

**207 Waiver**

**Title**

**Legal Description**

**Policy or Appeals**

**Correspondence Between Legal & Staff**

**Letter of Authorization**



# Affidavit of Posting

**Required: Signed, Notarized originals.**

Recommended. E-mail copy to your project coordinator.

☐ Project Under Consideration Sign (White)

☒ Public Hearing Notice Sign (Red)

Case Number: 5-UP-2014 & 6-UP-2014

Project Name: Laugh Factory Comedy Club

Location: 7000 E. Shea Blvd. H-1990

Site Posting Date: July 3, 2014

Applicant Name: Paul Hopp

Sign Company Name: Dynamite Signs, Inc.

Phone Number: 480-585-3031

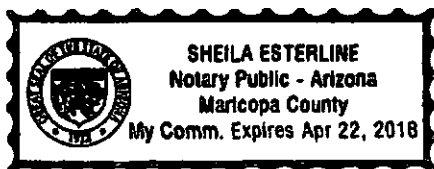
I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

*Paul Hopp*  
Applicant Signature

7.3.14  
Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 2 day of July 20 14



*Sheila Esterline*  
Notary Public

My commission expires: Apr 22, 2018

**City of Scottsdale -- Current Planning Division**

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088



City of Scottsdale  
**PUBLIC NOTICE**

# **ZONING/PUBLIC HEARINGS**

City Hall  
3939 N. Drinkwater Boulevard  
[www.Scottsdaleaz.gov/projects/Project In Process](http://www.Scottsdaleaz.gov/projects/Project%20In%20Process)

**PLANNING COMMISSION: 5:00 P.M., 7/23/2014**  
**CITY COUNCIL: 5:00 P.M., TBD**

**REQUEST:** by owner for a Conditional Use Permit for a Bar, in a 9,787 +/- square foot existing building located at 7000 E. Shea Blvd. H-1990 with Central Business, Parking District (C-2/P-4) zoning.

**LOCATION: 7000 E. Shea Blvd., H-1990**

**Case Number: 5-UP-2014 & 6-UP-2014**  
**Applicant/Contact: Paul A. Hopp**  
**Phone Number: 812-484-9206**

Case File Available at City of Scottsdale

Posting Date: 7/3/14 480-312-7000

Penalty for removing or defacing sign prior to date of last hearing

07/03/2014 12:17:53



# Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.

☐ Project Under Consideration Sign (White)

☒ Public Hearing Notice Sign (Red)

Case Number: 5-UP-2014 & 6-UP-2014

Project Name: The Laugh Factory

Location: 7000 E. Shea Blvd. H-1990

Site Posting Date: 7/3/14 sign modified: 7/24/14

Applicant Name: Paul A. Hopp

Sign Company Name: Dynamite Signs, Inc.

Phone Number: 480-585-3031

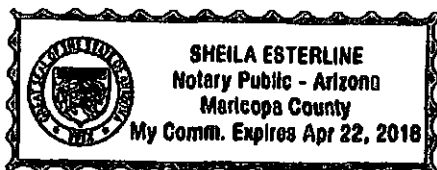
I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

*Paul A. Hopp*  
Applicant Signature

7.24.14  
Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 24 day of July 2014



*Sheila Esterline*  
Notary Public

My commission expires Apr 22, 2018

**City of Scottsdale -- Current Planning Division**

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088





City of Scottsdale  
**PUBLIC NOTICE**

## **ZONING/PUBLIC HEARINGS**

City Hall  
3939 N. Drinkwater Boulevard  
[www.Scottsdaleaz.gov/projects/Project in Process](http://www.Scottsdaleaz.gov/projects/Project%20in%20Process)

**PLANNING COMMISSION:** 5:00 P.M., 7/23/2014  
**CITY COUNCIL:** 5:00 P.M., 8/18/2014

**REQUEST:** by owner for a Conditional Use Permit for a Bar, in a 9,787 +/- square foot existing building located at 7000 E. Shea Blvd. H-1990 with Central Business, Parking District (C-2/P-4) zoning.

**LOCATION:** 7000 E. Shea Blvd., H-1990

**Case Number:** 5-UP-2014 & 6-UP-2014  
**Applicant/Contact:** Paul A. Hopp  
**Phone Number:** 812-484-9206

Case File Available at City of Scottsdale

Posting Date: 7/3/14 480-312-7000

Penalty for removing or defacing sign prior to date of last hearing

07/24/2014 13:25:13

**WHEN RECORDED RETURN TO:**

CITY OF SCOTTSDALE  
ONE STOP SHOP/RECORDS

( )

7447 East Indian School Road, Suite 100  
Scottsdale, AZ 85251

City of Scottsdale Case No \_\_\_\_\_

**WAIVER OF RIGHT TO MAKE A CLAIM UNDER PROPOSITION 207**

(A.R.S. § 12-1131 et seq.)

The undersigned is the fee title Owner of property, (Parcel No.) 175-42-136-H  
located at 7000 E Shea Blvd Scottsdale, Maricopa  
County, Arizona, that is the subject of a request by owner for a:

☒ Use permit    ☐ Abandonment    ☐ Land division    ☐ Development Review  
☐ Other \_\_\_\_\_

By signing this document, the undersigned Owner agrees and consents to all of the conditions and/or stipulations imposed by the Scottsdale Planning Commission, Development Review Board, city staff, or the City Council in conjunction with Owner's request for application of the city's land use laws to the Owner's property.

Owner waives any right to compensation for diminution in value that may be asserted now or in the future under Proposition 207, the Private Property Rights Protection Act (A.R.S. § 12-1131, et.seq.), based upon Owner's request in case no \_\_\_\_\_.

Dated this 9 day of April, 2014.

