COUNTER  
1616 WEST ADAMS  
PHOENIX, ARIZONA 85007

SUBMIT FILING FEE

New \$100  
Renewal \$100  
Amend \$50

\*Filing fees are non-refundable

DEPARTMENTAL USE ONLY		ROLODEX #
12545078 ACCOUNTING	T & G	6077
Filing Fee \$100.00 Renewal \$100.00 Amend \$50.00	Exam <u>Shel</u> Exam # _____ Int Title _____ App Entry _____	RECOMMENDATION/INITIAL DATE Approve _____ Deny _____ Reject _____ Withdraw _____
N(34) R(35) A(23)		FEB 04 2005

APPLICATION FOR RIGHT-OF-WAY

Type or print in ink

ENTERED FEB 02 2005

APPLICATION NO. 16-108745-00-000

Complete ALL questions, SIGN application and ATTACH appropriate filing fee.

1. APPLICANT:

McDowell Mountain Back Bowl, LLC  
Name(s)

c/o Ms. Theresa O Frankiewicz  
Crown Community Development  
3600 E. Thayer Court, Suite 100  
Mailing Address

Aurora, IL 60504

2. TYPE OF APPLICATION:

NEW  
 RENEWAL  
 AMEND

Reason for amendment:

ARIZONA  
STATE LAND  
DEPARTMENT  
2005 FEB -1 PM 1:34

13248  
Christine Sheehy, State Land Prop. Inc. (602) 944-0614  
City Contact Person State Zip

Don Sock, Wood Patel, (602) 335-8500  
Contact Person for Engineering Phone No

3. REQUEST FOR RIGHT-OF-WAY: Applicant hereby makes Right-of-Way application under A.R.S

§ 37-461, for the purpose of 12-inch potable waterline (for the 120th Street alignment)

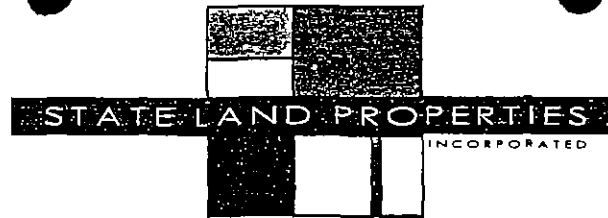
and temporary construction easement over and across the lands  
to be asg. to City of Scottsdale  
hereinafter described for a term of perpetual years, in accordance with the laws of the State of Arizona

and the rules of the State Land Department.

4. LEGAL DESCRIPTION:

TWN	RNG	SEC	LEGAL DESCRIPTION	ACRES	COUNTY
<u>4N</u>	<u>5E</u>	<u>2</u>	<u>See attached</u>	_____	<u>Maricopa</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

SLD USE ONLY CTY GRT PARCEL <u>070309002</u>
_____
_____
_____
_____
_____



February 1, 2005

Mr James E Gross  
Right-of-way Administrator  
Arizona State Land Department  
1616 W Adams  
Phoenix, AZ 85007

ARIZONA  
STATE LAND  
DEPARTMENT  
2005 FEB - 1 PM 1:33

Re Right-of-way Application #16-108746 for the Happy Valley Road alignment and companion Application # 16-108745 for the 120<sup>th</sup> Street alignment, T4N, R5E, Section 2, Scottsdale, Arizona

Dear Jim

As a follow up to our meeting on January 4, 2005 with you, Greg Keller, Don Sock of Wood Patel, Dave Gulino of Land Development Services and me, I am submitting the attached applications for utility rights-of-ways. As suggested by you, we submitted two separate applications, which should be processed together because they are for the same project. See attached Vicinity Map.

The Applicant, McDowell Mountain Back Bowl, L L C, is developing a 330 acre single-family development located south of the southeast corner of the Happy Valley Road and 120<sup>th</sup> Street alignments, which prompted these applications. See attached Conceptual Land Use Plan.

The Applicant has held several meetings with Doug Mann, City of Scottsdale Water Resources Department, on the sizing and location of a proposed 12-inch potable water line in the 120<sup>th</sup> Street alignment and a 4-inch forced sewer main, an 8-inch gravity sewer line and a 12-inch potable water line in the Happy Valley Road alignment. These lines are sized to serve the adjacent land uses identified on the City of Scottsdale's General Plan, which includes the State Trust land. Please note that the proposed rights-of-way are for utilities only. No roads are planned along these alignments. See attached City of Scottsdale Conceptual Land Use Map and Existing Land Uses map for the area.

It is the Applicant's intent to assign both of these right-of-ways to the City of Scottsdale at a time acceptable to both the City and the ASLD. The Applicant will assume all financial costs associated with the processing of these Applications with the Arizona State Land Department ("ASLD")

At our meeting on January 4<sup>th</sup> you indicated the ASLD would not look favorably on the inclusion of a sewer lift station on State Trust land even though the City of Scottsdale suggested the lift station be located generally at the Happy Valley Road and 128<sup>th</sup> Street alignments. Mr. Gulino stated that he would contact the adjacent property owner about locating the lift station at the southwest corner of the Happy Valley Road and 128<sup>th</sup> Street alignments otherwise the lift station could be located further to the west on the Applicant's property.

Following our meeting, Mr. Gulino met with Applicant and the adjacent landowner and a decision has not been reached. As a result, the Applications have been submitted with the lift station to be located either in the northeast corner of the Applicant's property or at the southwest corner of 128<sup>th</sup> Street and Happy Valley Road alignments on private land to comply with the ASLD's wishes to not have the lift station on State Trust land. The legal descriptions for the Happy Valley right-of-way are currently written to the 128<sup>th</sup> Street alignment and could be amended to reduce the length of the right-of-way if the lift station is built to the west on the Applicant's property.

The Right-of-way Application along the 120<sup>th</sup> Street alignment is proposed to be 20 feet wide from the northeast corner of the Granite Reef subdivision south to the existing City of Scottsdale Right-of-Way #16-107812, which contains an 8-inch sewer line. A 10 foot wide right-of-way is proposed parallel to Right-of-Way #16-107812. In addition, a Temporary Construction Right-of-Way of 20 feet is requested to run parallel to the perpetual right-of-way requested. The Temporary Construction Right-of-way would be needed for twelve months following the ASLD's granting of the perpetual Right-of-way. See attached Project Area exhibit and legal descriptions.

The Right-of-way Application along the Happy Valley Road alignment is proposed to be 20 feet wide. In addition, a Temporary Construction Right-of-way of 20 feet is requested to run parallel to the perpetual Right-of-way requested. The Temporary Construction Right-of-way would be needed for twelve months following the ASLD's granting of the perpetual Right-of-way. See attached Project Area exhibit and legal descriptions.

In order to save time, the Applicant will be requesting proposals from qualified archaeologists to proceed with a cultural resources survey of the proposed rights-of-ways provided the area has not been previously surveyed. I will contact you when we receive the proposals.

Mr James E Gross  
February 1, 2005  
Page 3 of 3

Please contact Don Sock for any questions on engineering Don's contact information is

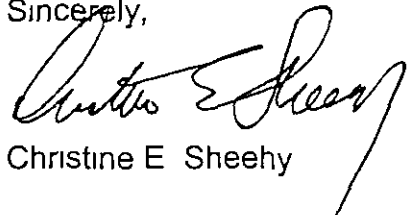
Mr Don Sock  
Assistant Project Manager  
Wood, Patel & Associates, Inc  
602-335-8500 (Phone)  
602-335-8580 (Fax)  
2051 W Northern, Suite 100  
Phoenix, AZ 85021  
[dsock@woodpatel.com](mailto:dsock@woodpatel.com)

I recommend contacting Mr Doug Mann at the City of Scottsdale for notification of the Applications and any questions regarding the City's proposed utility plans for this area Mr Mann can be reached at

Mr Doug Mann  
City of Scottsdale  
Water Resources Department  
480-312-5636 (Phone)  
480-312-5615 (Fax)  
9388 E San Salvador  
Scottsdale, AZ 85258  
[dmann@scottsdaleaz.gov](mailto:dmann@scottsdaleaz.gov)

Please contact me at 602 944 0614 if you have any general questions regarding these Applications Jim, I am looking forward to working with you again!

