

**207 Waiver**

**Title**

**Legal Description**

**Policy or Appeals**

**Correspondence Between Legal & Staff**

**Letter of Authorization**



# WRITTEN COMMENTS

13

This card is used to submit written comments to the Board or Commission.  
Written comment cards may be submitted to the Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

NAME (print) Fares AlZubidi MEETING DATE 10/22/2014

NAME OF GROUP/ORGANIZATION (if applicable) \_\_\_\_\_

ADDRESS 11120 E. Bajada Rd ZIP 85262

HOME PHONE 602-790-5944 WORK PHONE 602-233-1668

E-MAIL ADDRESS(optional) FALZUBIDI@AOL.COM

AGENDA ITEM # 12-ZN-2014  SUPPORT  OPPOSE

COMMENTS (additional space is provided on the back) R-43 are more suitable  
use for the land.





# REQUEST TO SPEAK

13

Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.

Public testimony is limited to three (3) minutes per speaker.

Additional time **MAY** be granted to speakers representing two or more persons.

Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) Robert Cappell MEETING DATE Oct. 22, 2014

NAME OF GROUP/ORGANIZATION (if applicable) Winfield HOA + Greater Paradise Peak Assn

ADDRESS 33600 N. 79th Way, Scottsdale ZIP 85266

HOME PHONE 480-595-1805 WORK PHONE \_\_\_\_\_

E-MAIL ADDRESS (optional) \_\_\_\_\_

I WISH TO SPEAK ON AGENDA ITEM # 13  I WISH TO DONATE MY TIME TO \_\_\_\_\_

I WISH TO SPEAK DURING "PUBLIC COMMENT"\* CONCERNING \_\_\_\_\_

\*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

**Request to Speak cards must be submitted to City Staff before public testimony begins on that item.**

HOW TO ADDRESS THE BOARD AND COMMISSION:

- The Chair will call your name when it is your turn to speak.
- Approach the podium and state your name and address for the record.
- Groups wishing to speak are encouraged to select a spokesperson to represent the views of the group.
- Public testimony is limited to three minutes per speaker. *(At the Chair's discretion, speakers representing two or more persons may be granted additional time.)*
- A timer light, located at the podium, will help you to time your comments.
  - o A green light indicates the timer has been activated.
  - o A yellow light indicates there is one minute remaining.
  - o A red light indicates the comment period has ended.

**WRITTEN COMMENTS:** Citizens who do not wish to address the Board and Commission in person may submit written comments by completing a white Written Comment card. Written Comment cards are available throughout the Kiva Forum and at the Staff table.

**LEGAL DESCRIPTION**  
**APN 216-80-007G**  
**JOB NO. 14-016**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A FOUND BRASS CAP FLUSH AT THE SOUTH QUARTER CORNER OF SAID SECTION 33, FROM WHICH A FOUND BRASS CAP FLUSH AT THE SOUTHEAST CORNER OF SAID SECTION BEARS NORTH 89 DEGREES 43 MINUTES 53 SECONDS EAST, A DISTANCE OF 2636.38 FEET;

THENCE NORTH 00 DEGREES 13 MINUTES 53 SECONDS WEST, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 33, A DISTANCE OF 45.00 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED;

THENCE CONTINUING NORTH 00 DEGREES 13 MINUTES 53 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 857.00 FEET;

THENCE NORTH 89 DEGREES 39 MINUTES 29 SECONDS EAST, LEAVING SAID MID-SECTION LINE, A DISTANCE OF 240.17 FEET;

THENCE SOUTH 00 DEGREES 13 MINUTES 13 SECONDS EAST, A DISTANCE OF 857.31 FEET;

THENCE SOUTH 89 DEGREES 43 MINUTES 53 SECONDS WEST, ALONG A LINE PARALLEL TO AND 45.00 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 33, A DISTANCE OF 240.01 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED.

SAID PARCEL CONTAINS 205,796 SQUARE FEET OR 4.724 ACRES, MORE OR LESS.



**12-ZN-2014**  
**6/11/2014**

**LEGAL DESCRIPTION  
APN 216-80-007G  
JOB NO. 14-016**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A FOUND BRASS CAP FLUSH AT THE SOUTH QUARTER CORNER OF SAID SECTION 33, FROM WHICH A FOUND BRASS CAP FLUSH AT THE SOUTHEAST CORNER OF SAID SECTION BEARS NORTH 89 DEGREES 43 MINUTES 53 SECONDS EAST, A DISTANCE OF 2636.38 FEET;

THENCE NORTH 00 DEGREES 13 MINUTES 53 SECONDS WEST, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 33, A DISTANCE OF 45.00 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED;

THENCE CONTINUING NORTH 00 DEGREES 13 MINUTES 53 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 857.00 FEET;

THENCE NORTH 89 DEGREES 39 MINUTES 29 SECONDS EAST, LEAVING SAID MID-SECTION LINE, A DISTANCE OF 240.17 FEET;

THENCE SOUTH 00 DEGREES 13 MINUTES 13 SECONDS EAST, A DISTANCE OF 857.31 FEET;

THENCE SOUTH 89 DEGREES 43 MINUTES 53 SECONDS WEST, ALONG A LINE PARALLEL TO AND 45.00 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 33, A DISTANCE OF 240.01 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED.

SAID PARCEL CONTAINS 205,796 SQUARE FEET OR 4.724 ACRES, MORE OR LESS.



12-ZN-2014  
6/11/2014



# Rezoning

## Development Application Checklist

### Minimal Submittal Requirements:

At your pre-application meeting, your project coordinator will identify which items indicated on this Development Application checklist are required to be submitted. A Development Application that does not include all items indicated on this checklist may be rejected immediately. A Development Application that is received by the City does not constitute that the application meets the minimum submittal requirements to be reviewed.

In addition to the items on this checklist, to avoid delays in the review of your application, all Plans, Graphics, Reports and other additional information that is to be submitted shall be provided in accordance with the:

- requirements specified in the Plan & Report Requirements For Development Applications Checklist;
- Design Standards & Policies Manual;
- requirements of Scottsdale Revised Code (including the Zoning Ordinance); and
- stipulations, include any additional submittal requirements identified in the stipulations, of any Development Application approved prior to the submittal of this application.

If you have any question regarding the information above, or items indicated on this application checklist, please contact your project coordinator. His/her contact information is on the page 11 of this application.

Please be advised that a Development Application received by the City that is inconsistent with information submitted with the corresponding pre-application may be rejected immediately, and may be required to submit a separate: pre-application, a new Development Application, and pay all additional fees.

### PART I -- GENERAL REQUIREMENTS

Req'd	Rec'd	Description of Documents Required for Complete Application. No application shall be accepted without all items marked below.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1. Rezoning Application Checklist (this list)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. Zoning Application Fee \$ <u>2,140 + 70.00 PER ACRES</u> (subject to change every July)
<input type="checkbox"/>	<input type="checkbox"/>	3. Checklist for Minimal Information to be Accepted for Review – Development Applications (form provided)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. Completed Development Application Form (form provided) Prior to application submittal, please research original zoning case history to find the original adopted ordinance(s) and exhibit(s) to confirm the zoning for the property. This will help to define your application accurately. The City's full-service Records Department can assist.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. Request to Submit Concurrent Development Applications (form provided)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6. Letter of Authorization (from property owner(s) if property owner did not sign the application form)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7. Affidavit of Authorization to Act for Property Owner (required if the property owner is a corporation, trust, partnership, etc. and/or the property owner(s) will be represented by an applicant that will act on behalf of the property owner)

### Planning, Neighborhood & Transportation Division

12-ZN-2014  
6/11/2014

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

## Rezoning Development Application Checklist

<input checked="" type="checkbox"/>	<input type="checkbox"/>	8. Appeal of Required Dedications or Exactions (form provided)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9. Commitment for Title Insurance – No older than 30 days from the submittal date <ul style="list-style-type: none"> <li>• 8-1/2" x 11" – 1 copy <b>FOR ENTIRE PROPERTY</b></li> <li>• Include complete Schedule A and Schedule B. (requirements form provided)</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10. Legal Description: (if not provided in Commitment for Title Insurance) <ul style="list-style-type: none"> <li>• 8-1/2" x 11" – 2 copies</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11. Results of ALTA Survey (24" x 36") <b>FOLDED</b> <ul style="list-style-type: none"> <li>• 24" x 36" – 1 copy, folded (The ALTA Survey shall not be more than 30 days old)</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12. Request for Site Visits and/or Inspections Form (form provided)
		13. Addressing Requirements and Addressing Request Application (forms provided)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14. Draft Development Agreement <ul style="list-style-type: none"> <li>• 8-1/2" x 11" – 2 copies</li> <li>Must adhere to the Maricopa County Recorder requirements</li> </ul>
		15. Proposition 207 waiver or refusal (Delay submittal until after the Planning Commission Hearing) (sample agreement information provided)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16. Citizen and Neighborhood Involvement Process Requirements: (form provided) <ul style="list-style-type: none"> <li>• Provide one copy of the Citizen and Neighborhood Involvement Report</li> <li>• Provide one copy of the Community Input Certification attached to the Neighborhood Notification Report</li> <li>• If substantial modifications are made to an application, additional notification may be required by the Zoning Administrator, or designee. When required, provide one copy of the Citizen Review Report addendum.</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17. Request for Neighborhood Group Contact information (form provided)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	18. Site Posting Requirements: (form provided (white and red signs) <ul style="list-style-type: none"> <li>• Affidavit of Posting for Project Under Consideration</li> <li>• Affidavit of Posting for Planning Commission Public Hearing (<b>Delayed submittal</b>). Affidavit must be turned in 20 days prior to Planning Commission hearing.</li> <li>• Affidavit of Posting for City Council Public Hearing (<b>Delayed submittal</b>). Affidavit must be turned in 20 days prior to City Council hearing.</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	19. School District Notification – (form provided) Required for all applications that include residential uses.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20. Photo Exhibit of Existing Conditions: Printed digital photos on 8-1/2"x11" Paper <ul style="list-style-type: none"> <li>• 8-1/2" x 11" - 1 copy of the set of prints</li> <li>• <u>See attached Existing Conditions Photo Exhibit</u> graphic showing required photograph locations and numbers.</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	21. Archaeological Resources (information sheets provided) <b>EMAIL STEVE VENTER</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Certificate of No Effect / Approval Application (form provided)</li> <li><input type="checkbox"/> Archaeology Survey and Report - 3 copies</li> <li><input type="checkbox"/> Archaeology 'Records Check' Report Only - 3 copies</li> <li><input type="checkbox"/> Copies of Previous Archeological Research - 1 copy</li> </ul>

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## Rezoning Development Application Checklist

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<b>22. Historic Property</b> <input type="checkbox"/> Historic Property Certificate of No Effect Application (form provided) <input type="checkbox"/> Historic Property Certificate of Appropriateness Application (form provided)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<b>23. Completed Airport Vicinity Development Checklist</b> – Your property is located within the vicinity of the Scottsdale Municipal Airport (within 20,000 foot radius of the runway; information packet provided)

### PART II -- REQUIRED NARRATIVE, PLANS & RELATED DATA

Req'd	Rec'd	Description of Documents Required for Complete Application. No application shall be accepted without all items marked below.
		<b>24. Plan &amp; Report Requirements For Development Applications Checklist</b> (form provided)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<b>25. Development Plan</b>

Req'd	Rec'd	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>a. Application Narrative</b> <ul style="list-style-type: none"> <li>• 8 1/2" x 11" – 4 copies</li> <li><input checked="" type="checkbox"/> The application narrative shall specify how the proposal separately addresses each of the following:               <ul style="list-style-type: none"> <li>• goals and policies/approaches of the General Plan</li> <li>• goals and polices of the applicable Character Area Plan</li> <li>• architectural character, including environmental response, design principles, site development character, and landscape character</li> </ul> </li> <li><input checked="" type="checkbox"/> Please review the applicable zoning district and/or overlay provisions for any findings, justifications, and/or explanations that are required to be met. Each finding, justification, and/or explanation shall be separately identified with a corresponding response in the application narrative. (PRD, PCD, PBD, PUD, etc)</li> <li><input type="checkbox"/> In addition, the following applicable information shall be incorporated into the application narrative:               <ul style="list-style-type: none"> <li><input type="checkbox"/> separate justification(s) for each requested modifications to regulations and standards,</li> <li><input type="checkbox"/> bonus provisions and justifications,</li> <li><input type="checkbox"/> methodology to address the City's Sensitive Design Principles, and applicable design guidelines pertaining to: architectural character, environmental response, site development character, and landscape character, and/or</li> <li><input type="checkbox"/> Historic Property – existing or potential historic property.                   <ul style="list-style-type: none"> <li>○ (Describe how the proposal preserves the historic character or compliance with property's existing Historic Preservation Plan)</li> </ul> </li> </ul> </li> </ul>

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## Rezoning Development Application Checklist

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>b. Legislative draft of the proposed development standards, or amended development standards</b></p> <ul style="list-style-type: none"> <li>• 8 ½" x 11" – 2 copies</li> <li>(Must adhere to the Maricopa County Recorder requirements)</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>c. Legislative draft of the list of Land Uses, if proposed (PBD, SC)</b></p> <ul style="list-style-type: none"> <li>• 8 ½" x 11" – 2 copies</li> <li>(Must adhere to the Maricopa County Recorder requirements)</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>d. A dimensioned plan indicating the proposed boundaries of the application</b></p> <ul style="list-style-type: none"> <li>• 11" x 17" – 1 copy (quality suitable for reproduction)</li> <li>• 8 ½" x 11" – 1 copy (quality suitable for reproduction)</li> <li>• Digital - 1 copy (Text and drawing shall be black and white, and in the DWF format)</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>e. Context Aerial with the proposed site improvements superimposed</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" – 2 color copies, folded</li> <li>• 11" x 17" – 1 color copy</li> <li>• 8 ½" x 11" – 1 color copy (quality suitable for reproduction)</li> </ul> <p>Aerial shall not be more than 1 year old and shall include and overlay of the site plan showing lot lines, tracts, easements, street locations/names and surrounding zoning for a radius from the site of:</p> <p>_____ 750 foot radius from site</p> <p>_____ 1/4 mile radius from site</p> <p>_____ Other: _____</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>f. Site Plan</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" – 16 copies, folded</li> <li>• 11" x 17" – 1 copy (quality suitable for reproduction)</li> <li>• 8 ½" x 11" – 1 copy (quality suitable for reproduction)</li> <li>• Digital - 1 copy (Text and drawing shall be black and white, and in the DWF format)</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>g. Subdivision Plan</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" – 16 copies, folded</li> <li>• 11" x 17" – 1 copy, folded (quality suitable for reproduction)</li> <li>• 8 ½" x 11" – 1 copy (quality suitable for reproduction)</li> <li>• Digital - 1 copy (Text and drawing shall be black and white, and in the DWF format)</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>h. Open Space Plan (Site Plan Worksheet) (example provided)</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" – 1 copies, folded</li> <li>• 11" x 17" – 1 copy, folded (quality suitable for reproduction)</li> <li>• 8 ½" x 11" – 1 copy (quality suitable for reproduction)</li> <li>• Digital - 1 copy (Text and drawing shall be black and white, and in the DWF format)</li> </ul>