Zayza Younan, President

Owner: 7000 E. Shea Boulevard, LLC By: \_\_\_\_\_  
(Type Name) (Signature of Owner)

California  
STATE OF ARIZONA )  
Los Angeles ) ss.  
County of Maricopa )

Subscribed and sworn to before me this 9 day of April, 2014 by

Zayza Younan, President, 7000 E. Shea Boulevard, LLC

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

My Commission Expires:

2/20/2016



Short Waiver Form

6-UP-2014  
5/28/2014



# Appeals of Dedication, Exactions, or Zoning Regulations

## Rights of Property Owner

In addition to the other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property.

- 1) Any dedication or exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your real property. This appeal right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning ordinance) when an administrative agency or official has no discretion to determine the dedication or exaction.
- 2) The adoption or amendment of a zoning regulation that creates a taking of property in violations of Arizona and federal court decision.

## Appeal Procedure

The appeal must be in writing and specify the City action appealed and the date final action was taken, and must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken

- No fee will be charged for filing
- The city Attorney's Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply
- Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- The City will submit a takings impact report to the hearing officer.
- In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication or exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
- The hearing officer must render his decision within five working days after the appeal is heard.
- The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial *nevo* with the Superior Court within 30 days of the hearing officer's decision.

For questions, you may contact:

City's Attorney's Office  
3939 Drinkwater Blvd.  
Scottsdale, AZ 85251  
480-312-2405

Address your appeal to:

Hearing Officer, C/O City Clerk  
3939 Drinkwater Blvd  
Scottsdale, AZ 85251

Please be aware that City Staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

**6-UP-2014  
5/28/2014**

**Planning, Neighborhood and Transportation Division**

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ Phone: 480-312-7000 ♦ Fax: 480-312-7088

Owner Certification  
Acknowledging Receipt  
Of  
Notice Of Right To Appeal  
Exactions And Dedications

I hereby certify that I am the owner of property located at:

7000 E. Shea Boulevard, Scottsdale, AZ 85254

(address where development approval, building permits, or city required improvements and dedications are being required)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Scottsdale as part of my property development on the parcel listed in the above address.

  
\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

4/9/2014



## SECURITY, MAINTENANCE AND OPERATIONS PLAN

## For Bars and Live Entertainment Use Permits



Scottsdale Police Department, 3700 North 75<sup>th</sup> Street, Scottsdale, AZ 85251

480.312.5000 FAX 480.312.7701

City of Scottsdale Planning, 7447 E. Indian School, Scottsdale AZ 85251

480-312-7000 FAX 480-312-7088

Assigned Planner:

Meredith Tessier

Police Detective:

Jean Murre

Establishment:

The Laugh Factory

Address:

7000 E. Shea Blvd #1990 Scottsdale, AZ

Business Phone:

812-484-9206

Business FAX:

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Maximum Occupancy:

400

Effective Date of the Plan:

-----

Date of Plan Review:

052014

Use Permit Issue Date:

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Liquor License Number:

N/A - NO APPLICATION YET

Contact Person (1):

Paul Hopp Paul.Hopp@scottsdaleaz.gov

Home Phone:

812-484-9206

Contact Person (2):

Marinka Sjoberg

Home Phone:

818-681-5070

06070711  
(pending)

## Purpose of the Plan

To address security measures, maintenance/refuse and operations for an establishment whose use shall require a Security Plan pursuant to Scottsdale Revised Codes. These uses typically include a Bar Use Permit and a Live Entertainment Use Permit. The contents of this plan will address the listed concerns as well as community concerns regarding:

- Any significant increase in vehicular or pedestrian traffic, including effects on parking, traffic and circulation in the area.
- Adequate control of disruptive behavior both inside and outside the premises to include property damage and refuse issues.
- Compatibility with surrounding structures and uses.

It is the intent of the City of Scottsdale to provide an environment that enhances the safeguarding of property as well as public welfare and to limit the need for law enforcement involvement.

The Permittee agrees that successful execution and enforcement of this Plan are a required condition of the use permit. Termination, cancellation, deviation or non-approval of the Plan constitutes a breach of the Plan and could result in the revocation of the use permit.

## Operations and Hours

1. Permittee: Laugh Factory AZ dba the Laugh Factory

Type of Organization: ☐ Arizona Corporation ☐ Corporation  
☐ Sole Proprietorship ☒ LLC  
☐ Partnership ☐ Other

2. Managing Agents Name: Paul Hopp  
 Title: General Manager  
 Address: 8463 W. Desert Elm - Peoria, AZ 85383  
 Phone Numbers: 812-484-9204  
 Fax or Other Numbers: paulhopp1@gmail.com

3. Business Owner(s) (if different than Managing Agent) Name, Address, Phone: Rodriguez Entertainment - 1901 Avenue of the Stars #1050  
818-681-5070 LA, CA 90067

4. Property Owner or Property Manager (if different from Managing Agent)  
 Name, Address, Phone: Yoonan Properties 4041 N. Central Ave  
602-279-1587 Phx Az. 85012

5. Hours of Operation: Debbie Milton

	Peak/Non-Peak Night	Open to Customers	Liquor Sale Begin	Liquor Sale Ends	Closed to Customers
Monday		NOON	NOON	2:00AM	2:15
Tuesday		NOON	NOON	2:00AM	2:15
Wednesday	8:00 AM	NOON	NOON	2:00AM	2:15
Thursday	8:00 PM	NOON	NOON	2:00AM	2:15
Friday	8:00 PM	NOON	NOON	2:00AM	2:15
Saturday	8:00 PM	NOON	NOON	2:00AM	2:15
Sunday	8:00 PM	NOON	NOON	2:00AM	2:15

6. Promotional Events: (Attach an addendum which describes week to week promotional events you plan to have throughout the year i.e. "Ladies night." Do not include special events)

7. Program Format/Entertainment/Advertising: (Complete for Live Entertainment Use Permit Only. Attach addendum that describes



entertainment format i.e. DJ, Live music, Comedy acts etc.) See Scottsdale Revised Code – Appendix B, Zoning Ordinance for definitions.