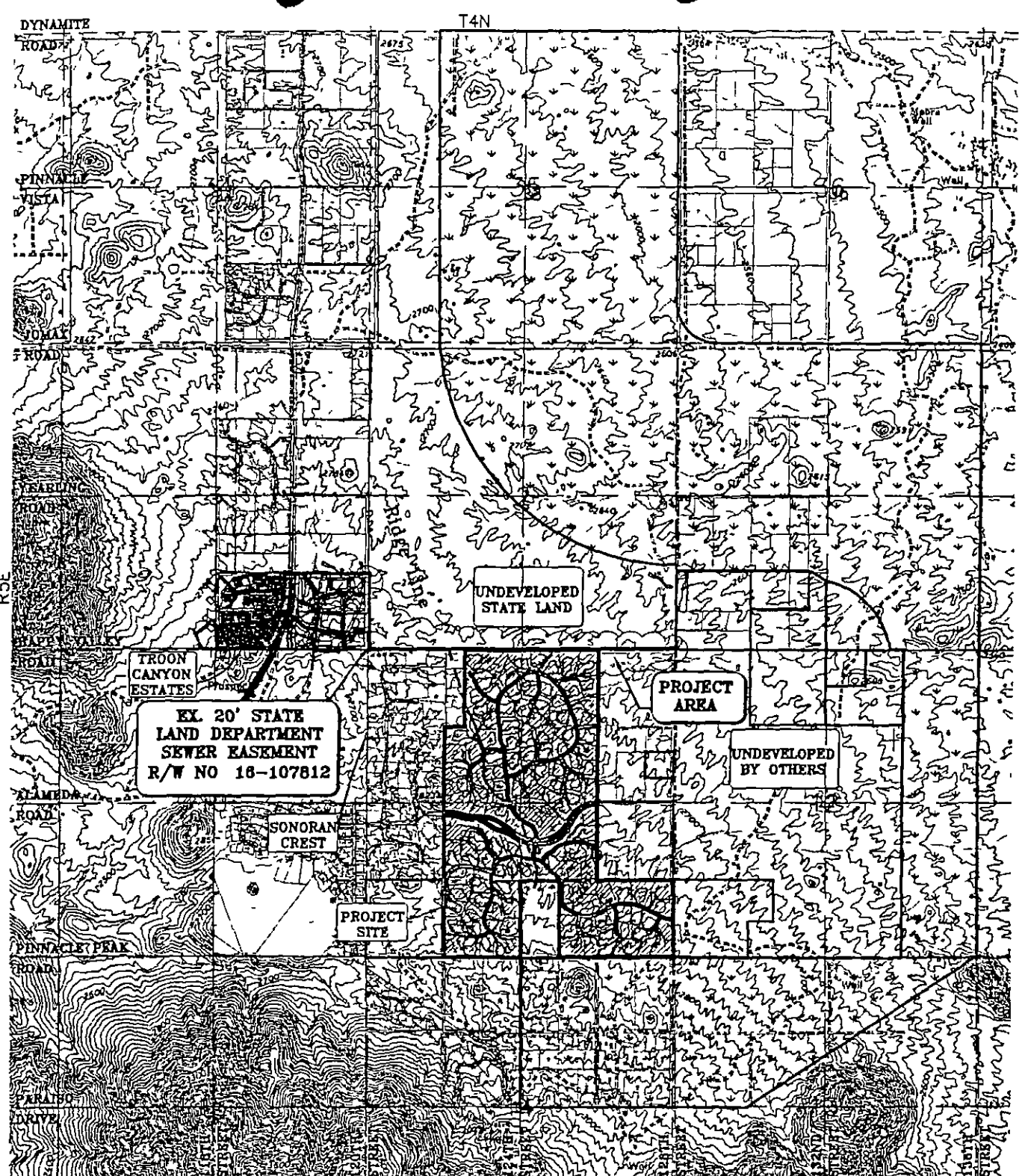
Sincerely,



Christine E Sheehy

Enclosures

cc Theresa O Frankiewicz, McDowell Mountain Back Bowl, LLC (Crown Community Development)  
Dave Gulino, Land Development Services  
Don Sock, Wood, Patel & Associates



EX. 20' STATE  
LAND DEPARTMENT  
SEWER EASEMENT  
R/W NO 16-107812

UNDEVELOPED  
STATE LAND

PROJECT  
AREA

UNDEVELOPED  
BY OTHERS

PROJECT  
SITE

SONORAN  
CREST

TROON  
CANYON  
ESTATES

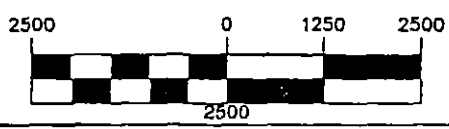
LEGEND

— Project Boundry

~ Existing 5 Foot Contours

▨ Project Site

◻ McDowell Sonoran Preserve



**CROWN**  
COMMUNITY DEVELOPMENT  
*A Honey Creek Company*

MCDOWELL MOUNTAIN BACK BOWL  
VICINITY MAP

**WOOD/PATEL ASSOCIATES**  
Civil Engineers  
Hydrologists  
Land Surveyors  
(602) 335-8500

JENNY LYNN

CIRCLE MOUNTAIN

HONDA BOW

ROCKAWAY HILLS

DESERT HILLS

JOY RANCH

STAGECOACH PASS

CAREFREE HWY

DOVE VALLEY

LONE MOUNTAIN

OXILETA

DYNAMITE

JOMAX

HAPPY VALLEY

PINNACLE PEAK

DEER VALLEY

BRARDSLEY

OUTER LOOP

UNION HILLS

BELL RD./FRANK LLOYD WRIGHT BLVD

GREENWAY RD

THUNDERBIRD RD

CACTUS RD

SHEA BLVD

DOUBLE TREE RANCH RD

McCORMICK PKWY

INDIAN BEND RD

McDONALD DR

CHAPARRAL/CAMELBACK RD

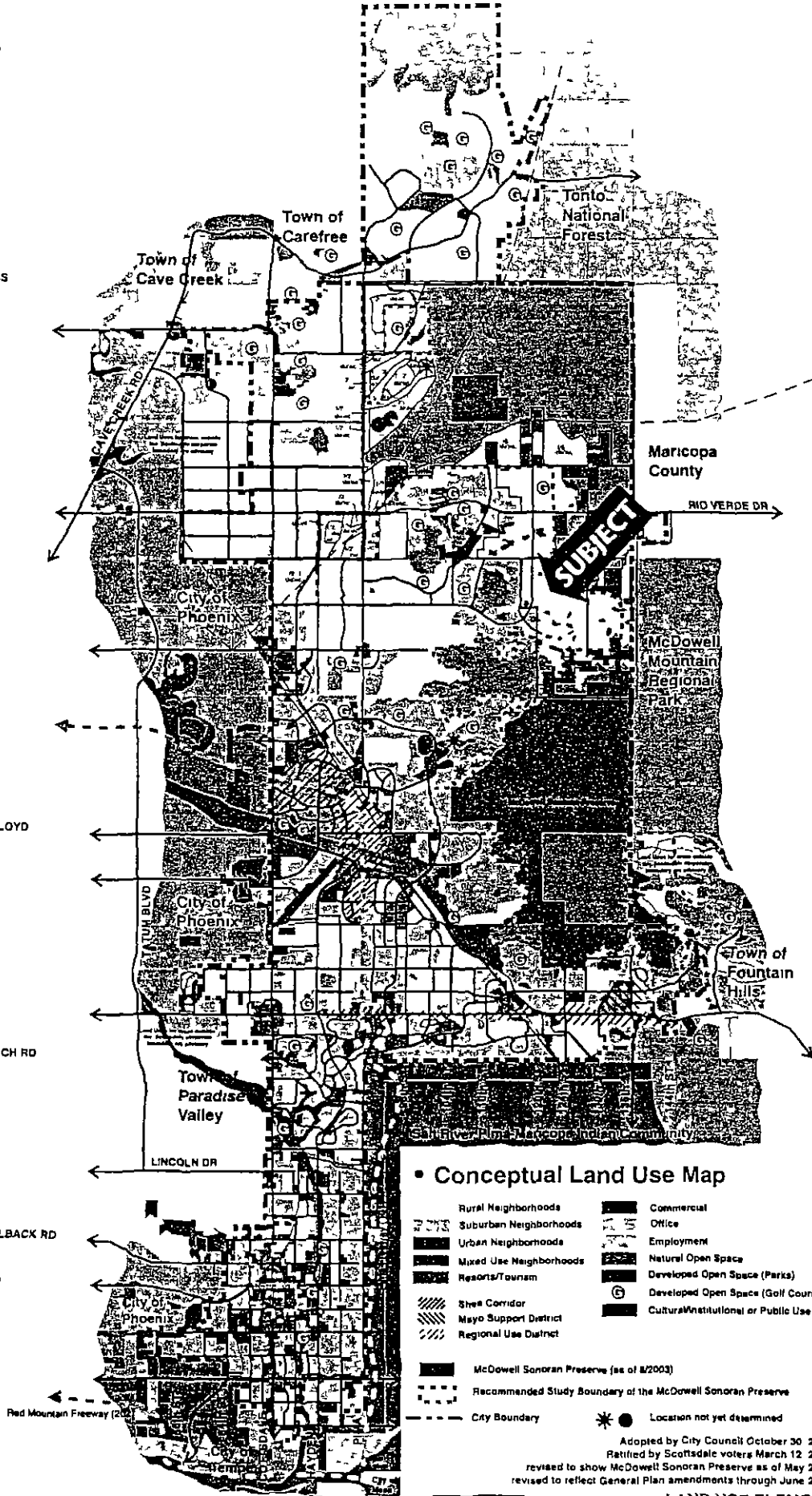
CAMELBACK RD

INDIAN SCHOOL RD

THOMAS

McDOWELL RD.