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## Rezoning Development Application Checklist

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>i. Site Cross Sections</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" 1 – copy, folded</li> <li>• 11" x 17" 1 – copy, folded</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>j. Natural Area Open Space Plan (ESL Areas)</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" – 2 copies, folded</li> <li>• 11" x 17" – 1 copy (quality suitable for reproduction)</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>k. Topography and slope analysis plan (ESL Areas)</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" 1 – copy, folded</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	<p><b>l. Phasing Plan</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" – 1 copies, folded</li> <li>• 11" x 17" – 1 copy, folded (quality suitable for reproduction)</li> <li>• 8 ½" x 11" – 1 copy (quality suitable for reproduction)</li> <li>• Digital - 1 copy (Text and drawing shall be black and white, and in the DWF format)</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>m. Landscape Plan</b></p> <ul style="list-style-type: none"> <li>• All plans shall be <u>black and white line drawings</u> (a grayscale copy of the color Landscape Plan will not be accept.)</li> <li>• 24" x 36" – 2 copies, folded of</li> <li>• 11" x 17" – 1 copy, folded (quality suitable for reproduction)</li> <li>• 8 ½" x 11" – 1 copy (quality suitable for reproduction)</li> <li>• Digital - 1 copy (Text and drawing shall be black and white, and in the DWF format)</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>n. Hardscape Plan</b></p> <ul style="list-style-type: none"> <li>• All plans shall be <u>black and white line drawings</u></li> <li>• (a grayscale copy of the color Landscape Plan will not be accept.)</li> <li>• 24" x 36" – 2 copies, folded of <u>black and white line drawings</u></li> <li>• 11" x 17" – 1 copy</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	<p><b>o. Transitions Plan</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" – 2 copies, folded</li> <li>• 11" x 17" – 1 copy (quality suitable for reproduction)</li> <li>• 8 ½" x 11" – 1 copy (quality suitable for reproduction)</li> <li>• Digital – 1 copy (Text and drawing shall be black and white, and in the DWF format)</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	<p><b>p. Parking Plan</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" – 1 copy, folded</li> <li>• 11" x 17" – 1 copy (quality suitable for reproduction)</li> <li>• 8 ½" x 11" – 1 color copy (quality suitable for reproduction)</li> <li>• Digital – 1 copy (Text and drawing shall be black and white, and in the DWF format)</li> </ul>

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<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>q. Parking Master Plan</b></p> <p>See the City's <u>Zoning Ordinance, Article IX</u> for specific submittal and content requirements for Parking Master Plan. The report shall be bound (3 ring, GBC or coil wire, no staples) with card stock front and back covers, and must include all required exhibits.</p> <ul style="list-style-type: none"> <li>• 8-1/2" x 11" - 2 copies</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>r. Pedestrian and Vehicular Circulation</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" - 1 copy, folded</li> <li>• 11" x 17" - 1 copy, folded (quality suitable for reproduction)</li> <li>• 8 1/2" x 11" - 1 color copies (quality suitable for reproduction)</li> <li>• Digital - 1 copy (See Digital Submittal Plan Requirements)</li> </ul>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>s. Elevations</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" - 2 folded black and white line drawing copies (a grayscale copy of the color elevations will not be accepted.)</li> <li>• 24" x 36" - 2 color copies, folded</li> <li>• 11" x 17" - 1 color copy, folded (quality suitable for reproduction)</li> <li>• 11" x 17" - 1 black and white line drawing copy, folded (quality suitable for reproduction)</li> <li>• 8 1/2" x 11" - 1 color copy, (quality suitable for reproduction)</li> <li>• 8 1/2" x 11" - 1 black and white line drawing copy, folded (quality suitable for reproduction)</li> <li>• Digital - 1 copy (Text and drawing shall be black and white, and in the DWF format)</li> </ul>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>t. Elevations Worksheet(s)</b></p> <p>Required for all Development applications to rezone to Planned Unit Development (PUD) and Downtown when elevations are required to be submitted.</p> <ul style="list-style-type: none"> <li>• 24" x 36" - 2 copies, folded</li> <li>• Digital - 1 copy (See Digital Submittal Plan Requirements)</li> </ul>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>u. Perspectives</b></p> <ul style="list-style-type: none"> <li>• 11" x 17" - 1 color copy, folded (quality suitable for reproduction)</li> <li>• 8 1/2" x 11" - 1 color copy (quality suitable for reproduction)</li> </ul>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>v. Floor Plans</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" - 1 copy, folded</li> <li>• 11" x 17" - 1 copy, folded (quality suitable for reproduction)</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>w. Floor Plan Worksheet(s)</b></p> <p>(Required for restaurants, bars or development containing there-of, and multi-family developments):</p> <ul style="list-style-type: none"> <li>• 24" x 36" - 1 copy, folded</li> <li>• 11" x 17" - 1 copy, folded (quality suitable for reproduction)</li> <li>• Digital - 1 copy (Text and drawing shall be black and white, and in the DWF format)</li> </ul>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>x. Roof Plan Worksheet(s)</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" - 1 copy, folded</li> </ul>

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## Rezoning Development Application Checklist

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>y. Electronic Massing Model:</b></p> <ul style="list-style-type: none"> <li>• 11" x 17" – 1 color copy, folded</li> <li>• 8 ½" x 11" – 1 color copy (quality suitable for reproduction)</li> </ul> <p>Scaled model indicating building masses on the site plan and the mass of any building within:</p> <p>_____ 750 foot radius from site</p> <p>_____ Other: _____</p> <p>(The electronic model shall be a computer generated Sketch-up® model or other electronic modeling media acceptable to the Current Planning Services department.)</p>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>z. Solar Analysis</b></p> <p>The solar analysis shall be completed for twenty first day of March, June, September, and December at 6:00 a.m., 9:00 a.m., 12:00 p.m., 3:00 p.m. and 6:00 p.m.</p> <p>Required for all Development applications to rezone to Planned Unit Development (PUD).</p> <ul style="list-style-type: none"> <li>• 11" x 17" – 1 copy, folded (quality suitable for reproduction)</li> </ul>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>aa. Exterior Lighting Site Plan</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" – 1 copy, folded</li> <li>• 11" x 17" – 1 copy, folded (quality suitable for reproduction)</li> </ul>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>bb. Manufacturer Cut Sheets of All Proposed Lighting</b></p> <ul style="list-style-type: none"> <li>• 24" x 36" – 1 copy, folded</li> <li>• 11" x 17" – 1 copy, folded (quality suitable for reproduction)</li> </ul>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>cc. Cultural Improvement Program Plan</b></p> <p>_____ Conceptual design</p> <ul style="list-style-type: none"> <li>• 11" x 17" – 1 copy, folded (quality suitable for reproduction)</li> <li>• 8 ½" x 11" – 1 color copies (quality suitable for reproduction)</li> </ul> <p>_____ Narrative explanation of the methodology to comply with the requirement/contribution.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>dd. Sensitive Design Concept Plan and Proposed Design Guidelines</b> (Architectural, landscape, hardscape, exterior lighting, community features, common structures, etc.)</p> <ul style="list-style-type: none"> <li>• 11" x 17" – 1 copy, folded (quality suitable for reproduction)</li> <li>• 8 ½" x 11" – 1 color copy (quality suitable for reproduction)</li> </ul>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>ee. Master Thematic Architectural Character Plan</b></p> <ul style="list-style-type: none"> <li>• 11" x 17" – 1 copy, folded (quality suitable for reproduction)</li> <li>• 8 ½" x 11" – 1 color copy (quality suitable for reproduction)</li> </ul>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>ff. Conceptual Signage Plan</b></p> <ul style="list-style-type: none"> <li>• 11" x 17" – 1 copy, folded (quality suitable for reproduction)</li> <li>• 8 ½" x 11" – 1 color copy (quality suitable for reproduction)</li> </ul>

### Planning, Neighborhood & Transportation Division

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

## Rezoning Development Application Checklist

<input checked="" type="checkbox"/>	<input type="checkbox"/>	eg. Other: <u>DETAILED TITLE FOR OWNERSHIP VERIFICATION</u>
		<input type="checkbox"/> 24" x 36" – _____ copy(ies), folded <input type="checkbox"/> 11" x 17" – _____ copy(ies), folded (quality suitable for reproduction) <input type="checkbox"/> 8 ½" x 11" – _____ copy(ies) (quality suitable for reproduction) <input type="checkbox"/> Digital – 1 copy (See Digital Submittal Plan Requirements)

### 26. Development Plan Booklets

- 11" x 17" – 3 copies (quality suitable for reproduction)
- 8 ½" x 11" – 1 copy (quality suitable for reproduction)
- Digital – 1 (See Digital Submittal Plan Requirements)
- 8 ½" x 11" – 3 copies on archival (acid free) paper: this is a **delayed submittal** that is to be made after the Planning Commission recommendation.

The Development Plan Booklets shall include the following:

- Application Narrative
- Legislative draft of the proposed development standards, or amended development standards
- Legislative draft of the proposed List of Land Uses
- A dimensioned plan indicating the proposed boundaries of the application
- Context Aerial with the proposed Site Plan superimposed
- Site Plan
- Subdivision Plan
- Open Space Plan
- Phasing Plan
- Landscape Plan
- Hardscape Plan
- Transitions Plan
- Parking Plan
- Pedestrian and Vehicular Circulation Plan
- Conceptual Elevations
- Conceptual Perspectives
- Electronic Massing Model
- Solar Analysis
- Exterior Lighting Plan
- Manufacturer Cut Sheets of All Proposed Lighting
- Cultural Amenities Plan
- Special Impacts Analysis (Lighting Program, Dust Control, Noise Analysis and Control)
- Sensitive Design Concept Plan and Proposed Design Guidelines (architectural, landscape, hardscape, exterior lighting, community features, common structures, etc.)
- Master Thematic Architectural Character Plan
- Conceptual Signage Plan
- Other:

Color and black and white line drawings shall be provided in accordance with the individual plan requirements above.

### Planning, Neighborhood & Transportation Division

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

## Rezoning Development Application Checklist

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>27. Proposed Public Benefit Narrative, Plan, and Total Construction Cost Estimate for proposed development standard bonus(es)</b></p> <p>(PBD, Infill Incentive, or PCP rezoning applications that include the use bonus provisions. A professional consultant shall provide the Total Construction Cost Estimate)</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>28. Drainage Report</b></p> <p>See the City's <u>Design Standards &amp; Policies Manual</u> for specific submittal and content requirements for drainage report. The report shall be bound (3 ring, GBC or coil wire, no staples) with card stock front and back covers, and must include all required exhibits, full color aerial, topography maps and preliminary grading and drainage plans. Full size plans/maps shall be folded and contained in pockets.</p> <ul style="list-style-type: none"> <li>• 8-1/2" x 11" - 2 copies of the Drainage Report including full size plans/maps in pockets</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>29. Master Drainage Plan</b></p> <p>See the City's <u>Design Standards &amp; Policies Manual</u> for specific submittal and content requirements for Master Drainage Report. The report shall be bound (3 ring, GBC or coil wire, no staples) with card stock front and back covers, and must include all required exhibits, full color aerial, topography maps and preliminary grading and drainage plans. Full size plans/maps shall be folded and contained in pockets.</p> <ul style="list-style-type: none"> <li>• 8-1/2" x 11" - 2 copies of the Drainage Report including full size plans/maps in pockets</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>30. Basis of Design Report for Water and Wastewater</b></p> <p>See the City's <u>Design Standards &amp; Policies Manual</u> for specific submittal and content requirements for Basis of Design Report for Water. The report shall be bound (3 ring, GBC or coil wire, no staples) with card stock front and back covers, and must include all required exhibits, and plans.</p> <ul style="list-style-type: none"> <li>• 8-1/2" x 11" - 2 copies of the Basis of Design Report for Water including full size plans/maps in pockets</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>31. Basis of Design Report for Wastewater</b></p> <p>See the City's <u>Design Standards &amp; Policies Manual</u> for specific submittal and content requirements for Design Report for Wastewater. The report shall be bound (3 ring, GBC or coil wire, no staples) with card stock front and back covers, and must include all required exhibits, and plans.</p> <ul style="list-style-type: none"> <li>• 8-1/2" x 11" - 2 copies of the Basis of Design Report for Wastewater including full size plans/maps in pockets</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>32. Master Plan and Design Report for Water</b></p> <p>See the City's <u>Design Standards &amp; Policies Manual</u> for specific submittal and content requirements for Basis of Design Report for Water. The report shall be bound (3 ring, GBC or coil wire, no staples) with card stock front and back covers, and must include all required exhibits, and plans.</p> <ul style="list-style-type: none"> <li>• 8-1/2" x 11" - 2 copies of the Basis of Design Report for Water including full size plans/maps in pockets</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>33. Master Plan and Design Report for Wastewater</b></p> <p>Please review the City's <u>Design Standards &amp; Policies Manual</u> for specific submittal and content requirements for Basis of Design Report for Water. The report shall be bound (3 ring, GBC or coil wire, no staples) with card stock front and back covers, and must include all required exhibits, and plans.</p> <ul style="list-style-type: none"> <li>• 8-1/2" x 11" - 2 copies of the Basis of Design Report for Water including full size plans/maps in pockets</li> </ul>

### Planning, Neighborhood & Transportation Division

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

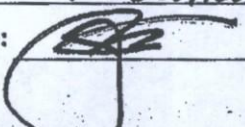


## Rezoning Development Application Checklist

### PART III – SUBMITTAL OF THE DEVELOPMENT APPLICATION

Req'd	Rec'd	Description of Documents Required for Complete Application. No application shall be accepted without all items marked below.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	39. An appointment must be scheduled to submit this application. To schedule your submittal meeting please call 480-312-7000. Request a submittal meeting with a Planning Specialist and provide your case pre-app number; <u>456-PA-2014</u> .
<input checked="" type="checkbox"/>	<input type="checkbox"/>	40. Submit all items indicated on this checklist pursuant to the Submittal Instructions provided.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	41. Submit all additional items that are required pursuant to the stipulations of any other Development Application that this application is reliant upon
<input checked="" type="checkbox"/>	<input type="checkbox"/>	42. <b>Delayed Submittal.</b> Additional copies of all or certain required submittal indicated items above will be require at the time your Project Coordinator is preparing the public hearing report(s). Your Project Coordinator will request these items at that time, and they are to be submitted by the date indicated in the request.