8. Special Events:

Permittee must give notice to City of Scottsdale Planning and Development at least forty-five (45) days prior to conducting Special Events on the premises. "Special Events" are any program formats varying from the regular format and audiences described or provided above organized or planned by Permittee. Scottsdale requires separate licenses for outdoor special events.

9. Cooperation/Complaints/Concerns:

Permittee will maintain communications with establishments located on and adjacent to the premises, and with residents and other businesses that may be affected by patrons or operations of the Permittee. Permittee designates the following person to receive and respond to concerns or complaints from other residents or businesses:

Name: Paul Hopp Address: 8463 W. Desert View Phone: 812-489-9206  
Per 19142 85383

Permittee, managing agents, on-duty managers, supervisors and security personnel will cooperate closely with Scottsdale Police, City of Scottsdale Code Enforcement staff or other City staff as well as business and residential neighbors in addressing and investigating complaints, criminal acts, refuse issues and any other concerns.

## Security and Maintenance

### Security Attire

Security personnel must be readily identifiable to police, patrons, and other employees to ensure the safety of the security staff when engaged with patrons. Security personnel should wear an appropriate styled shirt with the word "security" on both the front and back, in two (2) inch lettering and clearly visible. During cold weather, a jacket with the same inscription should be worn.

The use of radios should be employed between security staff and management when the size of the establishment limits communication efforts.

### Security Officer Responsibilities

The Permittee or management must clearly delineate the below responsibilities to all new security personnel and ensure these responsibilities are explained and understood.

Civilian Security Officers will be responsible for patrolling the full property of the liquor establishment during all hours when patrons are in the establishment, outside the establishment, and in the establishment parking areas.

On peak nights, there will be a minimum of 3 uniformed security officer(s). (Wearing the above-described uniform). The following responsibilities shall be agreed upon and adhered to:

1. 1 Security officer(s) will be responsible for roaming the interior of the business and identifying hazards, problems, and maintaining guest safety.
2. 1 Security officer(s) will be responsible for checking identifications at the front door. Acceptable identification are those listed in Arizona Revised Statutes Title 4, section 241A and apply to patrons accessing any area of the licensed premises, including the time period of After-Hours, if applicable. Additional responsibilities shall include: access control, counting of patrons, and prevention of intoxicated persons from entering the business.
3. 1 Security officer(s) will be responsible for conducting roaming patrol of the exterior in an effort to prevent criminal behavior, maintain the peace and prevent refuse issues. This patrol shall include all parking areas to prevent a gathering of patrons during business hours and up to thirty (30) minutes after closing.

In addition, security officers will report all acts of violence to management personnel, complete a written report, log the act of violence, and contact Scottsdale Police Department immediately. Liquor establishment management and/or ownership has the ultimate responsibility for the recording of the act of violence, logging of the act of violence, and reporting the act of violence to the police department and the State Department of Liquor Licenses.

#### **Management Responsibilities**

The Permittee must clearly delineate the below responsibilities to all managers, assistant managers, and person(s)-in-charge and ensure these responsibilities are understood and followed.

The manager(s) shall ensure that all employees, security staff and off-duty officers (if applicable) be trained and knowledgeable about the contents of this plan. The following shall be agreed upon and adhered to:

1. There will be a minimum of 3 manager(s) available during peak nights.
2. There shall be a general manager and one assistant manager on duty all hours while open for business and for thirty minutes after closing.
3. A manager shall be identified as the "Security Manager" for the establishment and be responsible for ensuring that a safe environment exists; for the supervision of all security personnel and that all security personnel as identified here shall meet or exceed the requirements established by A.R.S. 32-2621 through A.R.S. 32-2636, as amended, relating to security personnel and guards, and any regulation issued pursuant thereto.
4. At least one security manager will be on duty until one hour after closing or the last security officer is off duty, whichever occurs last.



**Uniformed Sworn Officer Responsibilities:**

If Off-duty law enforcement is used for security, it is the responsibility of the Permittee or management to clearly delineate the following responsibilities, which include at a minimum the following:

1. Conduct traffic control as needed.
2. Assist civilian security officer(s) in removal of disorderly and/or intoxicated guests and maintain the peace outside the establishment.
3. If necessary, patrol the exterior portions of the business to maintain the peace as well as prevent criminal acts.
4. If a valet is utilized, maintain the peace in the area of the valet.
5. Assist Security Officers with maintaining order in the entrance line and assist in discovery of underage patrons attempting admittance.

- ☐ I plan to hire \_\_\_\_\_ officer(s) during peak nights from (name of agency) \_\_\_\_\_.
- ☒ I do not plan to hire off-duty law enforcement.

**Parking**

In order to reduce criminal activity that negatively affects the nearby businesses, the Permittee is responsible for the designated parking area to include any lots used by the Permittee's contracted valet company. It is the Permittee's responsibility to ensure that parking areas utilized by patrons and employees will be routinely patrolled by security staff so parking areas are not used: as a gathering place; for consumption of spirituous liquor; for violations of state or city law; for acts of violence, or disorderly conduct. Management will ensure that all patrons have left the parking areas within thirty minutes after the designated closing time.

*If valet is used, it is the Permittee's responsibility to ensure the valet company meets all the requirements of the City of Scottsdale and has a valid valet license and permit prior to conducting valet business.*

**Refuse Plan**

It is the Permittee's responsibility to ensure refuse containers are properly used and the area in and around the business is kept clean. Failure to do so will result in an investigation and possible citation from the City of Scottsdale Code Enforcement or other governmental agencies.

At closing, management will be responsible for refuse pick-up and any appropriate cleaning, for any refuse found within a 300 foot (three hundred) radius of the business. This will also include patron parking lot(s), valet parking lot(s) and employee parking lot(s). All bottles, trash, bodily fluids or secretions and refuse found on streets, sidewalks, private property, and empty lots within the above designated areas will be placed in the refuse container or cleaned appropriately.