McKELLIPS RD



**Conceptual Land Use Map**

- Rural Neighborhoods
- Suburban Neighborhoods
- Urban Neighborhoods
- Mixed Use Neighborhoods
- Resorts/Tourism
- Shea Corridor
- Mayo Support District
- Regional Use District
- Commercial
- Office
- Employment
- Natural Open Space
- Developed Open Space (Parks)
- Developed Open Space (Golf Courses)
- Cultural/Institutional or Public Use
- McDowell Sonoran Preserve (as of 8/2003)
- Recommended Study Boundary of the McDowell Sonoran Preserve
- City Boundary
- Location not yet determined

Adopted by City Council October 30 2001  
 Ratified by Scottsdale voters March 12 2002  
 revised to show McDowell Sonoran Preserve as of May 2004  
 revised to reflect General Plan amendments through June 2004

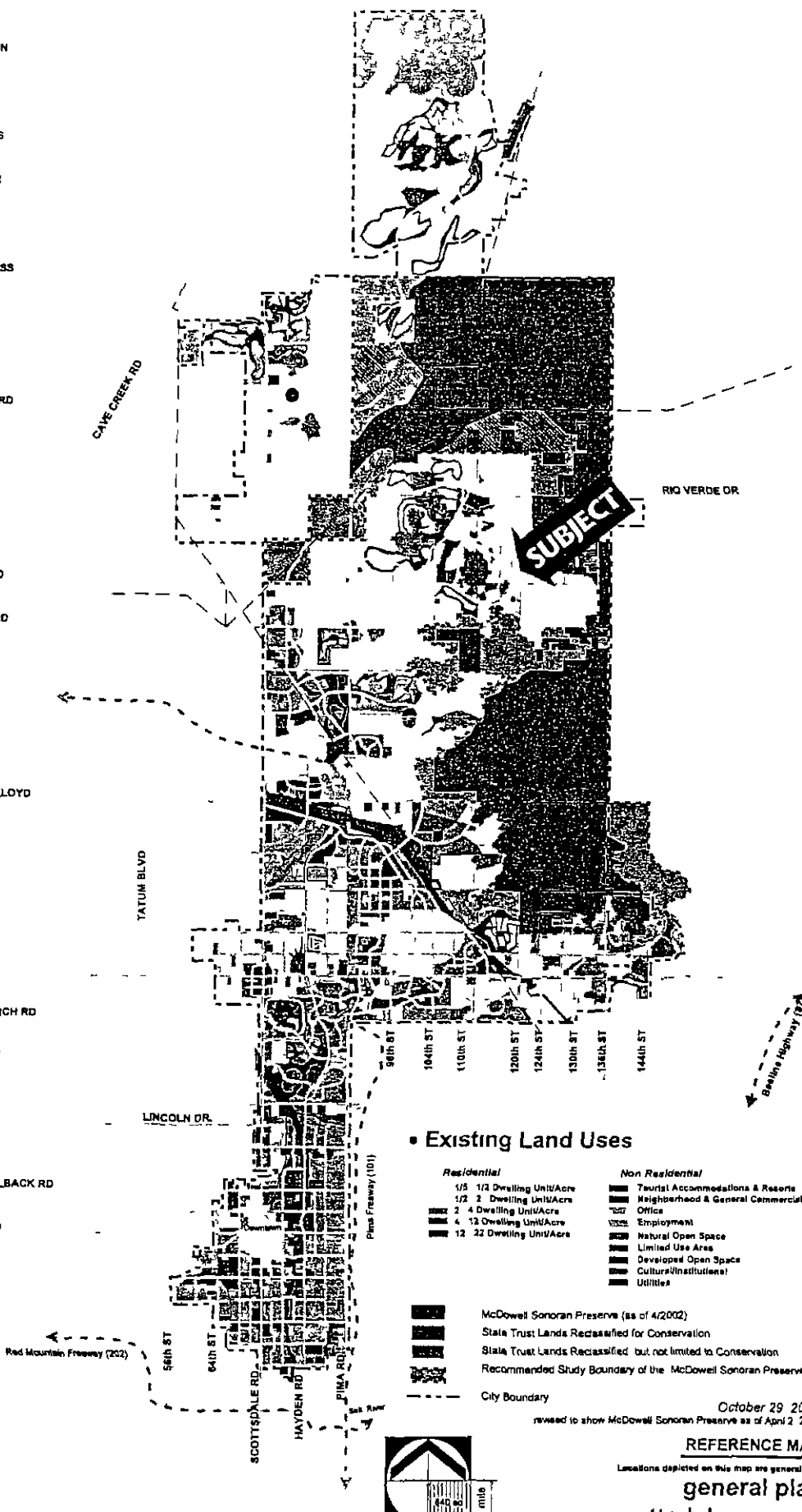
**LAND USE ELEMENT**

Locations depicted on this map are generalized

Land Uses shown outside Scottsdale city boundaries are advisory and use the closest comparable Scottsdale land use categories



JENNY LYNN  
 CIRCLE MOUNTAIN  
 HONGA BOW  
 ROCKAWAY HILLS  
 DESERT HILLS DR  
 JOY RANCH RD  
 STAGECOACH PASS  
 CAREFREE HWY  
 DOVE VALLEY RD  
 LONE MOUNTAIN RD  
 DIXILETA DR  
 DYNAMITE BLVD  
 JOMAX RD  
 HAPPY VALLEY RD  
 PINNACLE PEAK RD  
 DEER VALLEY RD  
 BEARDSLEY RD  
 UNION HILLS DR  
 BELL RD/FRANK LLOYD  
 WRIGHT BLVD  
 GREENWAY RD  
 THUNDERBIRD RD  
 CACTUS RD  
 SHEA BLVD  
 DOUBLE TREE RANCH RD  
 McCORMICK PKWY  
 INDIAN BEND RD  
 McDONALD DR  
 CHAPARRAL/CAMELBACK RD  
 CAMELBACK RD  
 INDIAN SCHOOL RD  
 THOMAS RD  
 McDOWELL RD  
 McKELLIPS RD



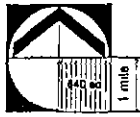
**Existing Land Uses**

- |                            |   |
|----------------------------|---|
| <b>Residential</b>         | <b>Non Residential</b>  |
| 1/5 1/2 Dwelling Unit/Acre | Hotel Accommodations & Resorts                                  |
| 1/2 2 Dwelling Unit/Acre   | Neighborhood & General Commercial                               |
| 2 4 Dwelling Unit/Acre     | Office  |
| 4 12 Dwelling Unit/Acre    | Employment  |
| 12 22 Dwelling Unit/Acre   | Natural Open Space  |
|                            | Limited Use Area  |
|                            | Developed Open Space  |
|                            | Culture/Institutions  |
|                            | Utilities   |
|                            | McDowell Sonoran Preserve (as of 4/2002)                        |
|                            | State Trust Lands Reclassified for Conservation                 |
|                            | State Trust Lands Reclassified, but not limited to Conservation |
|                            | Recommended Study Boundary of the McDowell Sonoran Preserve     |
|                            | City Boundary   |

October 29, 2001  
 revised to show McDowell Sonoran Preserve as of April 2, 2002