43. If you have any question regarding this application checklist, please contact your Project Coordinator.

Coordinator Name (print): JESSIE MURIELLO Phone Number: 480.312.7849  
 Coordinator email: jmuriello@scottsdaleaz.gov Date: 5/19/14  
 Coordinator Signature: 

If the Project Coordinator is no longer available, please contact the Current Planning Director at the phone number in the footer of this page if you have any question regarding this application checklist.

This application needs a:  New Project Number, or

A New Phase to an old Project Number: \_\_\_\_\_

**Required Notice**

Pursuant to A.R.S. §9-836, an applicant/agent may request a clarification from the City regarding an interpretation or application of a statute, ordinance, code or authorized substantive policy, or policy statement. Requests to clarify an interpretation or application of a statute, ordinance, code, policy statement administered by the Planning, Neighborhood and Transportation Division, including a request for an interpretation of the Zoning Ordinance, shall be submitted in writing to the One Stop Shop to the attention of the Planning, Neighborhood & Transportation Administrator. All such requests must be submitted in accordance with the A.R.S. §9-839 and the City's applicable administrative policies available at the Planning, Neighborhood and Transportation Division's One Stop Shop, or from the city's website: <http://www.scottsdaleaz.gov/bldgresources/forms>.

Planning, Neighborhood and Transportation Division  
 One Stop Shop  
 Planning, Neighborhood & Transportation Administrator  
 7447 E. Indian School Rd, Suite 105  
 Scottsdale, AZ 85251  
 Phone: (480) 312-7000

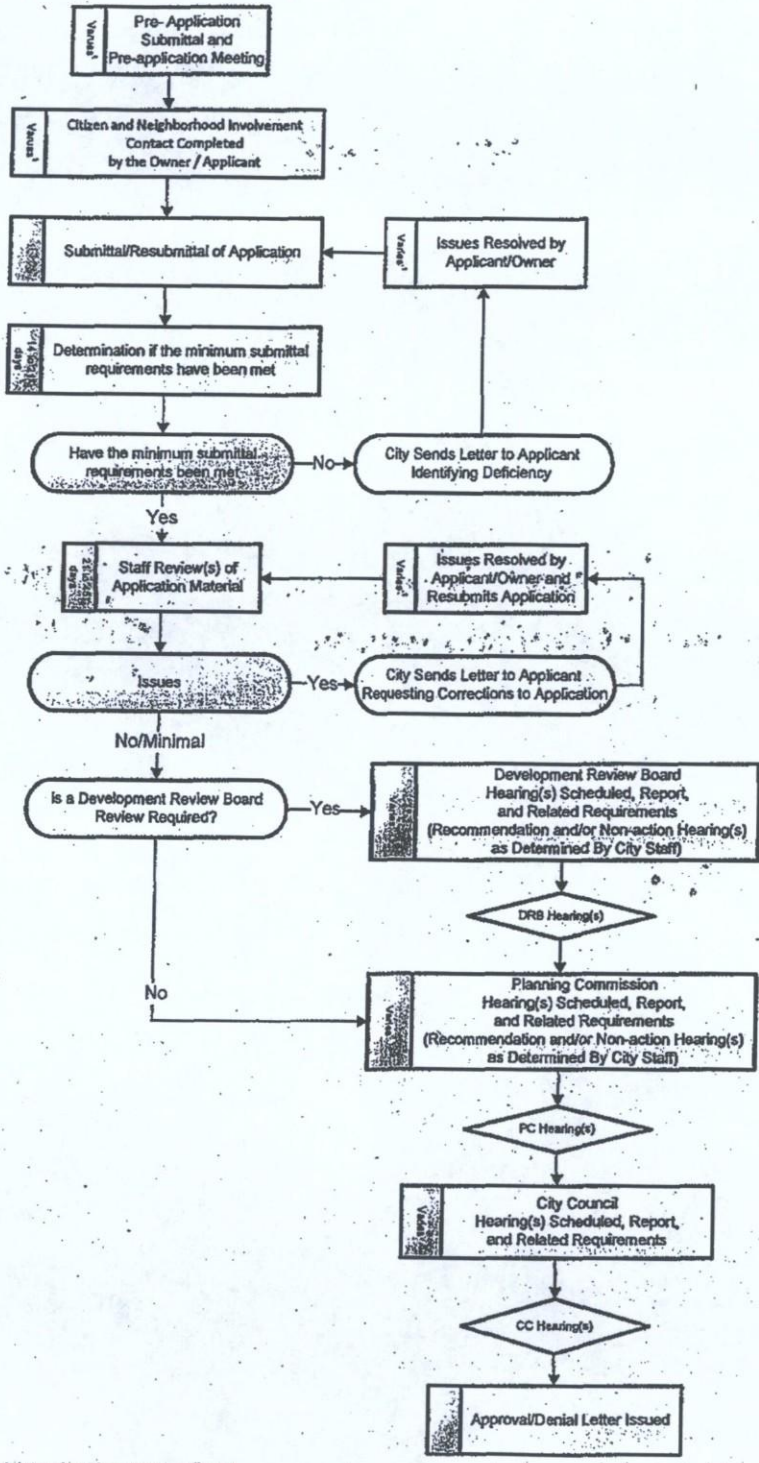
**Planning, Neighborhood & Transportation Division**

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



# Development Applications Process

Abandonment (AB), Municipal Use Master Site Plan (UP),  
Infill Incentive (II) & Zoning District Map Amendment (ZN)



Note:  
1. Time period determined by owner/applicant.

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

Michael Greven  
8148 Calle Catalonia  
Carlsbad, CA. 92009

May 28, 2014

**Via Hand-Delivery with Application, to:**

City of Scottsdale  
Planning & Development Department  
7447 East Indian School Road  
Scottsdale, Arizona 85251

**Re: Letter of Authorization**

Dear Sir or Madam:

This letter authorizes the following firms/companies: Taylor Morrison, Berry Riddell & Rosensteel, LVA Design, and Kimley-Horn to represent Michael Greven in all matters related to the City of Scottsdale's Pre-Application, General Plan Amendment, Rezoning, Abandonment, Use Permit and/or Development Review Board applications for the property located at East Lomax Rd. (APN No(s). 216-80-007-G) in the City of Scottsdale, Maricopa County, Arizona.

Entity: **Michael Greven Co-Owner**

Name: **Michael Greven**

By:  5/28/14

Its: **Owner**

12-ZN-2014  
6/11/2014

Pre-application No.: \_\_\_\_\_  
Project Name: \_\_\_\_\_

AFFIDAVIT OF AUTHORITY TO ACT FOR PROPERTY OWNER

1. This affidavit concerns the following parcel of land:

- a. Street Address: E. VIKIAX Rd
- b. County Tax Assessor's Parcel Number 216-80-007-6
- c. General Location \_\_\_\_\_
- d. Parcel Size: \_\_\_\_\_
- e. Legal Description: \_\_\_\_\_

(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.

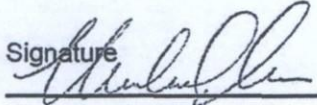
3. I have authority from the owner to act for the owner before the City of Scottsdale with regard to any and all reviews, zoning map amendments, general plan amendments, development variances, abandonments, plats, lot splits, lot ties, use permits, building permits and other land use regulatory or related 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)	Date	Signature
<u>MICHAEL GREVEN</u>	<u>May 28</u> , 20 <u>14</u>	
_____	_____, 20____	_____
_____	_____, 20____	_____
_____	_____, 20____	_____

12-ZN-2014  
6/11/2014

## APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS

### POLICY OF THE CITY OF SCOTTSDALE ON APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS

#### RIGHTS OF PROPERTY OWNER

In addition to 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) where 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 violation of Arizona and federal court decisions.

#### APPEAL PROCEDURE

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

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

- ❖ 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 de novo with the Superior Court within 30 days of the hearing officer's decision.

**If you have questions about this appeal process, you may contact:**

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

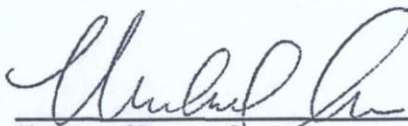
Please be aware that City staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

**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:

E. JONAX Rd 216-80-007-G  
(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

5/28/14  
Date

## APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS

### POLICY OF THE CITY OF SCOTTSDALE ON APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS

#### RIGHTS OF PROPERTY OWNER

In addition to 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) where 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 violation of Arizona and federal court decisions.

#### APPEAL PROCEDURE

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

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

- ❖ 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 de novo with the Superior Court within 30 days of the hearing officer's decision.

If you have questions about this appeal process, you may contact:

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

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.

**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:

Parcel 216-80-76 Jumar Co.

(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

6/19/14  
Date

Ownership Entity or Letterhead: \_\_\_\_\_

Date: 5/19/14

**Via Hand-Delivery with Application, to:**

City of Scottsdale  
Planning & Development Department  
7447 East Indian School Road  
Scottsdale, Arizona 85251

**Re: Letter of Authorization**

Dear Sir or Madam:

This letter authorizes the following firms/companies: Taylor Morrison, Berry Riddell & Rosensteel, LVA Design, and Kimley-Horn to represent Douglas Daccosta in all matters related to the City of Scottsdale's Pre-Application, General Plan Amendment, Rezoning, Abandonment, Use Permit and/or Development Review Board applications for the property located Tempe (APN No(s). 216-SU-076) in the City of Scottsdale, Maricopa County, Arizona.

Entity: \_\_\_\_\_

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

By: Douglas Daccosta

Its: Owner

12-ZN-2014  
6/11/2014

Pre-application No.: \_\_\_\_\_  
Project Name: \_\_\_\_\_

**AFFIDAVIT OF AUTHORITY TO ACT FOR PROPERTY OWNER**

1. This affidavit concerns the following parcel of land:

- a. Street Address: JOMAY RD.
- b. County Tax Assessor's Parcel Number 216-SW-0076
- c. General Location JOMAY RD EAST OF ARMO STRICKL
- d. Parcel Size: ~ 5 ACRES
- e. Legal Description: SEE CEAD

(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.

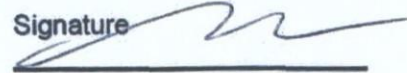
5. I will immediately deliver to the general manager of the City of Scottsdale Planning and Development Services Department written notice of any change in the ownership of the land or in my authority to act for the owner.

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)  
Douglas Dacosta  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date  
5/19, 2014  
\_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_

Signature  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Taylor Morrison

May 22, 2014


Via Hand-Delivery with Application, to:

City of Scottsdale  
Planning & Development Department  
7447 East Indian School Road  
Scottsdale, Arizona 85251

**Re: Letter of Authorization – Cavalliere Flat**

Dear Sir or Madam:

This letter authorizes the following firms/companies: Berry Riddell & Rosensteel, LVA Design, and Kimley-Horn to represent Taylor Morrison in all matters related to the City of Scottsdale's Pre-Application, General Plan Amendment, Development Agreement, Rezoning, Abandonment, Use Permit and/or Development Review Board applications for the property located near the southeast corner of Alma School & Pinnacle Vista (APN No(s). 216-80-002N, 216-80-002P, 216-80-00T) in the City of Scottsdale, Maricopa County, Arizona.

Entity: Taylor Morrison / Arizona, Inc  
Name: Jeff Deaton  
By:   
Its: Authorized Agent

12-ZN-2014  
6/11/2014

Pre-application No.: 456-PA-2014  
Project Name: Camelliere

Flat  
TM

AFFIDAVIT OF AUTHORITY TO ACT FOR PROPERTY OWNER

1. This affidavit concerns the following parcel of land:

- a. Street Address: SEC of Alma School & Pinnacle Vista
- b. County Tax Assessor's Parcel Number 216-80-002N, 216-80-002P, 216-80-00T
- c. General Location SEC of Alma School & Pinnacle Vista
- d. Parcel Size: 43+/- acres.
- e. Legal Description: See legal

(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.

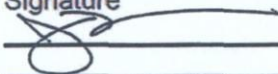
5. I will immediately deliver to the general manager of the City of Scottsdale Planning and Development Services Department written notice of any change in the ownership of the land or in my authority to act for the owner.