### **Enforcement of Security Plan**

Violations of this Security Plan will be enforceable by City of Scottsdale Police Officers and/or Code Enforcement employees and may constitute grounds for revocation of applicable use permits relating to the establishment.

### **Violation, amendment, revocation, as defined in Scottsdale City Zoning Code Sec. 1.402.**

Conditional use-permits, which have been approved by the City Council, shall be subject to the following procedures and criteria regarding any violation, amendment, or revocation.

- The violation of any condition imposed by the conditional use permit shall constitute a violation of this ordinance and shall be subject to the requirements of Section 1.1400 et seq.
- Conditional uses shall be developed in conformance to the approved plans as determined by the Zoning Administrator. An amendment to a conditional use permit is required before implementation of any material change in the scope and nature of an approved conditional use, material change in any conditions or stipulations to a conditional use permit or material change in the physical size, placement or structure of property subject to a conditional use permit. The Zoning Administrator shall have the discretion to determine if a proposed change warrants an amendment. An amendment must be approved as provided in Section 1.400 et seq. for the approval of conditional use permits.
- The Zoning Administrator may recommend to the City Council and the City Council may affect revocation of a conditional use permit pursuant to Section 1.402 of the Scottsdale Zoning Code for acts including but not limited to:
  1. A violation of the Plan.
  2. Violation of the conditions of the Use Permit.
  3. Violation of Scottsdale ordinances or law.
  4. Repeated acts of violence or disorderly conduct as reflected by police calls for service or offenses occurring on premises utilized by patrons of the Permittee, or failure to report acts of violence
  5. Failure of the Permittee to take reasonable steps to protect the safety of persons entering, leaving or remaining on the premises when the Permittee knew or should have known of the danger to such person, or the Permittee fails to take reasonable steps to intervene by notifying law enforcement officials or otherwise to prevent or break up an act of violence or an altercation occurring on the premises or on premises utilized by patrons and employees of the Permittee when the Permittee knew or reasonably should have known of such acts of violence or altercations.
  6. Any enlargement or expansion of the premises, plan of operation or program format without appropriate approval from the City.
  7. Misrepresentations or material misstatements of the Permittee, its agents or employees.

#### Dissemination of the Security Plan

- A copy of this security plan must be provided to each security officer and off-duty sworn law enforcement officer as well as the manager(s) and assistant manager(s) employed by the permittee.
- A reading log will be maintained and will be signed by each of the above persons, stating they have read and understood this plan. Each security employee must read the plan once per year, or when there are any changes to the plan.
- A current copy of this plan will be maintained on the premises at all times, and a copy of this plan must be made available upon request of any code enforcement officer or police officer.
- Failure to conform to this plan will be considered a violation of the use permit.

#### Termination of the Plan

This plan shall terminate when the applicant's Use Permit terminates.

#### Enclosures

☒ Addendums attached

☐ No enclosures

#### APPLICANT/MANAGEMENT:

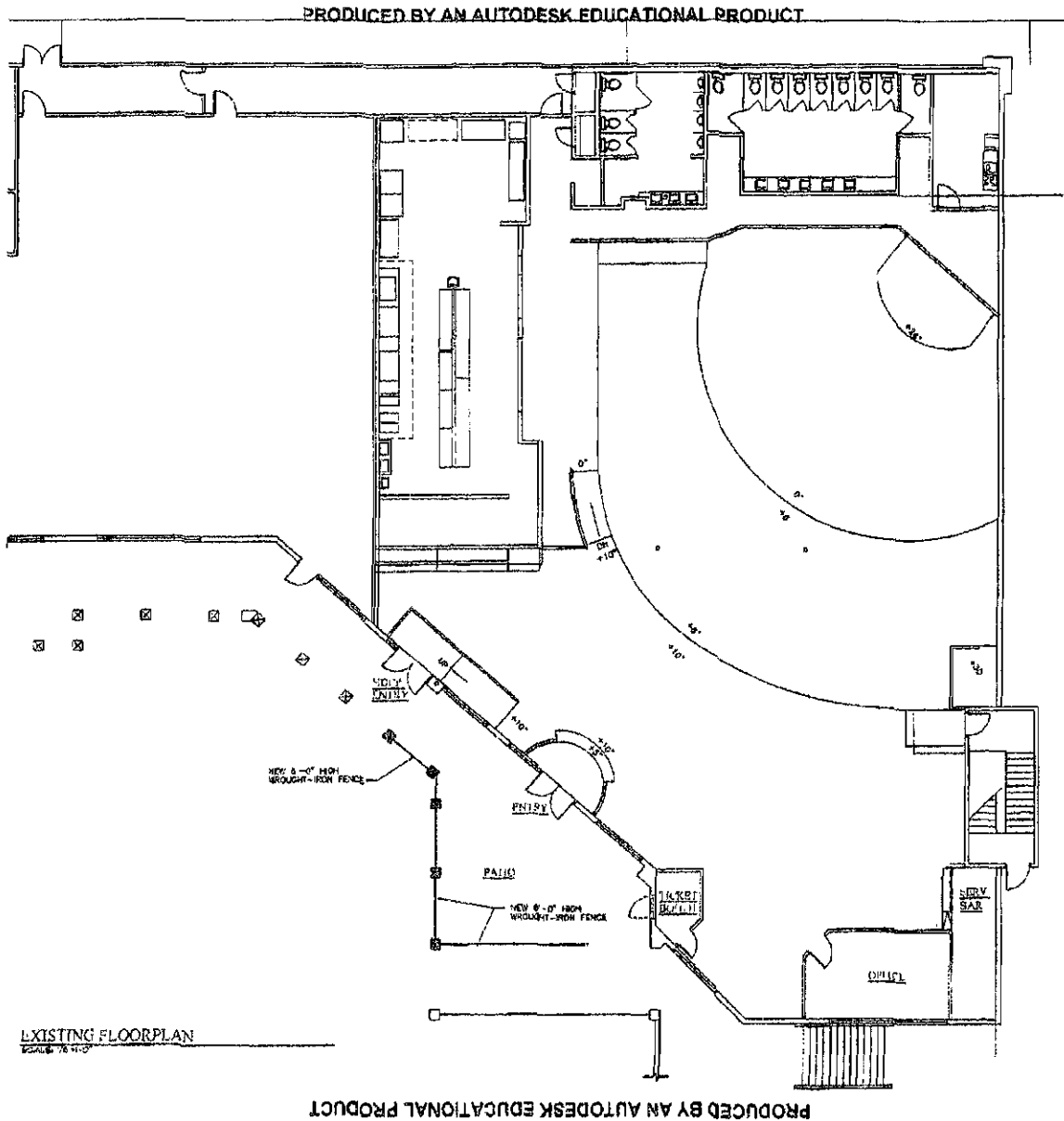
Name: Paul Hopp  
Address: 8463 W. Desert Elm Lane, Peoria, AZ. 85383  
Phone: 812-484-9266  
Date: 4-30-14  
Signature: Paul Hopp