**REFERENCE MAP**

Locations depicted on this map are generalized  
**general plan**  
**scottsdale, arizona**



5. BURIED RIGHT-OF-WAY

- a. How deep will the line be buried? 5 feet What is the diameter of the line? 12-inch
- b. What materials will be used in the line? Ductile Iron for water lines  
(PVC, metals, fiber optic/conduit, etc.)
- c. Will the line be adjacent to an existing road right-of-way? Yes \_\_\_ No X.
- d. Will the line be within an existing road right-of-way? Yes \_\_\_ No X.
- e. Will the line cross drainage way(s)? Yes \_\_\_ No \_\_\_ Unknown at this time. A jurisdictional delineation is pending
- f. Will the line require above ground appurtenances? Yes X No \_\_\_ If yes, describe the specific appurtenances in detail, including the dimensions(s) and required construction: Manholes & valves for water line

6. ABOVE GROUND RIGHT-OF-WAY:

- a. Is the line to be installed on the ground? Yes \_\_\_ No X Above the ground? Yes \_\_\_ No \_\_\_
- b. What is the diameter of the line? \_\_\_\_\_
- c. What type of material will be used in the line? \_\_\_\_\_  
(PVC, metal, fiber optic/conduit, etc.)
- d. Does the line require poles? Yes \_\_\_ No \_\_\_ Towers? Yes \_\_\_ No \_\_\_ If yes, provide the following information:  
width \_\_\_\_\_ height (after installation) \_\_\_\_\_, wood \_\_\_\_\_  
metal \_\_\_\_\_ color \_\_\_\_\_ number of wires or lines to be attached \_\_\_\_\_
- e. Will the line be adjacent to or within an existing road right-of-way? Yes \_\_\_ No \_\_\_ If yes, will the surface area to the roadway described for the line, be at grade \_\_\_\_\_, below grade \_\_\_\_\_, or above grade \_\_\_\_\_.
- f. Will the line cross drainage way(s)? Yes \_\_\_ No \_\_\_
- g. Describe any construction that will be required: \_\_\_\_\_

7. ADDITIONAL RIGHT-OF-WAY INFORMATION:

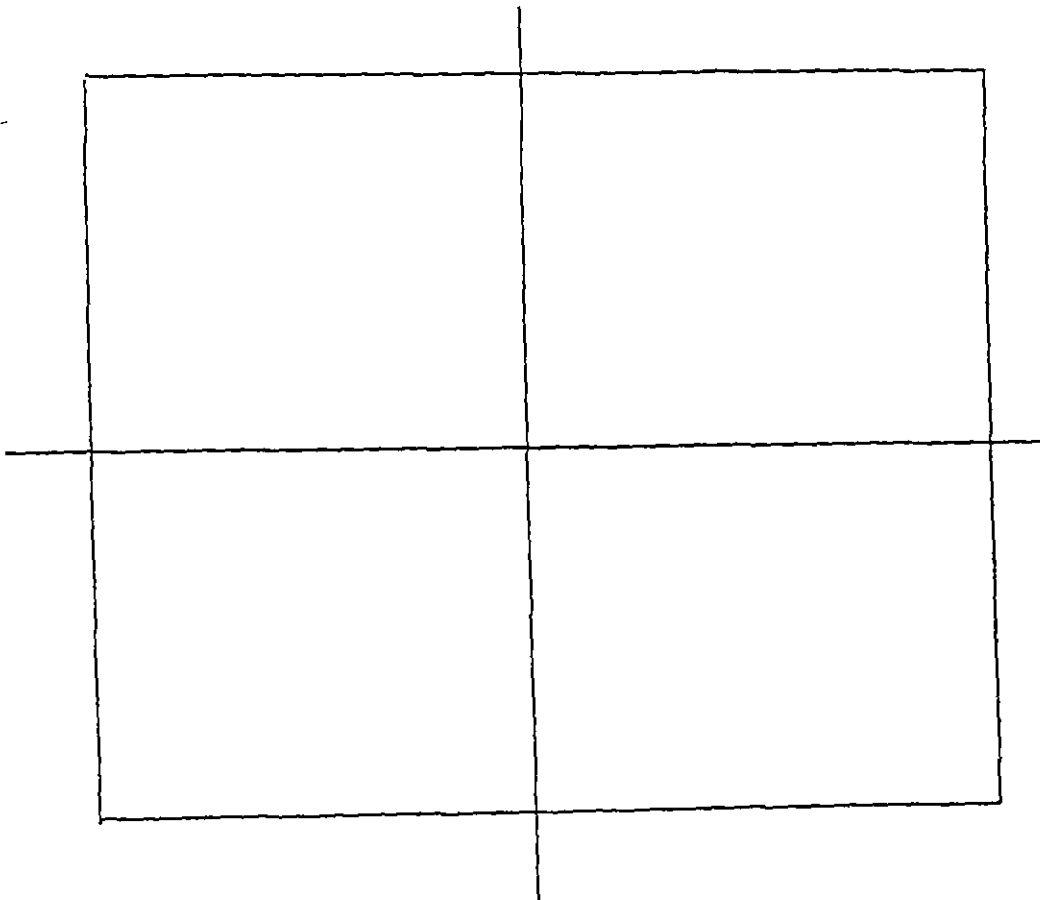
- a. Is the proposed right-of-way to be used in conjunction with any application for a state lease, permit or sale (commercial, mineral, etc.)? Yes \_\_\_ No X If yes, give the application lease type and number: \_\_\_\_\_
- b. Are there any improvements that would be disturbed if this application is approved (water tanks, wells, fences, building, etc )? Yes \_\_\_ No \_\_\_ If yes, list and indicate the location of each improvement on the map on page 3 of this application. Unknown at this time



- c. If approved, will the construction and the maintenance of the right-of-way interfere with or intrude upon the existing lessee's rights under any existing lease? Yes \_\_\_\_\_ No X. If yes, describe in detail: \_\_\_\_\_
- d. Is the proposed right-of-way to serve property? Yes X No \_\_\_\_\_. If yes, what is the name of the fee title owner? McDonnell Mountain Back Bowl, LLC
- e. If the right-of-way is a road, is it to provide access to a landlocked parcel? Yes \_\_\_\_\_ No \_\_\_\_\_. If yes, name the connecting road that is the point of legal access \_\_\_\_\_  
(Not applicable)
- f. Are there any unusual circumstances concerning the right-of-way that the State Land Department should know about? Yes \_\_\_\_\_ No X. Specify: \_\_\_\_\_
- g. If construction is required, when is proposed construction anticipated to begin? Jan 2006

**8. APPLICANT COMPLETE AND SIGN PAGE 4**

North



**CERTIFICATION** Pursuant to A R S Title 37 and the Rules of the Arizona State Land Department, A A C Title 12, Chapter 5, you must complete the following information pertinent to you and/or the organization you represent and sign the certification or your application will not be processed NOTE Applicant must complete item #1

1 Is this application made in the name of (Applicant must check one) \_\_\_\_\_ Individual(s) \_\_\_\_\_ Husband & Wife  
 \_\_\_\_\_ Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Ltd Partnership \_\_\_\_\_ Estate \_\_\_\_\_ Trust  Ltd Liability Co  
 \_\_\_\_\_ Joint Venture \_\_\_\_\_ Municipality \_\_\_\_\_ Political Subdivision \_\_\_\_\_ Other (specify) \_\_\_\_\_

2 INDIVIDUAL(s) OR HUSBAND & WIFE Complete the following for each applicant

NAME	AGE	MARITAL STATUS
_____	_____	_____
_____	_____	_____

3 CORPORATION Complete the following  
 (A) Do you have authority from the Arizona Corporation Commission to do business in the State of Arizona? Yes \_\_\_ No \_\_\_  
 (B) Is the corporation presently in good standing with the Arizona Corporation Commission? Yes \_\_\_ No \_\_\_  
 (C) In what state are you incorporated? \_\_\_\_\_  
 (D) Is the legal corporate name and Arizona business address the same as stated in this application? Yes \_\_\_ No \_\_\_  
 If no, state the Legal Corporate Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 (Street or Box Number) (City) (State) (Zip)

4 LIMITED LIABILITY COMPANY Complete the following  
 (A) If an out-of-state limited liability company Have you filed for a Certificate of Registration with the Arizona Corporation Commission?  
 Yes \_\_\_ No \_\_\_  
 (B) If an Arizona limited liability company Have you filed Articles of Organization with the Arizona Corporation Commission?  
 \_\_\_ Yes \_\_\_ No \_\_\_  
 (C) Are you authorized by the Arizona Corporation Commission to transact business in Arizona?  Yes \_\_\_ No \_\_\_