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)  
Jeff Deason  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date  
\_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_

Signature  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**INFORMATION**

The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

**THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.**

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**COMMITMENT FOR TITLE INSURANCE**

**ISSUED BY**

First American Title Insurance Company  
through its Division

***First American Title Insurance Company***

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**YOU SHOULD READ THE COMMITMENT VERY CAREFULLY**

If you have any questions about the Commitment, contact:

***First American Title Insurance Company National Commercial Services***  
***2425 E. Camelback Road, Suite 300, Phoenix, AZ 85016***

**12-ZN-2014**  
**6/11/2014**

## AGREEMENT TO ISSUE POLICY

**We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the date shown in Schedule A.**

**If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.**

**Our obligation under the Commitment is limited by the following:**

**The Provisions in Schedule A  
The Requirements  
The Exceptions in Schedule B - Parts 1 and 2  
The Conditions**

**This Commitment is not valid without SCHEDULE A and Parts 1 and 2 of SCHEDULE B.**

---

### SCHEDULE B - EXCEPTIONS

Any Policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

**Part One: (for use with 2006 ALTA policies)**

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests or claims that are not shown by the Public Records but which could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.

**Part One: (for use with 1992 and prior ALTA policies)**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; whether or not the aforementioned matters excepted are shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

**Part One of Schedule B will be eliminated from any A.L.T.A. Extended Coverage Policy, A.L.T.A. Plain Language Policy and policies with EAGLE Protection added. However, the same or similar exception may be made in Schedule B of those policies in conformity with Schedule B, Part Two of this Commitment.**

**REQUIREMENTS  
(Standard)**

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this commitment who will get interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.

(Continued on Requirements Page)

**CONDITIONS**

**1. DEFINITIONS**

- (a) "Mortgage" means mortgage, deed of trust or other security instrument.
- (b) "Public Records" means title records that give constructive notice of matters affecting the title according to the state law where the land is located.

**2. LATER DEFECTS**

The Exceptions in Schedule B may be amended to show any defects, liens or encumbrances that appear for the first time in the public records or are created or attached between the Commitment Date and the date on which all of the Requirements are met. We shall have no liability to you because of this amendment.

**3. EXISTING DEFECTS**

If any defects, liens or encumbrances existing at Commitment Date are not shown in Schedule B, we may amend Schedule B to show them. If we do amend Schedule B to show these defects, liens or encumbrances, we shall be liable to you according to Paragraph 4 below unless you knew of this information and did not tell us about it in writing.

**4. LIMITATION OF OUR LIABILITY**

Our only obligation is to issue to you the Policy referred to in this Commitment, when you have met its Requirements. If we have any liability to you for any loss you incur because of an error in this Commitment, our liability will be limited to your actual loss caused by your relying on this Commitment when you acted in good faith to:

comply with the Requirements

or

eliminate with our written consent any Exceptions shown in Schedule B

We shall not be liable for more than the Amount shown in Schedule A of this Commitment and our liability is subject to the terms of the Policy form to be issued to you.

**5. CLAIMS MUST BE BASED ON THIS COMMITMENT**

Any claims, whether or not based on negligence, which you may have against us concerning the title to the land must be based on this Commitment and is subject to its terms

**First American Title  
Insurance Company  
National Commercial  
Services**



**The First American  
Corporation**

**PRIVACY POLICY**

**We Are Committed to Safeguarding Customer Information**

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

**Applicability**

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from public records or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our web site at [www.firstam.com](http://www.firstam.com).

**Types of Information**

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

**Use of Information**

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial services providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

**Former Customers**

Even if you are no longer our customer, our Privacy Policy will continue to apply.

**Confidentiality and Security**

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products and services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

**First American Title Insurance Company  
National Commercial Services**

**SCHEDULE A**

**ESCROW/CLOSING INQUIRIES** should be directed to your Escrow Officer: **Angelique Sizemore at (602)567-8100**

Effective Date: **May 20, 2014** at 7:30 a.m.

1. Policy or (Policies) to be issued:

ALTA 2006 Extended Owner's Policy for \$785,000.00

Proposed Insured:

**Taylor Morrison/Arizona, Inc., an Arizona corporation and The City of Scottsdale, an Arizona municipal corporation**

2. The estate or interest in the land described or referred to in this commitment and covered herein is fee simple and title thereto is at the effective date hereof vested in:

**Douglas daCosta, husband of Teresa M. daCosta dealing with his sole and separate property and Michael Greven, husband of Jan Greven dealing with his sole and separate property**

3. Title to the estate or interest in the land upon issuance of the policy shall be vested in:

**Taylor Morrison/Arizona, Inc., an Arizona corporation and The City of Scottsdale, an Arizona municipal corporation**

4. The land referred to in this Commitment is located in Maricopa County, AZ and is described as:

**SEE EXHIBIT "A" ATTACHED HEREIN**

Title officer: Mike S. Jones @ (602)567-8149/msjones@firstam.com.

**Pages 1 through 5 of this document consist of the Title Insurance Commitment contract and our Privacy Policy.**

**EXHIBIT "A"**

THAT PART OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 33;

THENCE NORTH 0 DEGREES 49 MINUTES WEST ALONG THE EAST LINE OF SAID SECTION, A DISTANCE OF 901.24 FEET TO A BRASS CAP PIPE;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 2638.54 FEET, MORE OR LESS, TO A POINT ON THE NORTH-SOUTH MIDSECTION LINE OF SAID SECTION 33, AND THE TRUE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED AND THE NORTHWEST CORNER THEREOF;

THENCE SOUTH ALONG THE NORTH-SOUTH MIDSECTION LINE OF SAID SECTION 33, A DISTANCE OF 869.85 FEET, MORE OR LESS, TO ANOTHER BRASS CAP AND THE SOUTHWEST CORNER OF SAID PROPERTY;

THENCE EAST 240.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 33;

THENCE NORTH 0 DEGREES 49 MINUTES WEST, A DISTANCE OF 872.17 FEET, MORE OR LESS, TO A POINT, SAID POINT BEING THE NORTHEAST CORNER OF SAID PROPERTY;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST, A DISTANCE OF 240.23 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

EXCEPT THE SOUTH 33.00 FEET THEREOF.

**First American Title Insurance Company  
National Commercial Services**

**SCHEDULE B**

**PART TWO:**

1. Taxes for the full year of 2014.  
(The first half is due October 1, 2014 and is delinquent November 1, 2014. The second half is due March 1, 2015 and is delinquent May 1, 2015 .)
2. Reservations or Exceptions in Patents, or in Acts authorizing the issuance thereof.
3. An easement for electric lines and incidental purposes in the document recorded as Book 74 of Miscellaneous, Page 207.
4. Agreement regarding water lines over an undefined portions of said land recorded in Docket 447, Page 571.
5. An easement for roadway and incidental purposes in the document recorded as Docket 10528 and Page 1049.
6. An easement for roadway and incidental purposes in the document recorded as Docket 15541 and Page 232, and thereafter abandonment of the North 10 feet of the South 55 feet recorded as 87-076145 of Official Records.
7. An easement for slope and grading and incidental purposes in the document recorded as 2006-0088743 of Official Records.
8. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/ACSM survey made by \_\_\_\_\_ on \_\_\_\_\_, designated Job Number \_\_\_\_\_:  
\_\_\_\_\_
9. The rights of parties in possession by reason of any unrecorded lease or leases or month to month tenancies affecting any portion of the within described property.  
  
NOTE: This matter will be more fully set forth or deleted upon compliance with the applicable requirement(s) set forth herein.
10. Water rights, claims or title to water, whether or not shown by the public records.

**End of Schedule B**

**First American Title Insurance Company  
National Commercial Services**

**REQUIREMENTS:**

1. Compliance with A.R.S. 11-480 relative to all documents to be recorded in connection herewith. See note at end of this section for details.
2. Pay all of 2013 taxes.

(First half now delinquent and interest must be added)

NOTE: Taxes are assessed in the total amount of \$2,577.48 for the year 2013 under Assessor's Parcel No. 216-80-007G 4.

3. Record full release and reconveyance of a Deed of Trust securing an original indebtedness in the amount of \$600,000.00, recorded December 16, 2005 as 2005-1905465 of Official Records.  
Dated: December 09, 2005  
Trustor: Douglas A. DaCosta, husband of Teresa DaCosta, as his sole and separate property  
Trustee: Stearns Bank Arizona National Association  
Beneficiary: Stearns Bank Arizona National Association

Note: Assignment of Rents recorded December 16, 2005 as 2005-1905466 of Official Records.

4. Record Full Release of a financing statement recorded December 16, 2005 as 2005-1905467 of Official Records.  
Debtor: Douglas A. DaCosta and Michael Greven  
Secured Party: Stearns Bank Arizona National Association

A continuation statement was recorded July 08, 2010 as 2010-0578054 of Official Records.

5. Furnish Plat of Survey of the subject property by a Registered Land Surveyor in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" which became effective February 23, 2011. Said Plat of survey shall include the required certification and, at a minimum, also have shown thereon Items 1, 8, 11(b), 16, 17, 20(a), and 20(b) from Table A thereof. If zoning assurances are requested, Items 7(a), 7(b), 7(c) and 9 from Table A and information regarding the usage of the property must be included.

NOTE: If a Zoning Endorsement is requested, Items 7(a), 7(b) and 7(c) of Table A will also be required. If "parking" is to be added to the endorsement, the number and type of parking spaces must be shown on the survey. Property use information must also be provided to First American Title Insurance Company.

6. Furnish copies of any existing leases affecting the within described property and insertion of said leases in Schedule B of the Policy of Title Insurance.

7. Record Warranty Deed from Douglas daCosta, husband of Teresa M. daCosta dealing with his sole and separate property and Michael Greven, husband of Jan Greven dealing with his sole and separate property to Buyer(s).

NOTE: If this will be other than a Cash Transaction, notify the title department prior to close and additional requirements will be made.

8. Return to title department for final recheck before recording.

NOTE: In connection with Arizona Revised Statutes 11-480, as of January 1, 1991, the County Recorder may not accept documents for recording that do not comply with the following:

- a. Print must be ten-point type or larger.
- b. A margin of two inches at the top of the first page for recording and return address information and margins of one-half inch along other borders of every page.
- c. Each instrument shall be no larger than 8-1/2 inches in width and 14 inches in length.

DISCLOSURE NOTE: In the event any Affidavit required pursuant to A.R.S. §33-422 has been, or will be, recorded pertaining to the land, such Affidavit is not reflected in this Commitment nor will it be shown in any policy to be issued in connection with this Commitment. The statute applies only to unsubdivided land in an unincorporated area of a county.

NOTE: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

**End of Requirements**

**INFORMATION**

The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

**THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.**

---



**COMMITMENT FOR TITLE INSURANCE**

**ISSUED BY**

First American Title Insurance Company  
through its Division

***First American Title Insurance Company***

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EXCEPTIONS - PART TWO ..... Schedule B (inside)

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REQUIREMENTS (Continued) .....Requirements (inside)

CONDITIONS ..... on the third page

**YOU SHOULD READ THE COMMITMENT VERY CAREFULLY**

If you have any questions about the Commitment, contact:

***First American Title Insurance Company National Commercial Services***  
***2425 E. Camelback Road, Suite 300, Phoenix, AZ 85016***

## AGREEMENT TO ISSUE POLICY

**We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the date shown in Schedule A.**

**If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.**

**Our obligation under the Commitment is limited by the following:**

**The Provisions in Schedule A  
The Requirements  
The Exceptions in Schedule B - Parts 1 and 2  
The Conditions**

**This Commitment is not valid without SCHEDULE A and Parts 1 and 2 of SCHEDULE B.**

---

### SCHEDULE B - EXCEPTIONS

Any Policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

**Part One: (for use with 2006 ALTA policies)**

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests or claims that are not shown by the Public Records but which could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.

**Part One: (for use with 1992 and prior ALTA policies)**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; whether or not the aforementioned matters excepted are shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

**Part One of Schedule B will be eliminated from any A.L.T.A. Extended Coverage Policy, A.L.T.A. Plain Language Policy and policies with EAGLE Protection added. However, the same or similar exception may be made in Schedule B of those policies in conformity with Schedule B, Part Two of this Commitment.**

**REQUIREMENTS  
(Standard)**

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this commitment who will get interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.

(Continued on Requirements Page)

**CONDITIONS**

**1. DEFINITIONS**

- (a) "Mortgage" means mortgage, deed of trust or other security instrument.
- (b) "Public Records" means title records that give constructive notice of matters affecting the title according to the state law where the land is located.

**2. LATER DEFECTS**

The Exceptions in Schedule B may be amended to show any defects, liens or encumbrances that appear for the first time in the public records or are created or attached between the Commitment Date and the date on which all of the Requirements are met. We shall have no liability to you because of this amendment.

**3. EXISTING DEFECTS**

If any defects, liens or encumbrances existing at Commitment Date are not shown in Schedule B, we may amend Schedule B to show them. If we do amend Schedule B to show these defects, liens or encumbrances, we shall be liable to you according to Paragraph 4 below unless you knew of this information and did not tell us about it in writing.

**4. LIMITATION OF OUR LIABILITY**

Our only obligation is to issue to you the Policy referred to in this Commitment, when you have met its Requirements. If we have any liability to you for any loss you incur because of an error in this Commitment, our liability will be limited to your actual loss caused by your relying on this Commitment when you acted in good faith to:

comply with the Requirements

or

eliminate with our written consent any Exceptions shown in Schedule B

We shall not be liable for more than the Amount shown in Schedule A of this Commitment and our liability is subject to the terms of the Policy form to be issued to you.

**5. CLAIMS MUST BE BASED ON THIS COMMITMENT**

Any claims, whether or not based on negligence, which you may have against us concerning the title to the land must be based on this Commitment and is subject to its terms

**First American Title  
Insurance Company  
National Commercial  
Services**



**The First American  
Corporation**

**PRIVACY POLICY**

**We Are Committed to Safeguarding Customer Information**

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

**Applicability**

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from public records or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our web site at [www.firstam.com](http://www.firstam.com).

**Types of Information**

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

**Use of Information**

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial services providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

**Former Customers**

Even if you are no longer our customer, our Privacy Policy will continue to apply.

**Confidentiality and Security**

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products and services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

**First American Title Insurance Company  
National Commercial Services**

**SCHEDULE A**

**ESCROW/CLOSING INQUIRIES** should be directed to your Escrow Officer: **Angelique Sizemore at (602)567-8100**

Effective Date: **April 22, 2014** at 7:30 a.m.