#### APPROVED BY:

Detective: John Miller  
Phone: 480-812-2323  
Date: 5/29/14  
Signature: [Signature]

10/10/87

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT



PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

## Promotional Events

The Laugh factory is a professional Comedy Club and will feature a fresh line up of comedy weekly. Initially we will have *opening night* for the new weekly show on Thursday nights at 8:00 PM, two shows on Friday and Saturday night at 8:00 and 10:30 PM, and *closing night* for the week will be on Sunday nights at 8:00 PM.

Show times may be adjusted to conform to particular productions. (A longer show may require an earlier start)

Once established we will add Tuesday and Wednesday to our weekly show agenda.

We will also feature a *local comedy night*. This will start out on Wednesday night at 8:00 PM and get moved toward Monday night as we add more nights with our professional comedy program.

Laugh Factory also caters to *family shows* that will be held during afternoon hours, primarily on Saturdays and Sundays.

Laugh factory also entertains *retirement communities* with afternoon shows. These will be private events that will be sold as a group.

The Laugh factory has been *feeding the needy* on *Thanksgiving* and *Christmas* in other cities for years. The Scottsdale location hopes to continue the tradition. This too would take place during *afternoon hours*.

4/10



## Laugh Factory Entrainment and Program format

Laugh Factory is a Comedy Club.

Our shows consist of an opening act that will serve as the MC, a feature act that will perform for 25 to 30 minutes and a headliner to perform 45 to 60 minutes. The show usually last less than two hours.

Regular Show Times with seating starting one hour prior

Monday 8:00

Tuesday 8:00

Wednesday 8:00

Thursday 8:00

Friday 8:00 & 10:30

Saturday 8:00 & 10:30

Sunday 8:00

On our local comedy night we will feature as many as 10 local comedians limited to 10 minute performance.



## Request To Submit Concurrent Development Applications

### Acknowledgment and Agreement

The City of Scottsdale recognizes that a property owner may desire to submit concurrent development applications for separate purposes where one or more of the development applications are related to another development application. City Staff may agree to process concurrently where one or more the development applications related to the approval of another development application upon receipt of a complete form signed by the property owner.

Development Application Types		
Please check the appropriate box of the types of applications that you are requesting to submit concurrently		
Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other
<input checked="" type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input type="checkbox"/>

Owner: 7000 E. Shea Boulevard, LLC  
Company: Younan Properties  
Address: 4041 N. Central Avenue, Phx, AZ 85012 (Suite 545)  
Phone: (602) 279-1587 Fax: (602) 263-0709  
E-mail: d.miller@younanproperties.com

As the property owner, by providing my signature below, I acknowledge and agree: 1) that the concurrent development applications are processed at the property owner's risk; 2) to hold the City harmless of all cost, expense, claims, or other liability arising in connection with the concurrent development applications; 3) to the City of Scottsdale's Substantive Policy Statement pertaining to Concurrent Applications; 4) to placing a development application on hold in order to continue processing a concurrent development application that is related to an another development application; and 5) that upon completion of the City review(s) of the development applications, one or of the development application may not be approved.

Property owner (Print Name): 7000 E. Shea Boulevard, LLC Title: Zanya Younan, President

[Signature] Signature Date: 4/9/2014

Official Use Only:	Submittal Date: _____
Request: <input type="checkbox"/> Approved or <input type="checkbox"/> Denied	
Staff Name (Print): _____	
Staff Signature: _____	Date: _____

**6-UP-2014**  
**5/28/2014**

#### Planning, Neighborhood & Transportation Division

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 Phone: 480-312-7000 Fax: 480-312-7088

City of Scottsdale's Website: [www.scottsdaleaz.gov](http://www.scottsdaleaz.gov)



## Request for Site Visits and/or Inspections Development Application (Case Submittals)

This request concerns all property identified in the development application.

Pre-application No: 298 - PA - 2014

Project Name: 7 Thousand Shea

Project Address: 7000 E Shea Blvd, Scottsdale AZ 85254

### STATEMENT OF AUTHORITY:

1. I am the owner of the property, or I am the duly and lawfully appointed agent of the property and have the authority from the owner to sign this request on the owner's behalf. If the land has more than one owner, then I am the agent for all owners, and the word "owner" refer to them all.
2. I have the authority from the owner to act for the owner before the City of Scottsdale regarding any and all development application regulatory or related matter of every description involving all property identified in the development application.

### STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

1. I hereby request that the City of Scottsdale's staff conduct site visits and/or inspections of the property identified in the development application in order to efficiently process the application.
2. I understand that even though I have requested the City of Scottsdale's staff conduct site visits and/or inspections, city staff may determine that a site visit and/or an inspection is not necessary, and may opt not to perform the site visit and/or an inspection.