5 PARTNERSHIP OR JOINT VENTURE Complete the following for each authorized partner or principal in the partnership or joint venture

NAME	BUSINESS ADDRESS	AGE	MARITAL STATUS
_____	_____	_____	_____
_____	_____	_____	_____

6 LIMITED PARTNERSHIP Is this Limited Partnership on file with the Arizona Secretary of State?  Yes  No  
 Complete the following for the authorized general partner(s) only

GENERAL PARTNER(S) NAME	BUSINESS ADDRESS
_____	_____
_____	_____

7 ESTATE Complete the following and attach a copy of the court or estate document(s)  
 Name of the court-appointed administrator or personal representative \_\_\_\_\_  
 List the type and date of issuance of the court or Estate document \_\_\_\_\_  
 (Date issued) (Type of Document)

8 TRUST (A) Complete the following pursuant to A.R.S. § 33-404, for each beneficiary of the Trust

NAME	ADDRESS	AGE	MARITAL STATUS
_____	_____	_____	_____
_____	_____	_____	_____

or (B) Identify the Trust document by title, document number, and county where document is recorded \_\_\_\_\_

9 I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT THE INFORMATION AND STATEMENTS CONTAINED HEREIN, TOGETHER WITH ALL EXHIBITS AND ATTACHMENTS ARE TRUE, CORRECT AND COMPLETE AND THAT I/WE HAVE AUTHORITY TO SIGN THIS DOCUMENT

Signature: McDowell Mountain Back Basil, LLC Title: Authorized Rep  
 Signature of Applicant (Individual) \_\_\_\_\_ Date \_\_\_\_\_  
 Signature of Applicant (Individual) \_\_\_\_\_ Date \_\_\_\_\_

ARIZONA  
 STATE LAND  
 DEPARTMENT  
 2005 FEB 11 PM 1:34

ARIZONA STATE LAND DEPARTMENT ENVIRONMENTAL DISCLOSURE QUESTIONNAIRE  
These two pages are part of the application - DO NOT DETACH

The purpose of this questionnaire is to give the Department an opportunity to detect proposed land uses that may have potential environmental impacts and risks, and to consider these impacts and risks in the processing of the application

If you have questions regarding this questionnaire, please contact the State Land Department, Environmental Section at (602) 542-2119 Other Federal State County and local agencies may also need to be contacted regarding environmental regulations

PLEASE INDICATE BELOW THE TYPE(S) OF POTENTIAL ENVIRONMENTAL IMPACTS FROM YOUR CURRENT OR PROPOSED USE

<u>YES</u>	<u>NO</u>	<u>WILL YOUR USE INVOLVE</u>	<u>TYPE OF ENVIRONMENTAL IMPACT</u>
	<input checked="" type="checkbox"/>	<u>WASTE TIRES</u> The collection of waste tires? If yes explain _____	_____
	<input checked="" type="checkbox"/>	<u>LEAD ACID BATTERIES</u> The sale and disposal of lead acid batteries? If yes explain _____	_____
	<input checked="" type="checkbox"/>	<u>DISCHARGE IMPACTING GROUNDWATER</u> Generating a discharge that may potentially impact groundwater? If yes explain _____	_____
	<input checked="" type="checkbox"/>	<u>PESTICIDES?</u> If yes, explain use _____	_____
	<input checked="" type="checkbox"/>	<u>DRY WELLS?</u> If yes, ADEQ Registration #(s) _____	_____
<input checked="" type="checkbox"/>		<u>POTABLE WATER (DRINKING WATER) SYSTEMS?</u> If yes, explain <u>proposed water line built to city and state standards</u>	_____
	<input checked="" type="checkbox"/>	<u>WASTEWATER COLLECTION AND TREATMENT SYSTEMS</u> Wastewater collection and/or treatment? If yes, explain _____	_____
	<input checked="" type="checkbox"/>	<u>AIR CONTAMINANTS/AIR POLLUTION CONTROL</u> Air contaminant emissions? If yes, explain _____	_____
	<input checked="" type="checkbox"/>	<u>SOLID WASTE - GENERAL</u> Solid waste generation, transportation treatment, recycling storage or disposal? If yes, explain _____	_____
	<input checked="" type="checkbox"/>	<u>SOLID WASTE - MEDICAL WASTE</u> Medical waste generation, transportation, treatment recycling, storage or disposal? If yes, explain _____	_____
	<input checked="" type="checkbox"/>	<u>SOLID WASTE - SEWAGE SLUDGE/SEPTAGE</u> (Septic Tank Waste) Sewage sludge/septage generation transportation treatment, storage, use or disposal? If yes, explain _____	_____
	<input checked="" type="checkbox"/>	<u>USED OIL</u> Used oil generation transportation storage, recycling use, disposal, marketing or burning? If yes, explain _____	_____
	<input checked="" type="checkbox"/>	<u>RECYCLING ACTIVITIES?</u> If yes, explain _____	_____
	<input checked="" type="checkbox"/>	<u>SPECIAL WASTE</u> Special waste (asbestos motor vehicle shredding waste) generation, transportation, treatment recycling, storage or disposal? If yes explain _____	_____
	<input checked="" type="checkbox"/>	<u>HAZARDOUS WASTE GENERATOR</u> Generating hazardous waste? If yes explain _____	_____
	<input checked="" type="checkbox"/>	<u>HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL?</u> If yes, explain _____	_____

(OVER)