1. Policy or (Policies) to be issued:

ALTA 2006 Extended Owner's Policy ~~for \$0.00~~

Proposed Insured:  
**City of Scottsdale**

2. The estate or interest in the land described or referred to in this commitment and covered herein is fee simple and title thereto is at the effective date hereof vested in:

**Taylor Morrison/Arizona, Inc., an Arizona corporation**

3. Title to the estate or interest in the land upon issuance of the policy shall be vested in:

**City of Scottsdale**

4. The land referred to in this Commitment is located in Maricopa County, AZ and is described as:

**SEE EXHIBIT "A " ATTACHED HEREIN**

Title officer: Ron B. Robertson @ (602)567-8160/rrobertson@firstam.com.

**Pages 1 through 5 of this document consist of the Title Insurance Commitment contract and our Privacy Policy.**

**EXHIBIT "A"**

PARCEL 1:

BEING A PORTION OF THE SOUTH HALF, SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, AN ASSUMED BEARING, ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, FOR A DISTANCE OF 133.46 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 385.17 FEET;

THENCE SOUTHERLY TO A POINT WHICH LIES 465.79 FEET ALONG A COURSE, WHICH RUNS SOUTH 71 DEGREES 51 MINUTES 41 SECONDS EAST FROM A POINT ON THE EAST RIGHT OF WAY LINE OF PINNACLE PEAK ROAD WHICH POINT IS 345.67 FEET ALONG A COURSE RUNNING SOUTHERLY ALONG THE EAST RIGHT OF WAY LINE OF PINNACLE PEAK ROAD FROM THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTHERLY ON A COURSE WHICH IS SOUTH 2 DEGREES 11 MINUTES 05 SECONDS WEST 75 FEET;

THENCE WESTERLY ON A COURSE WHICH IS NORTH 71 DEGREES 51 MINUTES 41 SECONDS WEST TO THE EAST RIGHT OF WAY LINE OF PINNACLE PEAK ROAD AND;

THENCE NORTHERLY ALONG THE EAST RIGHT OF WAY LINE OF PINNACLE PEAK ROAD TO THE TRUE POINT OF BEGINNING AS GENERALLY DEPICTED ON THE ROUGH MAP INITIALED BY THE PARTIES;

EXCEPT THE FOLLOWING DESCRIBED PARCELS CONVEYED TO THE CITY OF SCOTTSDALE IN DEED RECORDED IN RECORDING NO. 2004-0761655:

PARCEL A:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33,

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, AN ASSUMED BEARING ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, A DISTANCE OF 133.46 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF ALMA SCHOOL PARKWAY, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, ALONG SAID EAST-WEST MID-SECTION LINE A DISTANCE OF 15.00 FEET;

THENCE SOUTH 33 DEGREES 19 MINUTES 57 SECONDS WEST, A DISTANCE OF 75.83 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ALMA SCHOOL PARKWAY;

THENCE NORTH 22 DEGREES 50 MINUTES 30 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE A

DISTANCE OF 68.70 FEET TO TRUE POINT OF BEGINNING.

PARCEL B:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33,

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, AN ASSUMED BEARING ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, A DISTANCE OF 242.58 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF PINNACLE VISTA DRIVE, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, ALONG SAID EAST-WEST MID-SECTION LINE A DISTANCE OF 276.05 FEET;

THENCE SOUTH 9 DEGREES 16 MINUTES 00 SECONDS WEST, A DISTANCE OF 25.34 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, 25 FEET SOUTH OF AND PARALLEL TO SAID EAST-WEST MID-SECTION LINE A DISTANCE OF 157.33 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE NORTHERLY, AND HAVING A RADIUS OF 275.00 FEET;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 24 DEGREES 37 MINUTES 12 SECONDS, A DISTANCE OF 118.17 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

THAT PART OF THE SOUTH HALF OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 33;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST ALONG THE EAST-WEST MID-SECTION LINE A DISTANCE OF 1379.46 FEET TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS 83-065419, MARICOPA COUNTY RECORDERS' OFFICE;

THENCE SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, A DISTANCE OF 346.33 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS 83-065419, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS 84-218953;

THENCE SOUTH 89 DEGREES 48 MINUTES 45 SECONDS WEST, A DISTANCE OF 315.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS 84-218953;

THENCE SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS 84-218953, A DISTANCE OF 267.70 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, A DISTANCE OF 95.00 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 315.00 FEET;

THENCE SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, A DISTANCE OF 330.34 FEET TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS 92-247646;

THENCE CONTINUING SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS 92-247646 A DISTANCE OF 50.00 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 100.00 FEET;

THENCE SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, A DISTANCE OF 200.00 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 165.00 FEET;

THENCE NORTH 0 DEGREES 12 MINUTES 05 SECONDS WEST, A DISTANCE OF 170.00 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 240.00 FEET;

THENCE NORTH 0 DEGREES 12 MINUTES 05 SECONDS WEST, A DISTANCE OF 205.75 FEET;

THENCE NORTH 41 DEGREES 55 MINUTES 15 SECONDS WEST, A DISTANCE OF 533.56 FEET TO A POINT ON THE EAST RIGHT OF WAY OF THE ROADWAY DESCRIBED IN DOCKET 6492, PAGE 78, MARICOPA COUNTY RECORDS;

THENCE NORTH 27 DEGREES 26 MINUTES 30 SECONDS EAST ALONG SAID RIGHT OF WAY, A DISTANCE OF 51.44 FEET (SAID POINT BEING SOUTH 10 DEGREES 15 MINUTES 23 SECONDS WEST, 477.99 FEET FROM THE CENTER QUARTER CORNER OF SAID SECTION 33);

THENCE SOUTH 56 DEGREES 38 MINUTES 38 SECONDS EAST, A DISTANCE OF 137.24 FEET;

THENCE SOUTH 40 DEGREES 43 MINUTES 25 SECONDS EAST, A DISTANCE OF 261.89 FEET;

THENCE NORTH 85 DEGREES 05 MINUTES 07 SECONDS EAST, A DISTANCE OF 503.38 FEET;

THENCE NORTH 0 DEGREES 12 MINUTES 05 SECONDS WEST, A DISTANCE OF 89.08 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, A DISTANCE OF 365.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 3:

THAT PART OF THE SOUTH HALF OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION AND RUN THENCE NORTH 89 DEGREES 50 MINUTES EAST 1385.3 FEET;

THENCE SOUTH 0 DEGREES 5 MINUTES EAST 346.1 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 315 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES EAST 692 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 315 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES EAST 700 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 1443.35 FEET;

THENCE NORTH 21 DEGREES 29 MINUTES EAST ALONG THE EASTERLY LINE OF THE PREMISES CONVEYED TO LOIS KELLOGG MAURY BY DEED RECORDED IN BOOK 578 OF DEEDS, PAGE 255,

RECORDS OF MARICOPA COUNTY, ARIZONA, 1870.16 FEET TO THE POINT OF BEGINNING;

EXCEPT THE FOLLOWING DESCRIBED PARCELS:

PARCEL A:

BEGINNING AT A POINT WHICH IS SOUTH 21 DEGREES 29 MINUTES WEST 1117.04 FEET FROM THE CENTER OF SAID SECTION 33 ALONG THE EASTERLY LINE OF THE PREMISES CONVEYED TO LOIS KELLOGG MAURY BY DEED AND RECORDED IN BOOK 578 OF DEEDS, PAGE 255, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 50 MINUTES EAST 418.16 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES EAST 350 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 556.58 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES;

THENCE NORTH 21 DEGREES 29 MINUTES EAST 376.56 FEET ALONG THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES TO THE TRUE POINT OF BEGINNING; AND

PARCEL B:

BEGINNING AT A POINT WHICH IS SOUTH 21 DEGREES 29 MINUTES WEST 1493.60 FEET FROM THE CENTER OF SAID SECTION 33, ALONG THE EASTERLY LINE OF THE PREMISES CONVEYED TO LOIS KELLOGG MAURY BY DEED RECORDED IN BOOK 578 OF DEEDS, PAGE 255, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 50 MINUTES EAST 556.58 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES EAST 350 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 695.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES;

THENCE NORTH 21 DEGREES 29 MINUTES EAST 376.56 FEET ALONG THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES TO THE TRUE POINT OF BEGINNING; AND

PARCEL C:

BEGINNING AT A POINT WHICH IS SOUTH 21 DEGREES 29 MINUTES WEST 987.93 FEET FROM THE CENTER OF SAID SECTION 33, ALONG THE EASTERLY LINE OF THE PREMISES CONVEYED TO LOIS KELLOGG MAURY BY DEED RECORDED IN BOOK 578 OF DEEDS, PAGE 255, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 50 MINUTES EAST, A DISTANCE OF 370.71 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES EAST, A DISTANCE OF 120 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST A DISTANCE OF 418.16 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES;

THENCE NORTH 21 DEGREES 29 MINUTES EAST, ALONG THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES, A DISTANCE OF 129.11 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL D:

CONSISTING OF:

A PORTION OF THE SOUTH HALF OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 33;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, AN ASSUMED BEARING ALONG THE EAST-WEST MIDSECTION LINE OF SAID SECTION 33, FOR A DISTANCE OF 46.64 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF PINNACLE PEAK ROAD;

THENCE SOUTH 22 DEGREES 41 MINUTES 30 SECONDS WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, FOR A DISTANCE OF 179.34 FEET;

THENCE NORTH 65 DEGREES 25 MINUTES 24 SECONDS WEST FOR A DISTANCE OF 39.64 FEET TO A POINT ON THE EAST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN BOOK 578 OF DEEDS, PAGE 255;

THENCE NORTH 21 DEGREES 29 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE, FOR A DISTANCE OF 159.96 FEET TO THE TRUE POINT OF BEGINNING; AND

PARCEL 1, AS DESCRIBED IN DETAIL ABOVE; AND PARCEL 2, AS DESCRIBED IN DETAIL ABOVE.

PARCEL E:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE 1/2" REBAR WITH CAP LS#22281 MARKING THE CENTER OF SAID SECTION 33, FROM WHICH THE G.L.O. BRASS CAP MARKING THE EAST QUARTER CORNER OF SAID SECTION 33 BEARS NORTH 89°50'00" EAST, A DISTANCE OF 2,638.51 FEET AND FROM WHICH THE MARICOPA COUNTY BRASS CAP MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 33 BEARS SOUTH 00°13'053" EAST, A DISTANCE OF 2,642.44 FEET;

THENCE NORTH 89°50'00" EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, A DISTANCE OF 716.61 FEET;

THENCE SOUTH 00°10'00" EAST, A DISTANCE OF 25.00 FEET TO A POINT ON THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE CITY OF SCOTTSDALE IN WARRANTY DEED RECORDED IN DOCUMENT NO. 2006-0761656, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING A LINE WHICH IS PARALLEL WITH AND 25.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 89°50'00" EAST, ALONG SAID SOUTHERLY LINE AND SAID PARALLEL LINE, A DISTANCE OF 247.87 FEET;

THENCE SOUTH 00°12'05" EAST, A DISTANCE OF 271.70 FEET;

THENCE SOUTH 52°05'01" WEST, A DISTANCE OF 188.79 FEET;

THENCE SOUTH 89°50'00" WEST, A DISTANCE OF 42.45 FEET;

THENCE NORTH 37°55'04" WEST, A DISTANCE OF 66.41 FEET;

THENCE NORTH 00°10'00" WEST, A DISTANCE OF 42.45 FEET;

THENCE NORTH 52°05'01" EAST, A DISTANCE OF 40.95 FEET;

THENCE NORTH 00°12'05" WEST, A DISTANCE OF 95.00 FEET;

THENCE NORTH 24°39'03" WEST, A DISTANCE OF 115.75 FEET;

THENCE NORTH 00°10'00" WEST, A DISTANCE OF 66.90 FEET TO THE TRUE POINT OF BEGINNING.

AND EXCEPT THE FOLLOWING DESCRIBED PARCEL CONVEYED TO THE CITY OF SCOTTSDALE IN DEED RECORDED IN RECORDING NO. 2004-0761656:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, AN ASSUMED BEARING ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, A DISTANCE OF 518.63 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, ALONG SAID EAST-WEST MID-SECTION LINE, A DISTANCE OF 866.84 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES 00 SECONDS EAST, A DISTANCE OF 25.00 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, 25 FEET SOUTH OF AND PARALLEL TO SAID EAST-WEST MID-SECTION LINE, A DISTANCE OF 870.96 FEET;

THENCE NORTH 9 DEGREES 16 MINUTES 00 SECONDS EAST, A DISTANCE OF 25.34 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 4:

A PARCEL OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE & MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33;

THENCE SOUTH 89 DEGREES 58 MINUTES 42 SECONDS EAST ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, A DISTANCE OF 163.67 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF ALMA SCHOOL PARKWAY, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 27 DEGREES 44 MINUTES 18 SECONDS EAST, ALONG THE EASTERLY RIGHT OF WAY OF ALMA SCHOOL PARKWAY, A DISTANCE OF 6.30 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE SOUTHERLY, AND HAVING A RADIUS OF 30.00 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, A DISTANCE OF 47.12 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF PINNACLE VISTA DRIVE;

THENCE SOUTH 62 DEGREES 15 MINUTES 42 SECONDS EAST ALONG THE SOUTHERLY RIGHT OF WAY OF PINNACLE VISTA DRIVE, A DISTANCE OF 25.00 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE NORTHEASTERLY, AND HAVING A RADIUS OF 275.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 3 DEGREES 05 MINUTES 48 SECONDS, A DISTANCE OF 14.86 FEET TO A POINT ON THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33;

THENCE NORTH 89 DEGREES 58 MINUTES 42 SECONDS WEST, ALONG SAID MID-SECTION LINE, A DISTANCE OF 78.91 FEET TO THE TRUE POINT OF BEGINNING.