Property owner/Property owners agent:

7000 E. Shea Boulevard, LLC

Zanya Younan, President

Print Name

[Signature]

Signature

City Use Only:

Submittal Date: \_\_\_\_\_ Case number: \_\_\_\_\_

Planning, Neighborhood & Transportation Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ Phone: 480-312-7000 ♦ Fax: 480-312-7088



Current Planning Services  
Long Range Planning Services

**NOTICE OF INSPECTION RIGHTS**  
**A.R.S. § 9-833**

**You have the right to:**

- Have the City staff member present a photo ID.
- Have the City staff member state the purpose for the planning inspection and legal authority to conduct it.
- Know the amount of inspection fees if applicable.
- An on-site representative may accompany the City staff member during the inspection except during confidential interviews and may:
  - Receive copies of any documents taken during the inspection.
  - Receive a split of any samples taken during the inspection.
  - Receive copies of any analysis of the samples taken when available.
- Be informed if statements are being recorded.
- Be given notice that any statements may be used in an inspection report.
- Be presented with a copy of your inspection rights.
- Be notified of the due process rights pertaining to an appeal

**You are hereby notified and informed of the following:**

- The inspection is conducted pursuant to the authority of A.R.S § 9-462.05. and/or Scottsdale Revised Code, Appendix B, Article I. Section 1.203.
- Any statements made by anyone interviewed during this inspection may be included in the inspection report.
- Information on appeal rights related to this inspection is found under Scottsdale Revised Code, Appendix B, Article I. Section 1.801.
- There is no inspection fee associated with this inspection.

I acknowledge I have been informed of my inspection rights. If I decline to sign this form, the inspector(s) may still proceed with the inspection.

If I have any questions, I may contact the City staff member, \_\_\_\_\_  
at the following number \_\_\_\_\_.

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

Printed Name: \_\_\_\_\_

☐ Check box if signature refused

Copy of Bill of Rights left at: \_\_\_\_\_



A.R.S § 9-833. Inspections; applicability

- A. A municipal inspector or regulator who enters any premises of a regulated person for the purpose of conducting an inspection shall:
  - 1. Present photo identification on entry of the premises.
  - 2. On initiation of the inspection, state the purpose of the inspection and the legal authority for conducting the inspection.
  - 3. Disclose any applicable inspection fees.
  - 4. Except for a food and swimming pool inspection, afford an opportunity to have an authorized on-site representative of the regulated person accompany the municipal inspector or regulator on the premises, except during confidential interviews.
  - 5. Provide notice of the right to have:
    - (a) Copies of any original documents taken from the premises by the municipality during the inspection if the municipality is permitted by law to take original documents.
    - (b) A split or duplicate of any samples taken during the inspection if the split or duplicate of any samples, where appropriate, would not prohibit an analysis from being conducted or render an analysis inconclusive.
    - (c) Copies of any analysis performed on samples taken during the inspection.
  - 6. Inform each person whose conversation with the municipal inspector or regulator during the inspection is tape recorded that the conversation is being tape recorded.
  - 7. Inform each person interviewed during the inspection that statements made by the person may be included in the inspection report.
- B. On initiation of, or two working days before, an inspection of any premises of a regulated person, except for a food and swimming pool inspection that has up to one working day after an inspection, a municipal inspector or regulator shall provide the following in writing or electronically:
  - 1. The rights described in subsection A of this section.
  - 2. The name and telephone number of a municipal contact person available to answer questions regarding the inspection.
  - 3. The due process rights relating to an appeal of a final decision of a municipality based on the results of the inspection, including the name and telephone number of a person to contact within the municipality and any appropriate municipality, county or state government ombudsman.
- C. A municipal inspector or regulator shall obtain the signature of the regulated person or on-site representative of the regulated person on the writing prescribed in subsection B of this section indicating that the regulated person or on-site representative of the regulated person has read the writing prescribed in subsection B of this section and is notified of the regulated person's or on-site representative of the regulated person's inspection and due process rights. The municipality shall maintain a copy of this signature with the inspection report. Unless the regulated person at the time of the inspection is informed how the report can be located electronically, the municipality shall leave a copy with the regulated person or on-site representative of the regulated person. If a regulated person or on-site representative of the regulated person is not at the site or refuses to sign the writing prescribed in subsection B of this section, the municipal inspector or regulator shall note that fact on the writing prescribed in subsection B of this section.
- D. A municipality that conducts an inspection shall give a copy of, or provide electronic access to, the inspection report to the regulated person or on-site representative of the regulated person either:
  - 1. At the time of the inspection.
  - 2. Notwithstanding any other state law, within thirty working days after the inspection.
  - 3. As otherwise required by federal law.



- E. The inspection report shall contain deficiencies identified during an inspection. Unless otherwise provided by law, the municipality may provide the regulated person an opportunity to correct the deficiencies unless the municipality determines that the deficiencies are:
  - 1. Committed intentionally.
  - 2. Not correctable within a reasonable period of time as determined by the municipality.
  - 3. Evidence of a pattern of noncompliance.
  - 4. A risk to any person, the public health, safety or welfare or the environment.
- F. If the municipality allows the regulated person an opportunity to correct the deficiencies pursuant to subsection E of this section, the regulated person shall notify the municipality when the deficiencies have been corrected. Within thirty working days of receipt of notification from the regulated person that the deficiencies have been corrected, the municipality shall determine if the regulated person is in substantial compliance and notify the regulated person whether or not the regulated person is in substantial compliance, unless the determination is not possible due to conditions of normal operations at the premises. If the regulated person fails to correct the deficiencies or the municipality determines the deficiencies have not been corrected within a reasonable period of time, the municipality may take any enforcement action authorized by law for the deficiencies.
- G. A municipality's decision pursuant to subsection E or F of this section is not an appealable municipal action.
- H. At least once every month after the commencement of the inspection, a municipality shall provide the regulated person with an update, in writing or electronically, on the status of any municipal action resulting from an inspection of the regulated person. A municipality is not required to provide an update after the regulated person is notified that no municipal action will result from the municipality's inspection or after the completion of municipal action resulting from the municipality's inspection.
- I. This section does not authorize an inspection or any other act that is not otherwise authorized by law.
- J. This section applies only to inspections necessary for the issuance of a license or to determine compliance with licensure requirements. This section does not apply:
  - 1. To criminal investigations and undercover investigations that are generally or specifically authorized by law.
  - 2. If the municipal inspector or regulator has reasonable suspicion to believe that the regulated person may be or has been engaged in criminal activity.
  - 3. Inspections by a county board of health or a local health department pursuant to section 36-603.
- K. If a municipal inspector or regulator gathers evidence in violation of this section, the violation shall not be a basis to exclude the evidence in a civil or administrative proceeding, if the penalty sought is the denial, suspension or revocation of the regulated person's license or a civil penalty of more than one thousand dollars.
- L. Failure of a municipal employee to comply with this section:
  - 1. Constitutes cause for disciplinary action or dismissal pursuant to adopted municipal personnel policy.
  - 2. Shall be considered by the judge and administrative law judge as grounds for reduction of any fine or civil penalty.
- M. A municipality may adopt rules or ordinances to implement this section.
- N. This section:
  - 1. Shall not be used to exclude evidence in a criminal proceeding.
  - 2. Does not apply to a municipal inspection that is requested by the regulated person.