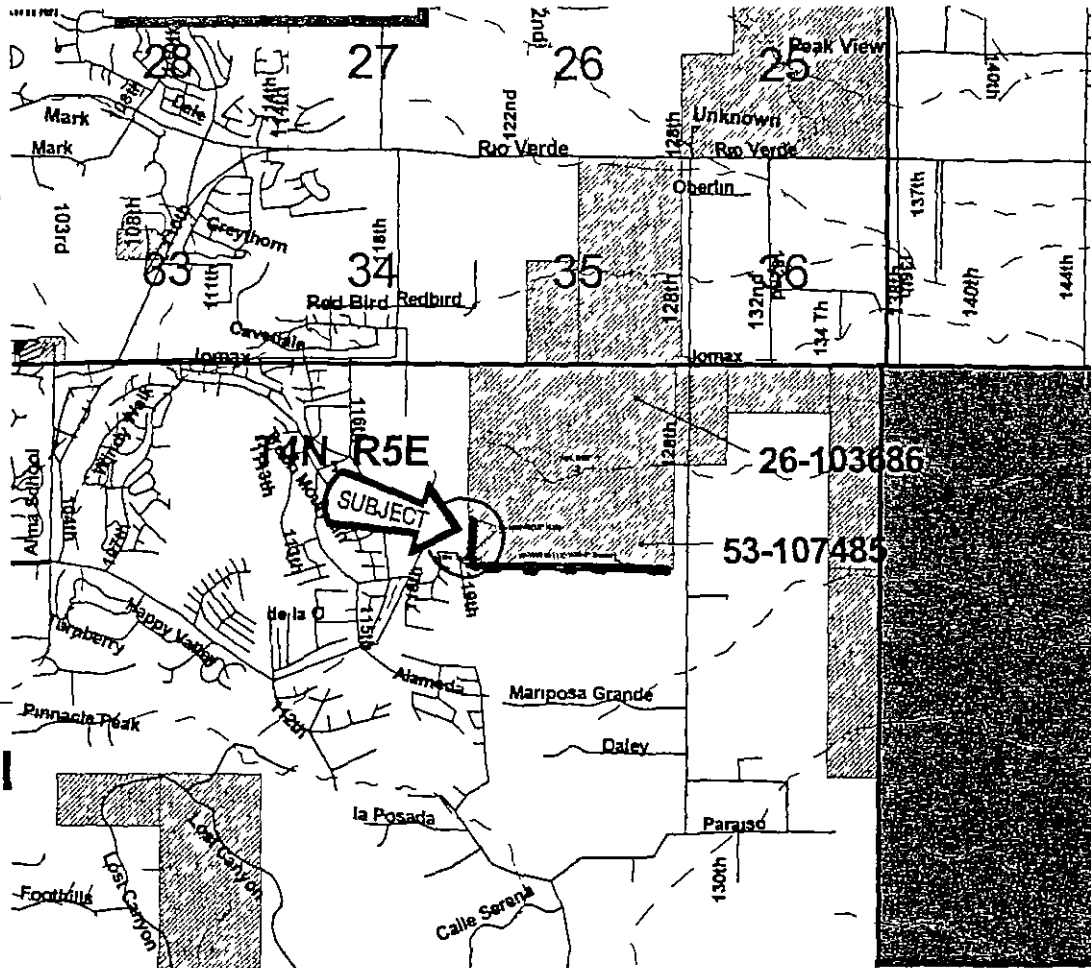
<u>YES</u> <u>NO</u>	<u>WILL YOUR USE INVOLVE</u>	<u>TYPE OF ENVIRONMENTAL IMPACT</u>
<u>   </u> <input checked="" type="checkbox"/>	<u>HAZARDOUS WASTE TRANSPORTATION?</u> If yes, explain _____	_____
<u>   </u> <input checked="" type="checkbox"/>	<u>UNDERGROUND STORAGE TANK (UST)?</u> If yes, explain _____	_____
<u>   </u> <input checked="" type="checkbox"/>	<u>ABOVEGROUND STORAGE TANK (AST)?</u> If yes, explain _____	_____
<u>   </u> <input checked="" type="checkbox"/>	<u>HAZARDOUS SUBSTANCES?</u> If yes, explain _____	_____
<u>   </u> <input checked="" type="checkbox"/>	<u>CURRENTLY UNCLASSIFIED WASTE</u> Will your use involve currently unclassified waste containing the following? (A.R.S. §49-854) If yes, check appropriate waste category	
<u>   </u>	<input type="checkbox"/> Polychlorinated biphenyls (PCBs)	<u>   </u> Oil and gas exploration drilling muds
<u>   </u>	<input type="checkbox"/> Incinerator ash	<u>   </u> Categorical industrial pretreatment sludge
<u>   </u>	<input type="checkbox"/> Petroleum refining waste	<u>   </u> Radioactive waste
<u>   </u>	<input type="checkbox"/> Slag and refractory material	<u>   </u> Uranium ore tailings
<u>   </u>	<input type="checkbox"/> Precious metals recycling	<u>   </u> Industrial catalysts
<u>   </u>	<input type="checkbox"/> Aluminum dross	<u>   </u> Industrial sands (excluding mining or mineral processing operation)
	<input type="checkbox"/> Petroleum contaminated soil	
	<input type="checkbox"/> Commercial/Industrial septage	
	<input type="checkbox"/> Used Antifreeze	
	<input type="checkbox"/> Contaminated process equipment	
	<input type="checkbox"/> Industrial Sludges	
	If checked, explain waste generation process _____	
<u>   </u> <input checked="" type="checkbox"/>	<u>SUPERFUND SITES</u> Is the State Trust land located in a National Priority List (NPL, Federal Superfund) area or in a Water Quality Assurance Revolving Fund (WQARF, State Superfund) study area?	
	If yes, NPor WQARF area name _____	
<input checked="" type="checkbox"/>	<u>LAND DISTURBANCE</u> If land disturbance will occur, will it be on previously undisturbed land? If yes, explain <u>Land disturbance will occur in order to install the proposed utility line.</u>	
<u>   </u> <input checked="" type="checkbox"/>	<u>WATER WELLS</u> Are there open and/or abandoned water wells on the property? If yes, submit a site diagram showing location(s) and use(s)	
<u>   </u> <input checked="" type="checkbox"/>	<u>ADJACENT LAND USES</u> To the best of your knowledge, are adjacent lands subject to any of the above-referenced environmental impacts? If yes, explain _____	
<u>   </u> <input checked="" type="checkbox"/>	<u>ON-SITE INSPECTION/ENVIRONMENTAL ASSESSMENT</u> To the best of your knowledge, has an on-site inspection and/or an environmental site assessment been performed at this location?	
	If yes, explain _____	
<u>   </u> <u>   </u>	<u>PREVIOUS ENVIRONMENTAL IMPACT</u> To the best of your knowledge, has any environmental impact been reported previously to ADEQ?	
	If yes, explain <u>UNKNOWN</u>	

ADDITIONAL COMMENTS



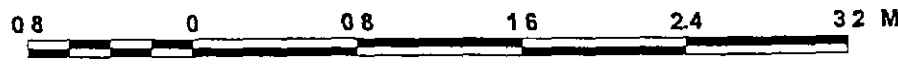


# 16-108745 & 16-108746 Water and Sewer Lines



- Highways**
- Interstates
  - Highways
- Major Arterials**
- Interstates
  - Highways
  - Major Arterials
- Streams - All Levels**
- Intermittent Streams
  - Perennial Streams
  - Intermittent Canals
  - Perennial Canals
  - Intermittent Shorelines
  - Perennial Shorelines
  - Indefinite Boundaries
  - Definite Boundaries
  - Township Lines

- Private
- State Trust
- USBLM
- Forest Service
- Indian Reservation
- Military
- Wildlife Refuge
- State & Local Parks
- Other
- Nat. Parks / Monuments
- Section Lines

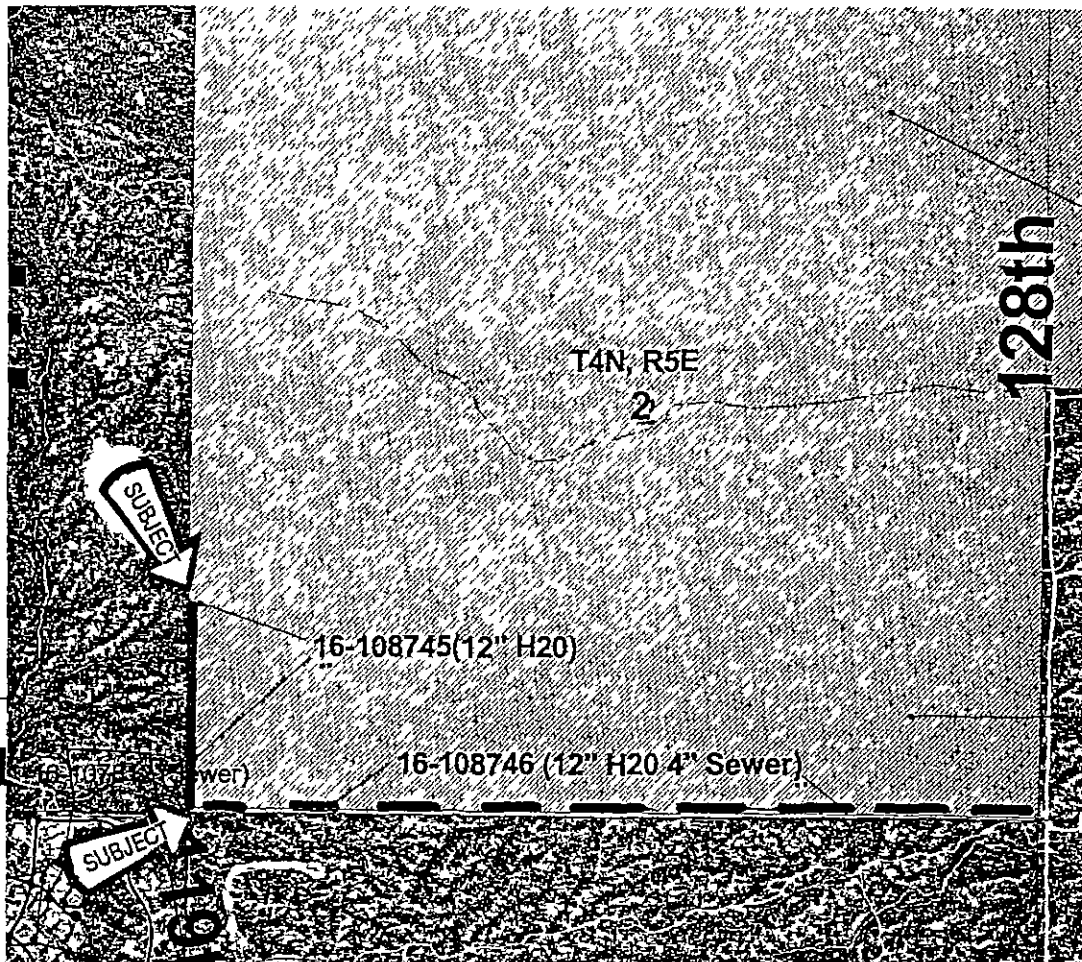


The Arizona State Land Department makes no warranties, implied or expressed, with respect to the information shown on this map.