**First American Title Insurance Company  
National Commercial Services**

**SCHEDULE B**

**PART TWO:**

1. Taxes for the full year of 2014.  
(The first half is due October 1, 2014 and is delinquent November 1, 2014. The second half is due March 1, 2015 and is delinquent May 1, 2015 .)
2. Any charge upon said land by reason of its inclusion in Pinnacle Peak Village North Association.  
(All assessments due and payable are paid.)  
  
(Affects Parcel No. 4)
3. Reservations or Exceptions in Patents, or in Acts authorizing the issuance thereof.
4. Covenants, Conditions and Restrictions as set forth in document recorded in 1985-128823 of Official Records and Supplement recorded in 1985-425470 of Official Records and Amendment recorded in 1987-23350 of Official Records and Tract Declaration recorded in 1988-8791 of Official Records and Amendment recorded in 1987-199976 of Official Records and in 1989-558543 of Official Records and Amendment recorded in 1991-116347 of Official Records and in 1992-371749 of Official Records and in 1993-307880 of Official Records and in 1994-888304 of Official Records and in 1998-1059771 of Official Records and in 2000-0983759 of Official Records and in 2001-0223299 of Official Records and in 2006-1427122 of Official Records, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).  
  
(Affects Parcel No. 4)
5. An easement for electric lines and incidental purposes in the document recorded as Book 80 of Miscellaneous, Page 572.
6. An easement for water pipeline and incidental purposes in the document recorded as Docket 447 and Page 571.
7. An easement for roadway and incidental purposes in the document recorded as Docket 1823 and Page 199.
8. An easement for roadway and incidental purposes in the document recorded as Docket 1908 and Page 268.
9. An easement for electric line and incidental purposes in the document recorded as Docket 4847 and Page 397.

10. An easement for roadway and incidental purposes in the document recorded as Docket 13081 and Page 325.
11. An easement for roadway and incidental purposes in the document recorded as Docket 10396 and Page 902.
12. An easement for telephone and telegraph lines and facilities and incidental purposes in the document recorded as Docket 14919 and Page 431.
13. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/ACSM survey made by \_\_\_\_\_ on \_\_\_\_\_, designated Job Number \_\_\_\_\_:  
\_\_\_\_\_
14. The rights of parties in possession by reason of any unrecorded lease or leases or month to month tenancies affecting any portion of the within described property.  
  
NOTE: This matter will be more fully set forth or deleted upon compliance with the applicable requirement(s) set forth herein.
15. Water rights, claims or title to water, whether or not shown by the public records.

**End of Schedule B**

**First American Title Insurance Company  
National Commercial Services**

**REQUIREMENTS:**

1. Compliance with A.R.S. 11-480 relative to all documents to be recorded in connection herewith. See note at end of this section for details.
2. Pay second half of 2013 taxes.

NOTE: Taxes are assessed in the total amount of \$23,752.16 for the year 2013 under Assessor's Parcel No. 216-80-002N 9.

(Affects Parcel No. 2)

NOTE: Taxes are assessed in the total amount of \$83,778.96 for the year 2013 under Assessor's Parcel No. 216-80-002P 7.

(Affects Parcel No. 3)

(Covers More Property)

NOTE: Taxes are assessed in the total amount of \$34,359.70 for the year 2013 under Assessor's Parcel No. 216-80-002T 1.

(Affects Parcel No. 1)

NOTE: Taxes are assessed in the total amount of \$275.04 for the year 2013 under Assessor's Parcel No. 216-81-002Z 0.

(Affects Parcel No. 4)

3. Proper evidence showing that all assessments due and payable, levied by Pinnacle Peak Village North Association, have been paid to and including the closing date of this transaction.

(Affects Parcel No. 4)

4. Furnish Plat of Survey of the subject property by a Registered Land Surveyor in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" which became effective February 23, 2011. Said Plat of survey shall include the required certification and, at a minimum, also have shown thereon Items 1, 8, 11(b), 16, 17, 20(a), and 20(b) from Table A thereof. If zoning assurances are requested, Items 7(a), 7(b), 7(c) and 9 from Table A and information regarding the usage of the property must be included.

NOTE: If a Zoning Endorsement is requested, Items 7(a), 7(b) and 7(c) of Table A will also be required. If "parking" is to be added to the endorsement, the number and type of parking spaces must be shown on the survey. Property use information must also be provided to First American Title Insurance Company.

5. Furnish copies of any existing leases affecting the within described property and insertion of said leases in Schedule B of the Policy of Title Insurance.
6. Furnish a certified copy of a resolution by the Board of Directors of Taylor Morrison/Arizona, Inc., attested to by its secretary, authorizing this transaction and naming the officers authorized to execute the instruments necessary to complete this transaction.
7. Record Warranty Deed from Taylor Morrison/Arizona, Inc., an Arizona corporation to Buyer(s).

NOTE: If this will be other than a Cash Transaction, notify the title department prior to close and additional requirements will be made.

8. Return to title department for final recheck before recording.

NOTE: In connection with Arizona Revised Statutes 11-480, as of January 1, 1991, the County Recorder may not accept documents for recording that do not comply with the following:

- a. Print must be ten-point type or larger.
- b. A margin of two inches at the top of the first page for recording and return address information and margins of one-half inch along other borders of every page.
- c. Each instrument shall be no larger than 8-1/2 inches in width and 14 inches in length.

DISCLOSURE NOTE: In the event any Affidavit required pursuant to A.R.S. §33-422 has been, or will be, recorded pertaining to the land, such Affidavit is not reflected in this Commitment nor will it be shown in any policy to be issued in connection with this Commitment. The statute applies only to unsubdivided land in an unincorporated area of a county.

NOTE: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

**End of Requirements**

**First American Title**

When recorded, return to:  
Taylor Morrison/Arizona, Inc.  
Attention: Lynne Dugan  
9000 E. Pima Center Parkway  
Suite 350  
Scottsdale, Arizona 85258

642425-14-4-3--  
mcdevittr

NCS 642425  
313

**SPECIAL WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS:

FOR THE CONSIDERATION of the sum of Ten Dollars (\$10.00) and other valuable considerations, the undersigned, **THE GEORGE R. CAVALLIERE TRUST UNDER DECLARATION OF TRUST DATED NOVEMBER 15, 1995, AS AMENDED**, and **G.R.C. REATA PASS PROPERTY, L.L.L.P., an Arizona limited liability limited partnership** (collectively "Grantor") does hereby grant, sell, and convey to **TAYLOR MORRISON/ARIZONA, Inc., an Arizona corporation** ("Grantee"), the following real property situated in Maricopa County, Arizona (the "Property"):

See Exhibit A attached hereto and by this reference made a part hereof;

TOGETHER WITH all and singular the appurtenances, rights, easements, rights of way, tenements and hereditaments incident or belonging thereto, and all of the estate, right, title, interest and claims, either at law or in equity or otherwise, of Grantor of, in, to or out of the said Property including, without limitation, (i) all buildings, structures and improvements located or to be located thereon, including, without limitation, all irrigation ditches, gates, valves, pumps, tanks, and wells; (ii) all appurtenances, hereditaments, easements, rights-of-way, reversions, remainders, development rights, well rights, water rights, and air rights attributable to the Property; (iii) all oil, gas, and mineral rights not previously reserved to the extent attributable to the Property; (iv) any rights of Grantor to any adjoining strips, gaps, or gores of property and any land lying within the bed of any adjoining street, highway, or waterway relating to the Property; and (v) any other rights or privileges appurtenant to the Property or used in connection therewith.

SUBJECT to taxes not yet delinquent and other assessments, reservation in patents and all easements, rights of way, covenants, conditions, restrictions, obligations and liabilities as may appear of record, the title to the Property is hereby warranted by Grantor against the acts of Grantor and those claiming by, through or under Grantor, and none other. Grantor hereby quits all water rights appurtenant to the Property held by Grantor.

PURSUANT to A.R.S § 33-404, as amended, the names and addresses of the beneficiaries of The George R. Cavalliere Trust are identified on Exhibit B attached hereto and by this reference made a part hereof.

[Signature and Acknowledgment pages follow]

12-ZN-2014  
6/11/2014



**GRANTOR:**

**G.R.C. REATA PASS PROPERTY,  
L.L.L.P., an Arizona limited liability limited  
partnership**

By: THE GEORGE R. CAVALLIERE  
TRUST UNDER DECLARATION OF  
TRUST DATED NOVEMBER 15,  
1995, AS AMENDED

Its: General Partner

By: BMO Harris Bank NA  
Its: Trustee

By: *Greg Oliver*  
Name: Greg Oliver  
Its: Vice President

STATE OF ARIZONA        )  
  ) ss.  
County of Maricopa        )

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of March, 2014, by Greg Oliver, the Vice President of BMO Harris Bank NA, the Trustee of The George R. Cavalliere Trust Under Declaration of Trust Dated November 15, 1995, as Amended, the General Partner of **G.R.C. REATA PASS PROPERTY, L.L.L.P., an Arizona limited liability limited partnership**, on behalf thereof.

*LaDonna Henry*  
Notary Public

03-09-2015  
My commission expires:

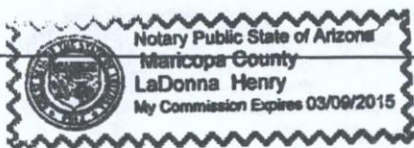


Exhibit A

Legal Description for Property

**PARCEL 1(1A):**

DELETED INTENTIONALLY.

**PARCEL 1(1B):**

BEING A PORTION OF THE SOUTH HALF, SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, AN ASSUMED BEARING, ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, FOR A DISTANCE OF 133.46 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 385.17 FEET;

THENCE SOUTHERLY TO A POINT WHICH LIES 465.79 FEET ALONG A COURSE, WHICH RUNS SOUTH 71 DEGREES 51 MINUTES 41 SECONDS EAST FROM A POINT ON THE EAST RIGHT OF WAY LINE OF PINNACLE PEAK ROAD WHICH POINT IS 345.67 FEET ALONG A COURSE RUNNING SOUTHERLY ALONG THE EAST RIGHT OF WAY LINE OF PINNACLE PEAK ROAD FROM THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTHERLY ON A COURSE WHICH IS SOUTH 2 DEGREES 11 MINUTES 05 SECONDS WEST 75 FEET;

THENCE WESTERLY ON A COURSE WHICH IS NORTH 71 DEGREES 51 MINUTES 41 SECONDS WEST TO THE EAST RIGHT OF WAY LINE OF PINNACLE PEAK ROAD AND;

THENCE NORTHERLY ALONG THE EAST RIGHT OF WAY LINE OF PINNACLE PEAK ROAD TO THE TRUE POINT OF BEGINNING AS GENERALLY DEPICTED ON THE ROUGH MAP INITIALED BY THE PARTIES;

EXCEPT THE FOLLOWING DESCRIBED PARCELS CONVEYED TO THE CITY OF SCOTTSDALE IN DEED RECORDED IN RECORDING NO. 2004-0761655:

PARCEL A:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33,

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, AN ASSUMED BEARING ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, A DISTANCE OF 133.46 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF ALMA SCHOOL PARKWAY, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, ALONG SAID EAST-WEST MID-SECTION LINE A DISTANCE OF 15.00 FEET;

THENCE SOUTH 33 DEGREES 19 MINUTES 57 SECONDS WEST, A DISTANCE OF 75.83 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ALMA SCHOOL PARKWAY;

THENCE NORTH 22 DEGREES 50 MINUTES 30 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 68.70 FEET TO TRUE POINT OF BEGINNING.

PARCEL B:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33,

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, AN ASSUMED BEARING ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, A DISTANCE OF 242.58 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF PINNACLE VISTA DRIVE, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, ALONG SAID EAST-WEST MID-SECTION LINE A DISTANCE OF 276.05 FEET;

THENCE SOUTH 9 DEGREES 16 MINUTES 00 SECONDS WEST, A DISTANCE OF 25.34 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, 25 FEET SOUTH OF AND PARALLEL TO SAID EAST-WEST MID-SECTION LINE A DISTANCE

OF 157.33 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE NORTHERLY, AND HAVING A RADIUS OF 275.00 FEET;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 24 DEGREES 37 MINUTES 12 SECONDS, A DISTANCE OF 118.17 FEET TO THE TRUE POINT OF BEGINNING.

**PARCEL 2:**

THAT PART OF THE SOUTH HALF OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 33;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST ALONG THE EAST-WEST MID-SECTION LINE A DISTANCE OF 1379.46 FEET TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS 83-065419, MARICOPA COUNTY RECORDERS' OFFICE;

THENCE SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, A DISTANCE OF 346.33 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS 83-065419, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS 84-218953;

THENCE SOUTH 89 DEGREES 48 MINUTES 45 SECONDS WEST, A DISTANCE OF 315.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS 84-218953;

THENCE SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS 84-218953, A DISTANCE OF 267.70 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, A DISTANCE OF 95.00 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 315.00 FEET;

THENCE SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, A DISTANCE OF 330.34 FEET TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS 92-247646;

THENCE CONTINUING SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS 92-247646 A DISTANCE OF 50.00 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 100.00 FEET;

THENCE SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, A DISTANCE OF 200.00 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 165.00 FEET;

THENCE NORTH 0 DEGREES 12 MINUTES 05 SECONDS WEST, A DISTANCE OF 170.00 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 240.00 FEET;

THENCE NORTH 0 DEGREES 12 MINUTES 05 SECONDS WEST, A DISTANCE OF 205.75 FEET;

THENCE NORTH 41 DEGREES 55 MINUTES 15 SECONDS WEST, A DISTANCE OF 533.56 FEET TO A POINT ON THE EAST RIGHT OF WAY OF THE ROADWAY DESCRIBED IN DOCKET 6492, PAGE 78, MARICOPA COUNTY RECORDS;

THENCE NORTH 27 DEGREES 26 MINUTES 30 SECONDS EAST ALONG SAID RIGHT OF WAY, A DISTANCE OF 51.44 FEET (SAID POINT BEING SOUTH 10 DEGREES 15 MINUTES 23 SECONDS WEST, 477.99 FEET FROM THE CENTER QUARTER CORNER OF SAID SECTION 33);

THENCE SOUTH 56 DEGREES 38 MINUTES 38 SECONDS EAST, A DISTANCE OF 137.24 FEET;

THENCE SOUTH 40 DEGREES 43 MINUTES 25 SECONDS EAST, A DISTANCE OF 261.89 FEET;

THENCE NORTH 85 DEGREES 05 MINUTES 07 SECONDS EAST, A DISTANCE OF 503.38 FEET;

THENCE NORTH 0 DEGREES 12 MINUTES 05 SECONDS WEST, A DISTANCE OF 89.08 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, A DISTANCE OF 365.00 FEET TO THE TRUE POINT OF BEGINNING.