Pre-application No.: 298-PA-2014  
Project Name: \_\_\_\_\_

AFFIDAVIT OF AUTHORITY TO ACT FOR PROPERTY OWNER

1. This affidavit concerns the following parcel of land:

- a. Street Address: 7000 E. Shea Blvd Scottsdale, AZ 85254  
b. County Tax Assessor's Parcel Number: 175-42-130H  
c. General Location: 70th Street and Shea Blvd  
d. Parcel Size: 8.3 Acres  
e. Legal Description: See attached

(If the land is a platted lot, then write the lot number, subdivision, name, and the plat's recording number and date. Otherwise, write "see attached legal description" and attach a legal description.)

2. I am the owner of the land or I am the duly and lawfully appointed agent of the owner of the land and have authority from the owner to sign this affidavit on the owner's behalf. If the land has more than one owner, then I am the agent for all of the owners, and the word "owner" in this affidavit refers to all of them.

3. I have authority from the owner to act for the owner before the City of Scottsdale with regard to any and all reviews, zoning map amendments, general plan amendments, development variances, abandonments, plats, lot splits, lot ties, use permits, building permits and other land use regulatory or related matters of every description involving the land, or involving adjacent or nearby lands in which the owner has (or may acquire) an interest and all applications, dedications, payments, assurances, decisions, agreements, legal documents, commitments, waivers and other matters relating to any of them.

4. The City of Scottsdale is authorized to rely on my authority as described in this affidavit until three work days after the day the owner delivers to the general manager of the Scottsdale Planning and Development Services Department a written statement revoking my authority.

5. I will immediately deliver to the general manager of the City of Scottsdale Planning and Development Services Department written notice of any change in the ownership of the land or in my authority to act for the owner.

6. If more than one person signs this affidavit, each of them, acting alone, shall have the authority described in this affidavit, and each of them warrant to the City of Scottsdale the authority of the others.

7. Under penalty of perjury, I warrant and represent to the City of Scottsdale that this affidavit is true and complete. I understand that any error or incomplete information in this affidavit or any applications may invalidate approvals or other actions taken by the City of Scottsdale, may otherwise delay or prevent development of the land and may expose me or the owner to other liability. I understand that people who have not signed this form may be prohibited from speaking for the owner at public meetings or in other city processes.

Name (printed)

Laura Youman, President  
7000 E. Shea Boulevard, LLC

Date

4/9, 2014  
\_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_

Signature

[Signature]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ASSIGNMENT OF RENTS

(Continued)

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EXHIBIT "A"

PARCEL NO. 1:

THE WEST 300.00 FEET OF THE EAST 320.00 FEET OF THE NORTH 465.00 FEET OF THE SOUTH 530.00 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE EAST 210.00 FEET OF THE SOUTH 225.00 FEET OF SAID WEST HALF.

EXCEPT THAT PORTION CONVEYED TO THE CITY OF SCOTTSDALE IN DEED RECORDED OCTOBER 14, 1994, IN DOCUMENT NO. 94-741747, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

THE WEST 190.00 FEET OF THE EAST 210.00 FEET OF THE NORTH 160.00 FEET OF THE SOUTH 225.00 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE EAST 100.00 FEET OF THE SOUTH 140.00 FEET OF SAID WEST HALF.

EXCEPT THAT PORTION CONVEYED TO THE CITY OF SCOTTSDALE IN DEED RECORDED OCTOBER 14, 1994, IN DOCUMENT NO. 94-741747, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 3:

THE NORTH 160.00 FEET OF THE SOUTH 225.00 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE EAST 320.00 FEET; AND

EXCEPT THE WEST 30.00 FEET; AND

EXCEPT BEGINNING AT THE INTERSECTION OF THE EAST LINE OF THE WEST 30.00 FEET OF SAID WEST HALF WITH THE NORTH LINE OF THE SOUTH 65.00 FEET OF SAID WEST HALF;

THENCE NORTHERLY ALONG SAID EAST LINE, 12.00 FEET TO THE BEGINNING OF A TANGENT CURVE NORTHEASTERLY;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO A POINT OF TANGENCY IN SAID NORTH LINE, SAID POINT BEARS 12.00 FEET EASTERLY FROM THE POINT OF BEGINNING;

THENCE WESTERLY ALONG SAID NORTH LINE, 12.00 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 4:

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:



ASSIGNMENT OF RENTS  
(Continued)

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EXHIBIT "A"  
(Continued)

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF THE EAST 100.00 FEET OF SAID WEST HALF WITH THE NORTH LINE OF THE SOUTH 140.00 FEET THEREOF;

THENCE EASTERLY ALONG SAID NORTH LINE, A DISTANCE OF 30.00 FEET;