Map produced by the Arizona State Land Department on March 23 2005.

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2/19/05

# 16-108745 & 16-108746 Water and Sewer Lines



Highways  
 Interstates  
 Highways

Major Arterials  
 Interstates  
 Highways  
 Major Arterials

Streams - All Levels  
 Intermittent Streams  
 Perennial Streams  
 Intermittent Canals  
 Perennial Canals  
 Intermittent Shorelines  
 Perennial Shorelines  
 Indefinite Boundaries  
 Definite Boundaries  
 Township Lines

Private  
 State Trust  
 U.S.B.L.M.  
 Forest Service  
 Indian Reservation  
 Military  
 Wildlife Refuge  
 State & Local Parks  
 Other  
 National Parks / Monuments  
 Section Lines



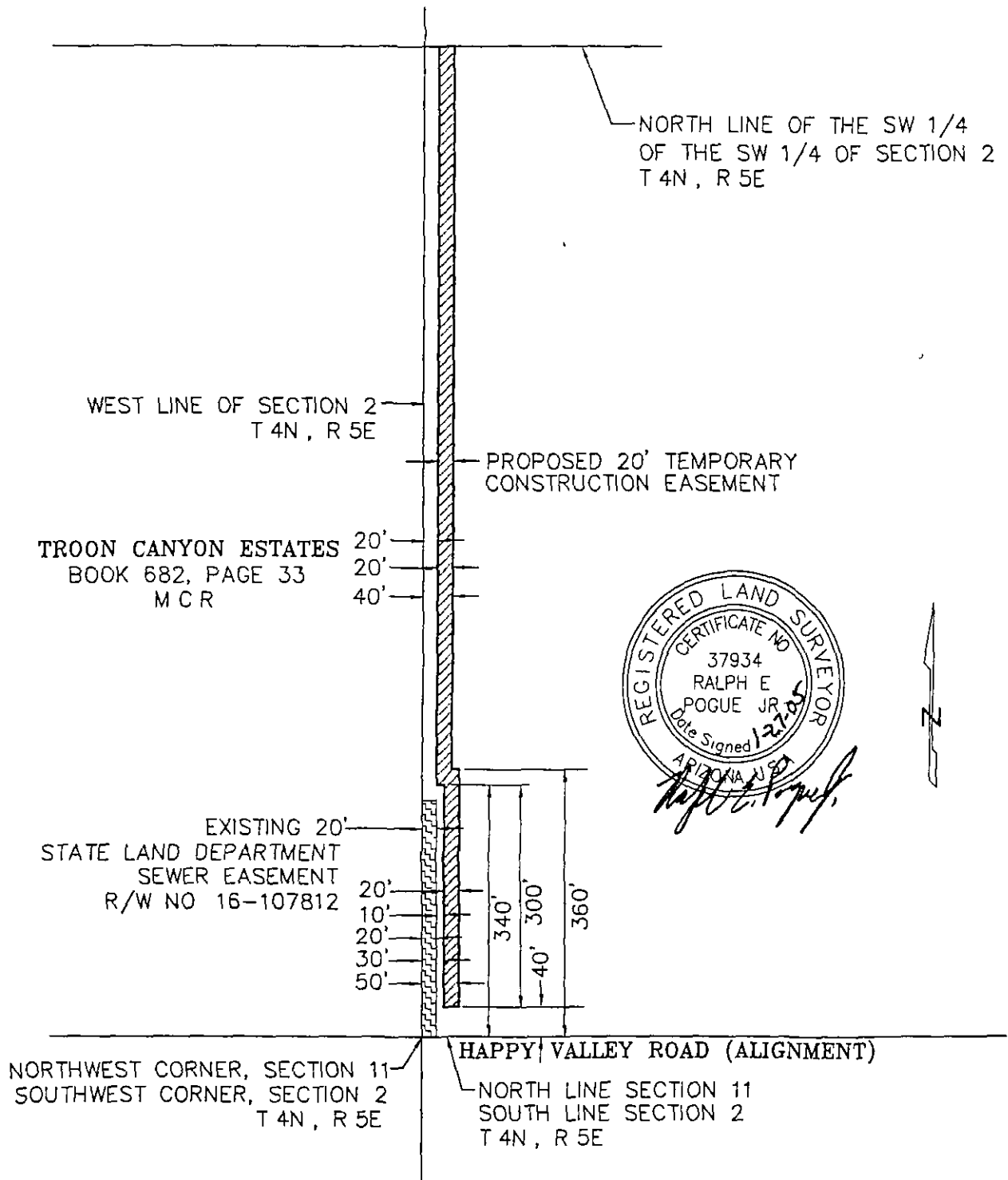
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Map produced by the Arizona State Land Department on March 23, 2005.

ASLD 05-02-05 11:00 AM  
Jim Green



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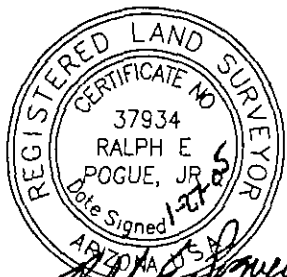
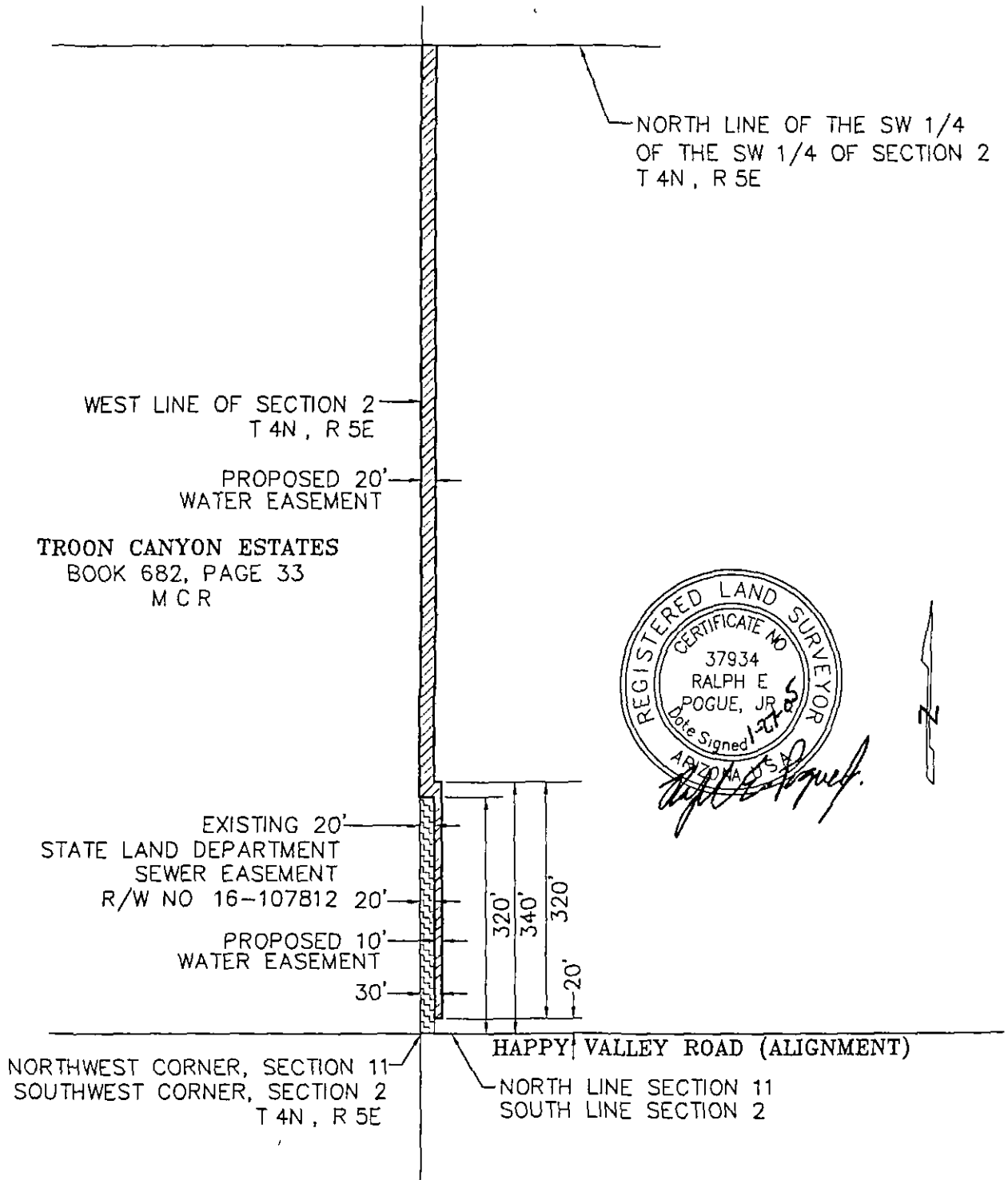
### EXHIBIT "A"

