

207 Waiver
Title
Legal Description
Policy or Appeals
Correspondence Between Legal & Staff
Letter of Authorization

AFFIDAVIT OF AUTHORITY TO ACT FOR PROPERTY OWNER

1. This affidavit concerns the following parcel of land:
 - a. Street Address: Between Scottsdale Rd. and 104th St., and Stagecoach Pass Rd. and Happy Valley Rd.
 - b. County Tax Assessor's Parcel Number See attached legal description
 - c. General Location Between Scottsdale Rd. and 104th St., and Stagecoach Pass Rd. and Happy Valley Rd.
 - d. Parcel Size: 4,020 acres
 - e. Legal Description: See attached 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)	
<u>Vanessa Hickman</u>	
<u>Mark Edelman</u>	
<u>Micah Horowitz</u>	

Date	
<u>DEC 2</u>	<u>20 14</u>
<u>Nov. 24</u>	<u>20 14</u>
<u>Nov 25</u>	<u>20 14</u>
	<u>20</u>

Signature	
<u>[Signature]</u>	
<u>[Signature]</u>	
<u>[Signature]</u>	

LAND TITLE CERTIFICATION

The records of the Arizona State Land Department have been researched and as legal custodian, I hereby certify that the following described lands are State Trust Land:

Township 4 North, Range 4 East

Section 02 Lots 1 thru 4; S2N2; S2 Ex M&B in Lot 1, NESENE (584.12 acres)

Township 5 North, Range 4 East

Section 36 All Ex Patent 53-52828-01 (637.46 acres)

Township 5 North, Range 5 East

Section 05 Lot 4 M&B in Lot 3, S2NW (102.99 acres)

Section 06 Lots 1 thru 7; S2NE; SENW; E2SW (479.65 acres)

Section 07 Lots 1 thru 4; E2W2; SE Ex E 50ft of S 340ft of E2SESENW (478.89 acres)

Section 08 M&B in S2 (219.96 acres)

Section 17 M&B in NE, W2 (196.26 acres)

Section 18 Lots 1 thru 4; NE; E2W2; N2SE; SWSE M&B in SESE (633.59 acres)

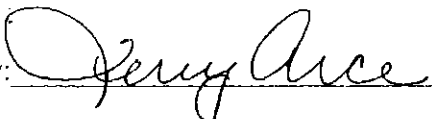
Section 19 Lots 1 & 2: M&B in Lots 3 & 4, NE, E2W2 (230.80 acres)

Section 30 Lots 2 thru 4; SENW; E2SW M&B in Lot 1, N2NW (296.84 acres)

Section 31 Lots 1 thru 4 (160.17 acres)

The information provided above, is current as of September 5, 2014.

STATE OF ARIZONA
State Land Commissioner

By: 

Title: Manager, Title & Contracts Section

Date: September 5, 2014



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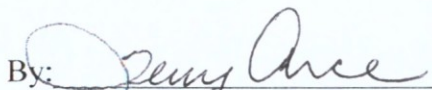
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By: 

Title: Manager, Title & Contracts Section

Date: December 2, 2014



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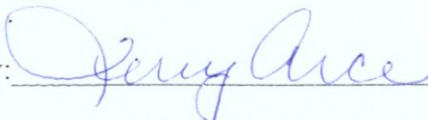
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STATE OF ARIZONA
State Land Commissioner

By: 

Title: Manager, Title & Contracts Section

Date: September 5, 2014





Requirements for Submitting Evidence of Title to the City of Scottsdale Planning Department

The City of Scottsdale planning department requires applicants for various zoning applications, building permits and other approvals to provide evidence of land ownership. Unless city staff directs otherwise, the required evidence shall be a title insurance commitment meeting the following requirements:

1. The applicant shall instruct the title insurance company to prepare a normal title insurance commitment.
2. The title commitment must cover the whole project site, just as if the city were a commercial real estate developer who was going to buy the whole site from whoever owns it today.
3. The title insurance commitment must be in the same form and have the same wording that the title insurer usually uses when a sophisticated real estate purchaser is buying land from a sophisticated seller. For example, it must not have any extra notes, disclaimers or other language that is not in a normal title insurance commitment for a straightforward land purchase.
4. The City of Scottsdale must be listed as the proposed insured.
5. The proposed insurance amount must be a reasonable estimate of the actual dollar value of the whole site. (The price for the most recent arms-length sale of the whole site is usually an acceptable amount.)
6. The Schedule B requirements must call for:
 - a. A deed from the current owner to the city.
 - b. Releases of all liens, as if the city were going to pay cash for the land and not assume any liens or take subject to any liens.
 - c. Termination of all leases. (Leases with 24 or fewer months remaining in their term may be listed in the Schedule B exceptions instead.)
 - d. Any other specific payments or specific document recordings that the title insurer would normally call for (such as payment of delinquent property taxes).
7. The Schedule B exceptions must show any other specific title matters that may exist.
8. Title companies sometimes state in their title commitments that they will update the title search before issuing a title insurance policy. That's o.k. if the language is clear that the update will only include new title documents that are recorded after the title commitment date. For example, it is o.k. to have wording that says: "Additional items may be added based on new documents recorded before closing." But there must not be vague wording such as this: "Check with title examiner for additional items before closing."
9. The title search date on the title commitment must be less than 30 days old.
10. Both "standard coverage" and "extended coverage" title commitments are acceptable. (The title information on an extended coverage commitment must be identical to the title information that would be on a standard coverage commitment. The only difference is that the Schedule B requirements for an "extended coverage" commitment will call for a survey and will allow the title company to add Schedule B exceptions or requirements for any problems the survey reveals.)
11. There is no need to open an escrow to make a routine dedication. The city will record the dedication directly without sending it through the title company. Often, the city will not actually buy the title insurance described in the commitment or require the applicant to buy it. But, if the city decides to do it (or require the applicant to do it), then the city or the applicant will follow up with the title insurer to pay the insurance premium and satisfy the Schedule B requirements so that the title insurer will issue the policy.
12. The applicant shall inform city staff in writing of any and all title changes that occur after the title commitment is issued.
13. The city reserves the right for city staff to require additional evidence of title, including but not limited to an extended title insurance policy in favor of the city.

Revised October 12, 2006

19-ZN-2014
12/3/2014

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