**PARCEL 3:**

THAT PART OF THE SOUTH HALF OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION AND RUN THENCE NORTH 89 DEGREES 50 MINUTES EAST 1385.3 FEET;

THENCE SOUTH 0 DEGREES 5 MINUTES EAST 346.1 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 315 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES EAST 692 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 315 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES EAST 700 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 1443.35 FEET;

THENCE NORTH 21 DEGREES 29 MINUTES EAST ALONG THE EASTERLY LINE OF THE PREMISES CONVEYED TO LOIS KELLOGG MAURY BY DEED RECORDED IN BOOK 578 OF DEEDS, PAGE 255, RECORDS OF MARICOPA COUNTY, ARIZONA, 1870.16 FEET TO THE POINT OF BEGINNING;

EXCEPT THE FOLLOWING DESCRIBED PARCELS:

**PARCEL A:**

BEGINNING AT A POINT WHICH IS SOUTH 21 DEGREES 29 MINUTES WEST 1117.04 FEET FROM THE CENTER OF SAID SECTION 33 ALONG THE EASTERLY LINE OF THE PREMISES CONVEYED TO LOIS KELLOGG MAURY BY DEED AND RECORDED IN BOOK 578 OF DEEDS, PAGE 255, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 50 MINUTES EAST 418.16 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES EAST 350 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 556.58 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES;

THENCE NORTH 21 DEGREES 29 MINUTES EAST 376.56 FEET ALONG THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES TO THE TRUE POINT OF BEGINNING; AND

PARCEL B:

BEGINNING AT A POINT WHICH IS SOUTH 21 DEGREES 29 MINUTES WEST 1493.60 FEET FROM THE CENTER OF SAID SECTION 33, ALONG THE EASTERLY LINE OF THE PREMISES CONVEYED TO LOIS KELLOGG MAURY BY DEED RECORDED IN BOOK 578 OF DEEDS, PAGE 255, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 50 MINUTES EAST 556.58 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES EAST 350 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 695.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES;

THENCE NORTH 21 DEGREES 29 MINUTES EAST 376.56 FEET ALONG THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES TO THE TRUE POINT OF BEGINNING; AND

PARCEL C:

BEGINNING AT A POINT WHICH IS SOUTH 21 DEGREES 29 MINUTES WEST 987.93 FEET FROM THE CENTER OF SAID SECTION 33, ALONG THE EASTERLY LINE OF THE PREMISES CONVEYED TO LOIS KELLOGG MAURY BY DEED RECORDED IN BOOK 578 OF DEEDS, PAGE 255, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 50 MINUTES EAST, A DISTANCE OF 370.71 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES EAST, A DISTANCE OF 120 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST A DISTANCE OF 418.16 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES;

THENCE NORTH 21 DEGREES 29 MINUTES EAST, ALONG THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES, A DISTANCE OF 129.11 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL D:

## CONSISTING OF:

A PORTION OF THE SOUTH HALF OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 33;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, AN ASSUMED BEARING ALONG THE EAST-WEST MIDSECTION LINE OF SAID SECTION 33, FOR A DISTANCE OF 46.64 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF PINNACLE PEAK ROAD;

THENCE SOUTH 22 DEGREES 41 MINUTES 30 SECONDS WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, FOR A DISTANCE OF 179.34 FEET;

THENCE NORTH 65 DEGREES 25 MINUTES 24 SECONDS WEST FOR A DISTANCE OF 39.64 FEET TO A POINT ON THE EAST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN BOOK 578 OF DEEDS, PAGE 255;

THENCE NORTH 21 DEGREES 29 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE, FOR A DISTANCE OF 159.96 FEET TO THE TRUE POINT OF BEGINNING; AND

PARCEL 1 (1B), AS DESCRIBED IN DETAIL ABOVE; AND PARCEL 2, AS DESCRIBED IN DETAIL ABOVE.

PARCEL E:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE 1/2" REBAR WITH CAP LS#22281 MARKING THE CENTER OF SAID SECTION 33, FROM WHICH THE G.L.O. BRASS CAP MARKING THE EAST QUARTER CORNER OF SAID SECTION 3 BEARS NORTH 89°50'00" EAST, A DISTANCE OF 2,638.51 FEET AND FROM WHICH THE MARICOPA COUNTY BRASS CAP MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 33 BEARS SOUTH 00°13'053" EAST, A DISTANCE OF 2,642.44 FEET;

THENCE NORTH 89°50'00" EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, A DISTANCE OF 716.61 FEET;

THENCE SOUTH 00°10'00" EAST, A DISTANCE OF 25.00 FEET TO A POINT ON THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE CITY OF SCOTTSDALE IN WARRANTY DEED RECORDED IN DOCUMENT NO. 2006-0761656, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING A LINE WHICH IS PARALLEL WITH AND 25.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 89°50'00" EAST, ALONG SAID SOUTHERLY LINE AND SAID PARALLEL LINE, A DISTANCE OF 247.87 FEET;

THENCE SOUTH 00°12'05" EAST, A DISTANCE OF 271.70 FEET;

THENCE SOUTH 52°05'01" WEST, A DISTANCE OF 188.79 FEET;

THENCE SOUTH 89°50'00" WEST, A DISTANCE OF 42.45 FEET;

THENCE NORTH 37°55'04" WEST, A DISTANCE OF 66.41 FEET;

THENCE NORTH 00°10'00" WEST, A DISTANCE OF 42.45 FEET;

THENCE NORTH 52°05'01" EAST, A DISTANCE OF 40.95 FEET;

THENCE NORTH 00°12'05" WEST, A DISTANCE OF 95.00 FEET;

THENCE NORTH 24°39'03" WEST, A DISTANCE OF 115.75 FEET;

THENCE NORTH 00°10'00" WEST, A DISTANCE OF 66.90 FEET TO THE TRUE POINT OF BEGINNING.

AND EXCEPT THE FOLLOWING DESCRIBED PARCEL CONVEYED TO THE CITY OF SCOTTSDALE IN DEED RECORDED IN RECORDING NO. 2004-0761656:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, AN ASSUMED BEARING ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, A DISTANCE OF 518.63 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, ALONG SAID EAST-WEST MID-SECTION LINE, A DISTANCE OF 866.84 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES 00 SECONDS EAST, A DISTANCE OF 25.00 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, 25 FEET SOUTH OF AND PARALLEL TO SAID EAST-WEST MID-SECTION LINE, A DISTANCE OF 870.96 FEET;

THENCE NORTH 9 DEGREES 16 MINUTES 00 SECONDS EAST, A DISTANCE OF 25.34 FEET TO THE TRUE POINT OF BEGINNING.

**PARCEL 4:**

A PARCEL OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE & MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33;

THENCE SOUTH 89 DEGREES 58 MINUTES 42 SECONDS EAST ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, A DISTANCE OF 163.67 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF ALMA SCHOOL PARKWAY, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 27 DEGREES 44 MINUTES 18 SECONDS EAST, ALONG THE EASTERLY RIGHT OF WAY OF ALMA SCHOOL PARKWAY, A DISTANCE OF 6.30 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE SOUTHERLY, AND HAVING A RADIUS OF 30.00 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, A DISTANCE OF 47.12 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF PINNACLE VISTA DRIVE;

THENCE SOUTH 62 DEGREES 15 MINUTES 42 SECONDS EAST ALONG THE SOUTHERLY RIGHT OF WAY OF PINNACLE VISTA DRIVE, A DISTANCE OF 25.00 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE NORTHEASTERLY, AND HAVING A RADIUS OF 275.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 3 DEGREES 05 MINUTES 48 SECONDS, A DISTANCE OF 14.86 FEET TO A POINT ON THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33;

THENCE NORTH 89 DEGREES 58 MINUTES 42 SECONDS WEST, ALONG SAID MID-SECTION LINE, A DISTANCE OF 78.91 FEET TO THE TRUE POINT OF BEGINNING.

Exhibit B

**ARS SECTION 33-404 DISCLOSURE**

Beneficiaries of The George R. Cavalliere Trust:

GEORGE A CAVALLIERE  
3805 N BROWN AVE  
SCOTTSDALE AZ 85251

JACOB ANDREW JOHNSON  
331 S. PLEASANT ST.  
PRESCOTT, AZ 86303

JOSHUA MORGAN JOHNSON  
10933 E. PINNACLE VISTA DR.  
SCOTTSDALE, AZ 85262

JUSTIN ALLEN JOHNSON  
10933 E. PINNACLE VISTA DR.  
SCOTTSDALE, AZ 85262

STANLEY CARKIN  
10981 E. PINNACLE VISTA DR.  
SCOTTSDALE, AZ 85262

JOYCE ELLER  
10999 EAST PINNACLE VISTA DR.  
SCOTTSDALE, AZ 85262

Exhibit B

20140143087 03/05/2014 04:28  
ELECTRONIC RECORDING  
SALES AFFIDAVIT  
642425-7-4-4-Y-  
mcdevittr

**AFFIDAVIT OF PROPERTY VALUE**

1. ASSESSOR'S PARCEL IDENTIFICATION NUMBER(S)

Primary Parcel: 216-80-002N  
BOOK MAP PARCEL SPLIT

Does this sale include any parcels that are being split / divided?

Check one: Yes  No

How many parcels, other than the Primary Parcel, are included in this sale? 3

Please list the additional parcels below (attach list if necessary):

(1) 216-80-002P (2) 216-80-002T  
(3) 216-81-002Z (4) \_\_\_\_\_

2. SELLER'S NAME AND ADDRESS:

BMO Harris Bank N.A., Trustee and G.R.C. Reata Pass Property, L.L.L.P.  
c/o BMO Harris Bank NA 14850 N. Scottsdale Rd., STE 300  
Scottsdale, AZ 85254

3. (a) BUYER'S NAME AND ADDRESS:

Taylor Morrison/Arizona, Inc.  
9000 East Pima Center Parkway, Suite 350  
Scottsdale, AZ 85258

(b) Are the Buyer and Seller related? Yes  No   
If Yes, state relationship: \_\_\_\_\_

4. ADDRESS OF PROPERTY:

39.631 acres SEC Alma School/, Pinnacle Vista Drive  
Scottsdale, AZ

5. MAIL TAX BILL TO:

Taylor Morrison/Arizona, Inc.  
9000 East Pima Center Parkway, Suite 350  
Scottsdale, AZ 85258

6. PROPERTY TYPE (for primary parcel): NOTE: Check Only One Box

- a.  Vacant land f.  Commercial or Industrial Use  
b.  Single Family Residence g.  Agriculture  
c.  Condo or Townhouse h.  Mobile or manufactured Home  
 Affixed  Not Affixed  
d.  2-4 Plex i.  Other Use; Specify: \_\_\_\_\_  
e.  Apartment Building

7. RESIDENTIAL BUYER'S USE: If you checked b, c, d or h in item 6 above, please check one of the following:

- To be used as a primary residence.  Owner occupied, not a primary residence.  
 To be rented to someone other than a "family member".

See reverse side for definition of a "primary residence" or "family member."

8. If you checked e or f in item 6 above, indicate the number of units: n / a  
For Apartments, Motels / Hotels, Mobile Home / RV Parks, etc.

9. TYPE OF DEED OR INSTRUMENT (Check Only One Box):

- a.  Warranty Deed d.  Contract or Agreement  
b.  Special Warranty Deed e.  Quit Claim Deed  
c.  Joint Tenancy Deed f.  Other: \_\_\_\_\_

THE UNDERSIGNED BEING DULY SWORN, ON OATH, SAYS THAT THE FOREGOING INFORMATION IS A TRUE AND CORRECT STATEMENT OF THE FACTS PERTAINING TO THE TRANSFER OF THE ABOVE DESCRIBED PROPERTY.