MCDOWELL MOUNTAIN BACK BOWL  
 PROPOSED TEMPORARY CONSTRUCTION EASEMENT  
 01-27-05  
 WP#042054 08  
 PAGE 2 OF 2  
 NOT TO SCALE

### WOOD/PATEL

2051 West Northern  
 Phoenix, AZ 85021  
 Phone (602) 335-8500  
 Fax (602) 335-8580

ROW



### EXHIBIT "A"

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Wood, Patel & Associates, Inc  
(602) 335-8500  
www.woodpatel.com

January 27, 2005  
WP # 042054 08  
Page 1 of 2  
See Exhibit "A"

**PARCEL DESCRIPTION**  
**McDowell Mountain Back Bowl**  
**Proposed Water Easement**

A parcel of land lying within Section 2, Township 4 North, Range 5 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows

The east 10 feet of the west 30 feet of the north 320 feet of the south 340 feet of said Section 2

**TOGETHER WITH**

The west 20 feet of the southwest quarter of the southwest quarter of said Section 2,

**EXCEPTING THEREFROM**

An existing 20-foot State Land Department Sewer Easement, recorded in R/W No 16-107812, being the west 20 feet of the south 320 feet of said Section 2

Containing 0.5323 acres, or 23,188 square feet of land, more or less

Subject to existing rights-of-way and easements

This parcel description was prepared without the benefit of survey fieldwork and is based on client provided information. Any monumentation noted in this parcel description is based on said information.

Y:\WP\Parcel Descriptions\042054 08 McDowell Mountain Back Bowl Proposed Water Easement.doc



Wood, Patel & Associates, Inc  
(602) 335-8500  
www.woodpatel.com

*T.C.E.*

January 27, 2005  
WP # 042054 08  
Page 1 of 2  
See Exhibit "A"

**PARCEL DESCRIPTION**  
**McDowell Mountain Back Bowl**  
**Proposed Temporary Construction Easement**

A parcel of land lying within Section 2, Township 4 North, Range 5 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows

The east 20 feet of the west 50 feet of the south 360 feet of said Section 2

**EXCEPTING THEREFROM**

The south 40 feet of said Section 2

**TOGETHER WITH**

The east 20 feet of the west 40 feet of the southwest quarter of the southwest quarter of said Section 2,

**EXCEPTING THEREFROM**

The south 360 feet of said Section 2

**TOGETHER WITH**

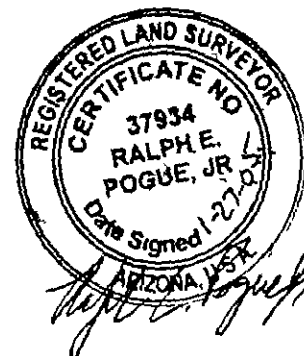
The east 10 feet of the west 30 feet of the north 20 feet of the south 360 feet of said Section 2

Containing 0.5920 acres, or 25,788 square feet of land, more or less

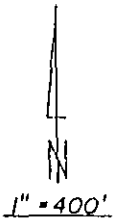
Subject to existing rights-of-way and easements

This parcel description was prepared without the benefit of survey fieldwork and is based on client provided information. Any monumentation noted in this parcel description is based on said information.

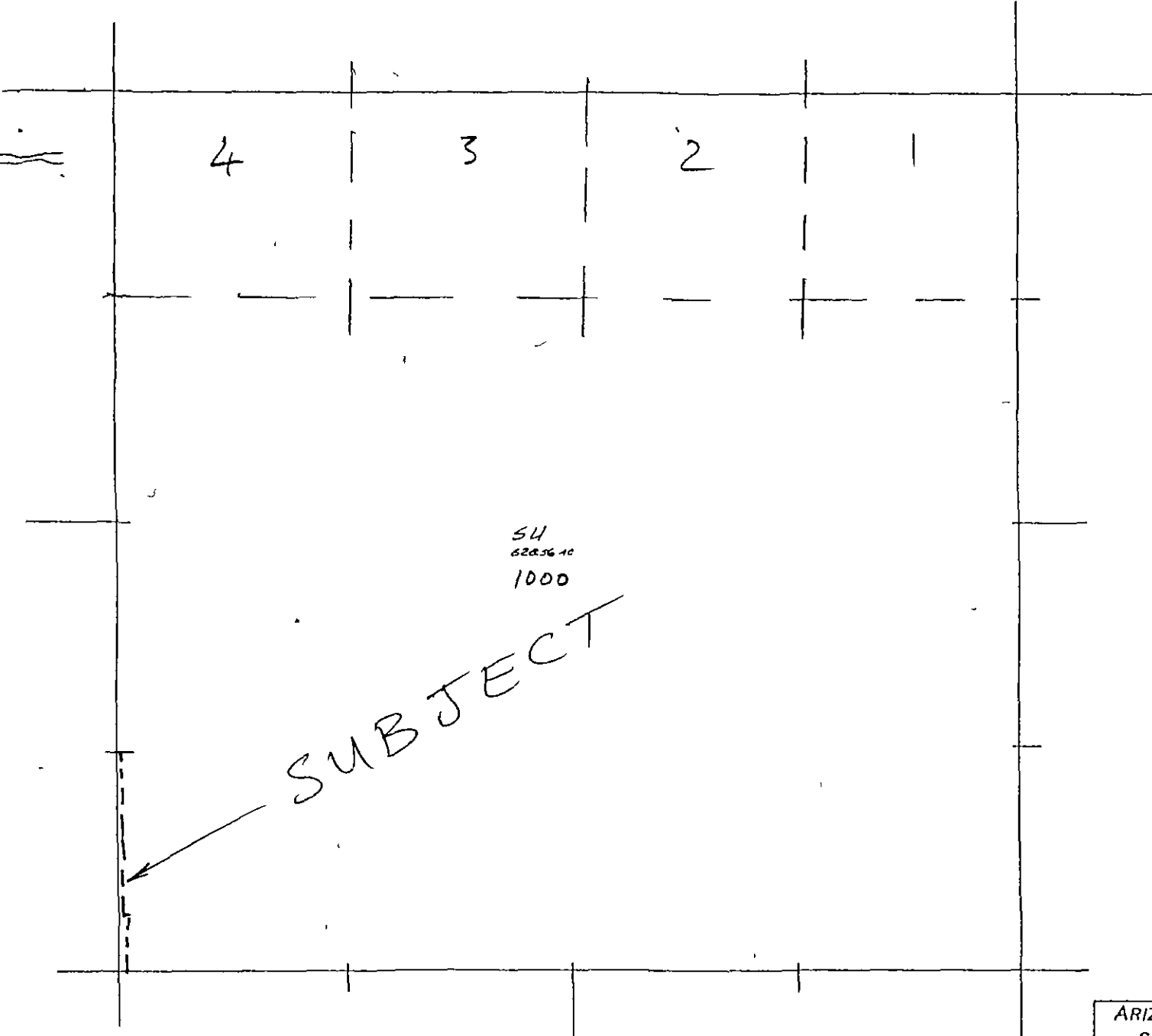
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2-4N, 5E  
Surface

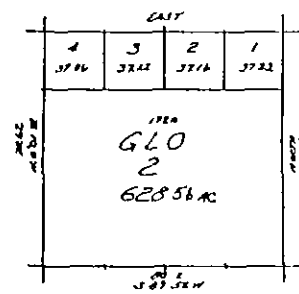


R.O.W.  
16-107812



SU  
62856 AC  
1000

SUBJECT



REV 8-13-3 IVM  
Revised 8-9-00 L.D.

ARIZONA STATE LAND DEPT  
Sec 2-4N, 5E Surface  
MARICOPA County  
5-1-79 OK

In Arizona State Land Department  
where NO WARRANTIES is applied,  
it is not with respect to information  
shown on these maps.