THENCE SOUTHERLY AND PARALLEL WITH THE EAST LINE OF SAID WEST HALF, A DISTANCE OF 10.00 FEET;

THENCE SOUTHWESTERLY TO THE INTERSECTION OF THE WEST LINE OF THE EAST 94.00 FEET OF SAID WEST HALF WITH THE NORTH LINE OF THE SOUTH 73.00 FEET THEREOF;

THENCE SOUTHERLY ALONG SAID WEST LINE, A DISTANCE OF 8.00 FEET TO THE NORTH LINE OF THE SOUTH 65.00 FEET OF SAID WEST HALF;

THENCE WESTERLY ALONG SAID NORTH LINE, A DISTANCE OF 6.00 FEET TO THE WEST LINE OF THE EAST 100.00 FEET OF SAID WEST HALF;

THENCE NORTHERLY ALONG SAID WEST LINE, A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 5:

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE NORTHWEST CORNER OF SUNDOWN PLAZA, ACCORDING TO BOOK 65 OF MAPS, PAGE 40, RECORDS OF MARICOPA COUNTY;

THENCE SOUTH 00 DEGREES 00 MINUTES 01 SECONDS EAST ALONG THE WEST LINE OF SAID SUNDOWN PLAZA AND ALONG THE WEST LINE OF THE EAST 20.00 FEET OF SAID WEST HALF, A DISTANCE OF 598.65 FEET TO THE INTERSECTION OF SAID WEST LINE WITH THE CENTERLINE OF SAHAURO DRIVE, AS RECORDED ON THE PLAT OF SAID SUNDOWN PLAZA AND THE TRUE POINT OF BEGINNING OF THE LINE HEREIN DESCRIBED;

THENCE SOUTH 89 DEGREES 47 MINUTES 41 SECONDS WEST ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID WEST HALF, A DISTANCE OF 640.52 FEET TO A POINT ON THE WEST LINE OF SAID WEST HALF AND THE TERMINUS OF THE LINE DESCRIBED HEREIN;

EXCEPT THE EAST 20.00 FEET; AND

EXCEPT THE WEST 30.00 FEET; AND

EXCEPT THE WEST 300.00 FEET OF THE EAST 320.00 FEET OF THE SOUTH 530.00 FEET; AND

EXCEPT THE SOUTH 225.00 FEET;

EXCEPT THE WEST 30.00 FEET; AND

EXCEPT THE EAST 320.00 FEET OF SAID SOUTH 225.00 FEET.

6-UP-2014  
5/28/2014

ASSIGNMENT OF RENTS

(Continued)

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EXHIBIT "A"  
(Continued)

PARCEL NO. 6:

AN EASEMENT FOR MOTOR VEHICLE PARKING AND INCIDENTAL VEHICULAR AND PEDESTRIAN ACCESS BY OR PURSUANT TO THAT CERTAIN "GRANT OF EASEMENTS AND DECLARATION OF RESTRICTIONS" RECORDED OCTOBER 14, 1994, IN DOCUMENT NO. 94-0741748, AND THAT CERTAIN "AMENDED AND RESTATED GRANT OF EASEMENTS AND DECLARATION OF RESTRICTIONS" RECORDED APRIL 25, 2001, IN DOCUMENT NO. 2001-0335672, RECORDS OF MARICOPA COUNTY, ARIZONA, ACROSS THE FOLLOWING DESCRIBED PARCEL A AND PARCEL B:

PARCEL A:

A PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22;

THENCE SOUTH 89 DEGREES 31 MINUTES 16 SECONDS WEST ALONG THE SOUTH SECTION LINE, A DISTANCE OF 680.48 FEET, SAID LINE BEING THE MONUMENT LINE OF SHEA BOULEVARD;

THENCE NORTH 00 DEGREES 00 MINUTES 01 SECONDS WEST, 65.02 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 31 MINUTES 16 SECONDS WEST, 74.00 FEET ALONG THE NORTH RIGHT OF WAY LINE OF SHEA BOULEVARD;

THENCE NORTH 00 DEGREES 00 MINUTES 01 SECONDS WEST, 8.00 FEET;

THENCE NORTH 22 DEGREES 45 MINUTES 38 SECONDS EAST, 62.03 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 01 SECONDS WEST, 10.00 FEET;

THENCE NORTH 89 DEGREES 31 MINUTES 16 SECONDS EAST, 50.00 FEET TO A POINT ON THE WEST LINE OF A 20 FOOT WIDE PUBLIC ALLEY;

THENCE SOUTH 00 DEGREES 00 MINUTES 01 SECONDS EAST, 75.00 FEET ALONG THE SAID WEST LINE TO THE POINT OF BEGINNING.

PARCEL B:

A PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22;

THENCE SOUTH 89 DEGREES 31 MINUTES 16 SECONDS WEST ALONG THE SOUTH SECTION LINE, A DISTANCE OF 680.48 FEET, SAID LINE BEING THE MONUMENT LINE OF SHEA BOULEVARD;

THENCE NORTH 00 DEGREES 00 MINUTES 01 SECONDS WEST, 140.02 FEET ALONG THE WEST LINE OF A 20 FOOT WIDE PUBLIC ALLEY TO THE POINT OF BEGINNING;



ASSIGNMENT OF RENTS  
(Continued)

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EXHIBIT "A"  
(Continued)

THENCE SOUTH 89 DEGREES 31 MINUTES 16 SECONDS WEST, 50.00 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 01 SECONDS WEST, 200.01 FEET;

THENCE NORTH 89 DEGREES 31 MINUTES 16 SECONDS EAST, 50.00 FEET TO A POINT ON THE WEST  
LINE OF SAID 20 FOOT PUBLIC ALLEY;

THENCE SOUTH 00 DEGREES 00 MINUTES 01 SECONDS EAST, 200.01 FEET ALONG THE SAID WEST  
LINE TO THE POINT OF BEGINNING.