Shula Junta  
Signature of Seller / Agent  
State of Arizona, County of Maricopa

Subscribed and sworn to before me on this 3 day of March 20 14  
Notary Public Sarah Anne Buvala  
Notary Expiration Date June 19 2015

14  
DOR FORM 82162 (08/2012)



10. SALE PRICE: \$7,331,735.00 00

11. DATE OF SALE (Numeric Digits): 03 / 14  
Month/Year

12. DOWN PAYMENT \$7,331,735.00 00

13. METHOD OF FINANCING:

- a.  Cash (100% of Sale Price) e.  New loan(s) from Financial institution:  
b.  Barter or trade (1)  Conventional  
(2)  VA  
c.  Assumption of existing loan(s) (3)  FHA  
d.  Seller Loan (Carryback) f.  Other financing; Specify: \_\_\_\_\_

14. PERSONAL PROPERTY (see reverse side for definition):

(a) Did the Sale Price in item 10 include Personal Property that impacted the Sale Price by 5 percent or more? Yes  No

(b) If Yes, provide the dollar amount of the Personal Property:  
\$ 00 AND

briefly describe the Personal Property: \_\_\_\_\_

15. PARTIAL INTEREST: If only a partial ownership interest is being sold, briefly describe the partial interest: \_\_\_\_\_

16. SOLAR / ENERGY EFFICIENT COMPONENTS:

(a) Did the Sale Price in Item 10 include solar energy devices, energy efficient building components, renewable energy equipment or combined heat and power systems that impacted the Sale Price by 5 percent or more? Yes  No

If Yes, briefly describe the solar / energy efficient components: \_\_\_\_\_

17. PARTY COMPLETING AFFIDAVIT (Name, Address, Phone Number):

First American Title Insurance Company National Commercial Services

2425 E. Camelback Road, Suite 300

Phoenix, AZ 85016

NCS-642425-PHX1 (sfh)

Phone (602)567-8100

18. LEGAL DESCRIPTION (attach copy if necessary):

See Exhibit "A" attached hereto

Shula Junta  
Signature of Buyer / Agent  
State of Arizona, County of Maricopa

Subscribed and sworn to before me on this 5 day of March 20 14  
Notary Public Sarah Anne Buvala  
Notary Expiration Date June 19 2015



**EXHIBIT "A"**

## PARCEL 1(1B):

BEING A PORTION OF THE SOUTH HALF, SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, AN ASSUMED BEARING, ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, FOR A DISTANCE OF 133.46 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 385.17 FEET;

THENCE SOUTHERLY TO A POINT WHICH LIES 465.79 FEET ALONG A COURSE, WHICH RUNS SOUTH 71 DEGREES 51 MINUTES 41 SECONDS EAST FROM A POINT ON THE EAST RIGHT OF WAY LINE OF PINNACLE PEAK ROAD WHICH POINT IS 345.67 FEET ALONG A COURSE RUNNING SOUTHERLY ALONG THE EAST RIGHT OF WAY LINE OF PINNACLE PEAK ROAD FROM THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTHERLY ON A COURSE WHICH IS SOUTH 2 DEGREES 11 MINUTES 05 SECONDS WEST 75 FEET;

THENCE WESTERLY ON A COURSE WHICH IS NORTH 71 DEGREES 51 MINUTES 41 SECONDS WEST TO THE EAST RIGHT OF WAY LINE OF PINNACLE PEAK ROAD AND;

THENCE NORTHERLY ALONG THE EAST RIGHT OF WAY LINE OF PINNACLE PEAK ROAD TO THE TRUE POINT OF BEGINNING AS GENERALLY DEPICTED ON THE ROUGH MAP INITIALED BY THE PARTIES;

EXCEPT THE FOLLOWING DESCRIBED PARCELS CONVEYED TO THE CITY OF SCOTTSDALE IN DEED RECORDED IN RECORDING NO. 2004-0761655:

## PARCEL A:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33,

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, AN ASSUMED BEARING ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, A DISTANCE OF 133.46 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF ALMA SCHOOL PARKWAY, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, ALONG SAID EAST-WEST MID-SECTION LINE A DISTANCE OF 15.00 FEET;

THENCE SOUTH 33 DEGREES 19 MINUTES 57 SECONDS WEST, A DISTANCE OF 75.83 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ALMA SCHOOL PARKWAY;

THENCE NORTH 22 DEGREES 50 MINUTES 30 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 68.70 FEET TO TRUE POINT OF BEGINNING.

## PARCEL B:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE

PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33,

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, AN ASSUMED BEARING ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, A DISTANCE OF 242.58 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF PINNACLE VISTA DRIVE, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, ALONG SAID EAST-WEST MID-SECTION LINE A DISTANCE OF 276.05 FEET;

THENCE SOUTH 9 DEGREES 16 MINUTES 00 SECONDS WEST, A DISTANCE OF 25.34 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, 25 FEET SOUTH OF AND PARALLEL TO SAID EAST-WEST MID-SECTION LINE A DISTANCE OF 157.33 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE NORTHERLY, AND HAVING A RADIUS OF 275.00 FEET;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 24 DEGREES 37 MINUTES 12 SECONDS, A DISTANCE OF 118.17 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

THAT PART OF THE SOUTH HALF OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 33;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST ALONG THE EAST-WEST MID-SECTION LINE A DISTANCE OF 1379.46 FEET TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS 83-065419, MARICOPA COUNTY RECORDERS' OFFICE;

THENCE SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, A DISTANCE OF 346.33 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS 83-065419, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS 84-218953;

THENCE SOUTH 89 DEGREES 48 MINUTES 45 SECONDS WEST, A DISTANCE OF 315.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS 84-218953;

THENCE SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS 84-218953, A DISTANCE OF 267.70 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, A DISTANCE OF 95.00 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 315.00 FEET;

THENCE SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, A DISTANCE OF 330.34 FEET TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS 92-247646;

THENCE CONTINUING SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS 92-247646 A DISTANCE OF 50.00 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 100.00 FEET;

THENCE SOUTH 0 DEGREES 12 MINUTES 05 SECONDS EAST, A DISTANCE OF 200.00 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 165.00 FEET;

THENCE NORTH 0 DEGREES 12 MINUTES 05 SECONDS WEST, A DISTANCE OF 170.00 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, A DISTANCE OF 240.00 FEET;

THENCE NORTH 0 DEGREES 12 MINUTES 05 SECONDS WEST, A DISTANCE OF 205.75 FEET;

THENCE NORTH 41 DEGREES 55 MINUTES 15 SECONDS WEST, A DISTANCE OF 533.56 FEET TO A POINT ON THE EAST RIGHT OF WAY OF THE ROADWAY DESCRIBED IN DOCKET 6492, PAGE 78, MARICOPA COUNTY RECORDS;

THENCE NORTH 27 DEGREES 26 MINUTES 30 SECONDS EAST ALONG SAID RIGHT OF WAY, A DISTANCE OF 51.44 FEET (SAID POINT BEING SOUTH 10 DEGREES 15 MINUTES 23 SECONDS WEST, 477.99 FEET FROM THE CENTER QUARTER CORNER OF SAID SECTION 33);

THENCE SOUTH 56 DEGREES 38 MINUTES 38 SECONDS EAST, A DISTANCE OF 137.24 FEET;

THENCE SOUTH 40 DEGREES 43 MINUTES 25 SECONDS EAST, A DISTANCE OF 261.89 FEET;

THENCE NORTH 85 DEGREES 05 MINUTES 07 SECONDS EAST, A DISTANCE OF 503.38 FEET;

THENCE NORTH 0 DEGREES 12 MINUTES 05 SECONDS WEST, A DISTANCE OF 89.08 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, A DISTANCE OF 365.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 3:

THAT PART OF THE SOUTH HALF OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION AND RUN THENCE NORTH 89 DEGREES 50 MINUTES EAST 1385.3 FEET;

THENCE SOUTH 0 DEGREES 5 MINUTES EAST 346.1 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 315 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES EAST 692 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 315 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES EAST 700 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 1443.35 FEET;

THENCE NORTH 21 DEGREES 29 MINUTES EAST ALONG THE EASTERLY LINE OF THE PREMISES CONVEYED TO LOIS KELLOGG MAURY BY DEED RECORDED IN BOOK 578 OF DEEDS, PAGE 255, RECORDS OF MARICOPA COUNTY, ARIZONA, 1870.16 FEET TO THE POINT OF BEGINNING;

EXCEPT THE FOLLOWING DESCRIBED PARCELS:

PARCEL A:

BEGINNING AT A POINT WHICH IS SOUTH 21 DEGREES 29 MINUTES WEST 1117.04 FEET FROM THE CENTER OF SAID SECTION 33 ALONG THE EASTERLY LINE OF THE PREMISES CONVEYED TO LOIS KELLOGG MAURY BY DEED AND RECORDED IN BOOK 578 OF DEEDS, PAGE 255, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 50 MINUTES EAST 418.16 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES EAST 350 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 556.58 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES;

THENCE NORTH 21 DEGREES 29 MINUTES EAST 376.56 FEET ALONG THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES TO THE TRUE POINT OF BEGINNING; AND

PARCEL B:

BEGINNING AT A POINT WHICH IS SOUTH 21 DEGREES 29 MINUTES WEST 1493.60 FEET FROM THE CENTER OF SAID SECTION 33, ALONG THE EASTERLY LINE OF THE PREMISES CONVEYED TO LOIS KELLOGG MAURY BY DEED RECORDED IN BOOK 578 OF DEEDS, PAGE 255, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 50 MINUTES EAST 556.58 FEET;  
THENCE SOUTH 0 DEGREES 05 MINUTES EAST 350 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST 695.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES;

THENCE NORTH 21 DEGREES 29 MINUTES EAST 376.56 FEET ALONG THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES TO THE TRUE POINT OF BEGINNING; AND

PARCEL C:

BEGINNING AT A POINT WHICH IS SOUTH 21 DEGREES 29 MINUTES WEST 987.93 FEET FROM THE CENTER OF SAID SECTION 33, ALONG THE EASTERLY LINE OF THE PREMISES CONVEYED TO LOIS KELLOGG MAURY BY DEED RECORDED IN BOOK 578 OF DEEDS, PAGE 255, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 50 MINUTES EAST, A DISTANCE OF 370.71 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES EAST, A DISTANCE OF 120 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES WEST A DISTANCE OF 418.16 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES;

THENCE NORTH 21 DEGREES 29 MINUTES EAST, ALONG THE EASTERLY LINE OF SAID LOIS KELLOGG MAURY PREMISES, A DISTANCE OF 129.11 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL D:

CONSISTING OF PARCEL 1 (1A), AS DESCRIBED IN DETAIL ABOVE; PARCEL 1 (1B), AS DESCRIBED IN DETAIL ABOVE; AND PARCEL 2, AS DESCRIBED IN DETAIL ABOVE.

PARCEL E:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE 1/2" REBAR WITH CAP LS#22281 MARKING THE CENTER OF SAID SECTION 33, FROM WHICH THE G.L.O. BRASS CAP MARKING THE EAST QUARTER CORNER OF SAID SECTION 3 BEARS NORTH 89°50'00" EAST, A DISTANCE OF 2,638.51 FEET AND FROM WHICH THE MARICOPA COUNTY BRASS CAP MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 33 BEARS SOUTH 00°13'053" EAST, A DISTANCE OF 2,642.44 FEET;

THENCE NORTH 89°50'00" EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, A DISTANCE OF 716.61 FEET;

THENCE SOUTH 00°10'00" EAST, A DISTANCE OF 25.00 FEET TO A POINT ON THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE CITY OF SCOTTSDALE IN WARRANTY DEED RECORDED IN DOCUMENT NO. 2006-0761656, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING A LINE WHICH IS PARALLEL WITH AND 25.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 89°50'00" EAST, ALONG SAID SOUTHERLY LINE AND SAID PARALLEL LINE, A DISTANCE OF 247.87 FEET;

THENCE SOUTH 00°12'05" EAST, A DISTANCE OF 271.70 FEET;

THENCE SOUTH 52°05'01" WEST, A DISTANCE OF 188.79 FEET;

THENCE SOUTH 89°50'00" WEST, A DISTANCE OF 42.45 FEET;

THENCE NORTH 37°55'04" WEST, A DISTANCE OF 66.41 FEET;

THENCE NORTH 00°10'00" WEST, A DISTANCE OF 42.45 FEET;

THENCE NORTH 52°05'01" EAST, A DISTANCE OF 40.95 FEET;

THENCE NORTH 00°12'05" WEST, A DISTANCE OF 95.00 FEET;

THENCE NORTH 24°39'03" WEST, A DISTANCE OF 115.75 FEET;

THENCE NORTH 00°10'00" WEST, A DISTANCE OF 66.90 FEET TO THE TRUE POINT OF BEGINNING.

AND EXCEPT THE FOLLOWING DESCRIBED PARCEL CONVEYED TO THE CITY OF SCOTTSDALE IN DEED RECORDED IN RECORDING NO. 2004-0761656:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, AN ASSUMED BEARING ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, A DISTANCE OF 518.63 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 50 MINUTES 00 SECONDS WEST, ALONG SAID EAST-WEST MID-SECTION LINE, A DISTANCE OF 866.84 FEET;

THENCE SOUTH 0 DEGREES 05 MINUTES 00 SECONDS EAST, A DISTANCE OF 25.00 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST, 25 FEET SOUTH OF AND PARALLEL TO SAID EAST-WEST MID-SECTION LINE, A DISTANCE OF 870.96 FEET;

THENCE NORTH 9 DEGREES 16 MINUTES 00 SECONDS EAST, A DISTANCE OF 25.34 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 4:

A PARCEL OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE & MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 33;

THENCE SOUTH 89 DEGREES 58 MINUTES 42 SECONDS EAST ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33, A DISTANCE OF 163.67 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF ALMA SCHOOL PARKWAY, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 27 DEGREES 44 MINUTES 18 SECONDS EAST, ALONG THE EASTERLY RIGHT OF WAY OF ALMA SCHOOL PARKWAY, A DISTANCE OF 6.30 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE SOUTHERLY, AND HAVING A RADIUS OF 30.00 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, A DISTANCE OF 47.12 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF PINNACLE VISTA DRIVE;

THENCE SOUTH 62 DEGREES 15 MINUTES 42 SECONDS EAST ALONG THE SOUTHERLY RIGHT OF WAY OF PINNACLE VISTA DRIVE, A DISTANCE OF 25.00 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE NORTHEASTERLY, AND HAVING A RADIUS OF 275.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 3 DEGREES 05 MINUTES 48 SECONDS, A DISTANCE OF 14.86 FEET TO A POINT ON THE EAST-WEST MID-SECTION LINE OF SAID SECTION 33;

THENCE NORTH 89 DEGREES 58 MINUTES 42 SECONDS WEST, ALONG SAID MID-SECTION LINE, A DISTANCE OF 78.91 FEET TO THE TRUE POINT OF BEGINNING.

## APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS

### POLICY OF THE CITY OF SCOTTSDALE ON APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS

#### RIGHTS OF PROPERTY OWNER

In addition to 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) where 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 violation of Arizona and federal court decisions.

#### APPEAL PROCEDURE

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

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

- ❖ 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 de novo with the Superior Court within 30 days of the hearing officer's decision.

**If you have questions about this appeal process, you may contact:**

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

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.

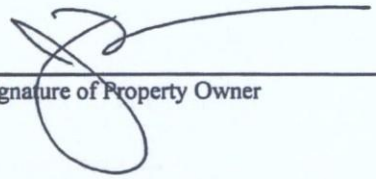
**Owner Certification  
Acknowledging Receipt  
Of  
Notice Of Right To Appeal  
Exactions And Dedications**

TM

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

SEC of Alma School & Pinnacle Vista  
(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

5/11/14  
\_\_\_\_\_  
Date